

**CODE OF ORDINANCES
of the
Township of Granville
Mifflin County, Pennsylvania**

Published by Authority of the Township

Adopted April 25, 1988

PENNS VALLEY PUBLISHERS

Harrisburg, Pennsylvania

**Revised March 27, 1989
Revised August 30, 1991
Revised October 27, 1997
Revised June 16, 2000
Revised November 13, 2000
Revised July 24, 2001
Revised September 1, 2004
Revised July 26, 2005
Revised August 2007
Revised September 8, 2008
Revised January 21, 2011
Revised December 27, 2013
Revised January 20, 2016
Revised May 1, 2017**

CONTENTS

Municipal Officials	3
Forward	4
Adopting Ordinance.	5
Chapter 1 Administration and Government	9
Chapter 2 Animals	28
Chapter 3 Bicycles.	33
Chapter 4 Buildings	34
Chapter 5 Code Enforcement	44
Chapter 6 Conduct	45
Chapter 7 Fire Prevention and Fire Protection	50
Chapter 8 Flood Plain Regulations	53
Chapter 9 Grading and Excavating.	79
Chapter 10 Health and Safety	80
Chapter 11 Housing	103
Chapter 12 Libraries	104
Chapter 13 Licenses, Permits and General Business Regulations.	105
Chapter 14 Mobile Homes and Mobile Home Parks.	145
Chapter 15 Motor Vehicles and Traffic.	146
Chapter 16 Parks and Recreation.	178
Chapter 17 Planned Residential Development	185
Chapter 18 Sewers and Sewage Disposal.	186
Chapter 19 Signs and Billboards.	241
Chapter 20 Solid Waste	242
Chapter 21 Streets and Sidewalks	251
Chapter 22 Subdivision and Land Development	266
Chapter 23 Swimming Pools	267
Chapter 24 Taxation Special.	273
Chapter 25 Trees	288
Chapter 26 Water	289
Chapter 27 Zoning.	337
<u>Appendix:</u>	338
A Annexation of Territory	339
B Bond Issues and Loans	340
C Franchises and Services	342
D Governmental and Intergovernmental Affairs	343
E Plan Approval	345
F Public Property	346
G Sewers.	347
H Streets and Sidewalks	349
I Water	350
J Zoning.	351
Key to the Disposition of All Ordinances	352
Index.	359

OFFICIALS
of the
TOWNSHIP OF GRANVILLE
County of Mifflin
Pennsylvania

ELECTED OFFICIALS

BOARD OF SUPERVISORS

Chairman	-	Mark M. Ellinger
Vice Chairman	-	William W. Page
Supervisor	-	James A. Smith, Sr.
Tax Collector	-	Billi J. Weaver
Auditors	-	Helen Kirk Winifred Snyder Sharon Page

APPOINTED OFFICIALS

Township Manager	-	Lisa J. Swisher
Secretary/Treasurer	-	Lisa J. Swisher
Police Chief	-	Craig Weston
Sewer Foreman	-	Earl E. Weaver Jr.
Road Foreman	-	Douglas R. Herto
Building Code Dept. Head	-	Mary E. Herto
Solicitor	-	Searer Schrum & Searer

As of January 4, 2016

FOREWORD

History

This comprises the codification of the Ordinances of the Township of Granville. Township was originally settled in 1755 and was incorporated as a Second Class Township on April of 1838 from parts of Derry Township, Mifflin County.

The Code of Ordinances of the Township was prepared by Penns Valley Publishers and adopted by the Board of Supervisors on April 25, 1988 by Ordinance number 1988-1.

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 of Granville, 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 codifiers and the 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 codebook, 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. 1988-1

An Ordinance adopting the Code of Ordinances of the Township of Granville.

The Township hereby ordains:

Section 1. Adoption. The "Code of Ordinances, Township of Granville," as prepared and published for the said Township by Penns Valley Publishers, Harrisburg, Pennsylvania, 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 penal ordinances of the Township organized as follows:

- Chapter 1Administration and Government
- Chapter 2Animals
- Chapter 4Buildings
- Chapter 6Conduct
- Chapter 7Fire Prevention and Fire Protection
- Chapter 8Flood Plain Regulations
- Chapter 10.Health and Safety
- Chapter 13. Licenses, Permits and General Business Regulations
- Chapter 15.Motor Vehicles and Traffic
- Chapter 18.Sewers and Sewage Disposal
- Chapter 20.Solid Waste
- Chapter 21.Streets and Sidewalks
- Chapter 24.Taxation, Special

Appendix:

- B.Bond Issues and Loans
- D.Governmental and Intergovernmental Affairs
- G.Sewers
- H.Streets and Sidewalks

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 of Granville 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 Code of Ordinances", and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the Township of

Granville 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

<u>Chapter, Part, Section</u>	<u>Subject</u>	<u>Ordinance No.</u>
Chapter 15, Entire length	Motor Vehicle	1981-2, 1983-1, 1983-2, 1983-7, 1984-2, 1985-2, 1987-2,6/8/1987

B. Revisions

<u>Chapter, Part</u>	<u>Subject</u>	<u>Ordinance No.</u>
Chapter 10, Part 1	Storage of Junk Autos	12/-/1967C
Chapter 24, Part 1	Per Capita Tax	4/-/1959

Section 5. New Enactment's, 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 Enactment's

<u>Chapter, Part</u>	<u>Short Title</u>
Chapter 1, Part 4 Chapter 2, Parts 1-3	Firemen's Relief Association Animals; Dogs at Large, Noise Control, and Defecation in Public Places
Chapter 15, Parts 1-7	Motor Vehicles; General, Traffic, Weight Limits, Parking Impoundment, Snow Emergencies, Pedalcycle Regulations
Chapter 24, Part 3	Earned Income Taxation
Chapter 24, Part 4	Occupation Privilege Taxation

B. Amendments

<u>Chapter, Part, Section</u>	<u>Short Title</u>	<u>Ord. No.</u>
Chapter 1, Part 1, §108	Township Supervisors	12/23/1985
Chapter 4, Part 1, §104,		
§107	Bldg. Per. Fee & Term	1975-1
Chapter 7, Part 1, §102	Outdoor Fire Exceptions	12/23/1971
Chapter 13, Part 1, §106,		
§112	Junk Dealer Regulations	12/-/1967B
Chapter 18, Part 2, §202		
§205	Use of Public Sewer	1983-4
Chapter 18, Part 3, §303	Sewer Connection Permit	1983-5
Chapter 18, Part 5, §502	Sewer Rates & Charges	1984-1

C. Repeals

<u>Ord. No.</u>	<u>Short Title</u>
4/10/1959A	Trailer Tax

Section 6. Procedural Changes. The following minor procedural changes have been made to existing Township of Granville 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 sections have been revised where necessary to comply with the Crimes Code or the Motor Vehicle Code.

Section 7. Amending the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part and Section and Subsection to be amended, 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 8. 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's Code of Ordinances and shall be available for public inspection.

Section 9. Penalties. It shall be unlawful for anyone to change, alter, or tamper with the code of ordinances in any manner, which will intentionally misrepresent the laws of the Township of Granville. Whosoever shall violate this section shall, upon

summary conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days.

Section 10. Severability of Parts of Codification. It is hereby declared to be the intention of 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 25th day
of April, 1988

TOWNSHIP OF GRANVILLE

By: /s/ Edward D. Fike
Chairman, Board of Supervisors

ATTEST:

/s/ Lisa J. Breon
Secretary/Treasurer

CHAPTER 1
ADMINISTRATION AND GOVERNMENT

Part 1

Township Supervisors Compensation

- §101. Short Title
- §102. Statutory Authority
- §103. Finding of Fact
- §104. Supervisors Meeting Compensation
- §105. General Limitation Upon Compensation
- §106. Time of Payment
- §107. Effective Date

Part 2

Police Pension Plan

- §201. Repealer
- §202. Establishment
- §203. Savings Provisions

Part 3

Non-Uniformed Employee Pension

- §301. Adoption
- §302. Repealer
- §303. Savings Provisions

Part 4

Firemen's Relief Association

- §401. Recognition of Firemen's Relief Association
- §402. Certification to Auditor General
- §403. Annual Appropriation

Part 5

Granville Township Planning Commission

- §501. Intent to Establish Planning Commission
- §502. Membership
- §503. List of Members and Terms of Office
- §504. Powers and Duties
- §505. Use of Employees and Other Agencies
- §506. Repealer

Part 6
Collection Procedures and Schedule of Attorney Fees
On Municipal Liens

- §601. Schedule of Fees
- §602. Collection Procedures
- §603. Related Action

Part 7
Creation of the Position of Township Manager

- §701. Creation of the Office of Township Manager
- §702. Appointment and Removal
- §703. Qualifications
- §704. Bond
- §705. Manager's Compensation
- §706. Powers and Duties
- §707. Repealer
- §708. Effective Date

Part 8
Return Check Fee & Certification Fee for Certifications
From Tax Collector

- §801. Return Check Fee
- §802. Service Fee Regarding Delinquent Tax Statement
- §803. Severability
- §804. Repealer
- §805. Effective Date

Part 9
PSATS Unemployment Compensation Group Trust

- §901. Adoption Authorization
- §902. Participation
- §903. Conditions
- §904. Withdrawal Terms
- §905. Effective Date
- §906. Delegation of Powers
- §907. Organizational Structure
- §908. Funding
- §909. Empowerment
- §910. Participation Conditions
- §911. Certification
- §912. Supervisor Authorization
- §913. Term
- §914. Determination
- §915. Severability
- §916. Prior Action
- §917. Effective immediately

Part 1

Township Supervisors Compensation

§101. Short Title. This Part 1 shall be known as the Granville Township Supervisors Compensation Ordinance of 1995. (Ord. 12/23/1985, 12/23/1985, 1; as amended by Ord. 1995-11, 12/28/1995)

§102. Statutory Authority. This Part 1 is enacted pursuant to the Act of Assembly of the Commonwealth of Pennsylvania of 1995, P. L. 294, amending the Second Class Township Code of Pennsylvania, §515, relating to the annual compensation of Supervisors for townships of the second class, of which the Township of Granville is one. (Ord. 12/23/1985, 12/23/1985, 2; Ord. 1995-11, 12/28/1995)

§103. Finding of Fact. The Board of Township Supervisors of the Township of Granville determine as a matter of fact that the Township population is approximately five thousand ninety (5,090) as of 1995, and lies in the population bracket of five thousand (5,000) to nine thousand nine hundred ninety nine (9,999) as set out by said statute, whereby the Supervisors of this Township shall be entitled to a maximum annual compensation of two thousand five hundred (\$2,500.00) dollars. (Ord. 12/23/1985, 12/23/1985, 3; as amended by Ord. 1995-11, 12/28/95)

§104. Supervisors Meeting Compensation. Each Supervisor of the Township of Granville elected or appointed to such office shall receive compensation as a Supervisor for duties imposed by the provisions of the Second Class Township Code; however, if a supervisor is unable to attend meetings and perform the duties of the office, no compensation will be received for any such month. (Ord. 12/23/1985, 12/23/1985, 4; as amended, Ord. 1993-6, 12/27/93; as amended, Ord. 2002-6, 12/9/02; Ord. 2005-2, 2/7/05)

§105. General Limitation Upon Compensation. No Supervisor shall receive annual compensation under this Part 1 in excess of the annual statutory limit for Supervisors of townships of the second class with the appropriate population category according to law. (Ord. 12/23/1985, 12/23/1985, 5)

§106. Time of Payment. Compensation of Supervisors due hereunder shall be paid at or following the first meeting of the month or quarter as ordered by the Board upon motion duly adopted. (Ord. 12/23/1985, 12/23/1985, 7; Ord. 1993-6, 12/27/93)

§107. Effective Date. This Part 1 shall be effective according to law. This ordinance shall be effective on December 29, 1995. (Ord. 12/23/1985, 12/23/1985, 8; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1993-6, 12/27/93; as amended by Ord. 1995-11, 12/28/1995)

Part 2

Police Pension Plan

§201. Repealer. This Ordinance specifically replaces all other ordinances or parts of ordinances establishing provisions for the Police Pension Plan. This ordinance replaces the retirement plan for the uniformed employees of Granville Township through the adoption of the Granville Township Uniform Retirement Plan. (Ord. 1999-2, 7/12/99; as further amended by Ord. 2016-1, 2/1/2016)

§202. Establishment. This ordinance establishes a retirement plan for the uniformed employees of Granville Township by the adoption of the Pension Document effective 1/1/03. (Ord. 1999-2, 7/12/99; Ord. 2005-1, 2/7/05; as amended by the collective bargaining agreement between the Township and the Police Association dated 1/1/08 and enacted 1/17/08. Ord. 2008-2, 9/8/08; as further amended by Ord. 2013-1 enacted 3/4/13; as further amended by Ord. 2016-1, 2/1/2016)

§203. Savings Provisions. In the event that any provision, section, sentence, clause, or part of this Retirement Plan shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Retirement Plan, it being the intent of the Township that such remainder shall remain in full force and effect. (Ord. 1999-2, 7/12/99; as further amended by Ord. 2016-1, 2/1/2016)

Part 3

Non-Uniformed Employee Pension

§301. Repealer. This Ordinance specifically replaces all other ordinances or parts of ordinances establishing provisions for the Non-Uniform Pension Plan. This ordinance replaces the retirement plan for the non-uniform employees of Granville Township through the adoption of the Granville Township Non Uniform Pension Plan. (Ord. 1999-3, 7/12/99; and as amended by resolution 2004-12 enacted 12-13-04; as amended by Ord. 2013-4, 12/3/13).

§302. Establishment. This Ordinance establishes a retirement plan for the non-Uniform employees of Granville Township through the adoption of the Non-Uniform Document effective January 1, 2013. This document is adopted by reference in its entirety. (Ord. 1999-3, 7/12/99; as amended by Ord. 2013-4, 12/3/13)

§303. Savings Provisions. In the event that any provision, section, sentence, clause, or part of this Retirement Plan shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Retirement Plan, it being the intent of this Township that such remainder shall remain in full force and effect. (Ord. 1999-3, 7/12/99; as amended by Ord. 2008-3, 9/8/08; as amended by Ord. 2013-4, 12/3/13)

Part 4

Firemen's Relief Association

§401. Recognition of Firemen's Relief Association.

1. The following association is hereby recognized as actively engaged in providing fire protection and/or emergency services in the Township of Granville.

Mifflin County Firemen's Relief Association

The above named association has been formed for the benefit of its members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.

2. The above named Association of the Township is designated the proper association 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. (Ord. 1988-1, 4/25/1988)

§402. Certification to Auditor General. The Board of Supervisors shall annually certify to the Auditor General of the Commonwealth, the name(s) of the active associations and the percentage of service they contribute to the protection of the Township of Granville. Such certification shall be on forms prescribed by the Auditor General. (Ord. 1988-1, 4/25/1988)

§403. Annual Appropriation. 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 1984 Act of December 18, 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 association(s) within sixty (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. (Ord. 1988-1, 4/25/1988)

Part 5

Granville Township Planning Commission

§501. Intent to Establish Planning Commission. The Board of Supervisors of the Municipality of Granville Township, Mifflin County, hereby signifies its intention and desire to organize a Planning Commission under the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of July 31, 1968, as reenacted and amended. (Ord. 1993-5, 12/13/93)

§502. Membership. The Planning Commission shall consist of five members, all of whom shall be citizens of the Township of Granville, Mifflin County. (Ord. 1993-5, 12/13/93)

The term of office of the members shall be four (4) years or until a successor is appointed, except that the terms of the members first appointed shall be so fixed that on a commission of eight (8) members or less, no more than two (2) shall be reappointed during any future calendar, and on commissions of nine (9) members, no more than three (3) shall be so reappointed or replaced. In the event of vacancies, the governing body shall appoint a member to fill the unexpired term. Members whose terms have expired shall hold office until their successors have been appointed. (Ord. 1993-5, 12/13/93)

§503. List of Members and Term of Office. The names, addresses, and terms of office of the initial members of the Planning Commission are as follows:

NAME	ADDRESS	TERM OF OFFICE
James Fosselman	26 Long Drive, Lewistown	4 yrs.
Glenn Snyder, Sr.	RD 4 Box 420, Lewistown	4 yrs.
William Bradford	659 Ferguson Valley Rd, Lwtn	3 yrs.
Marvin Alexander	RD 4 Box 48-B, Lewistown	2 yrs.
Michele Bair	106 Birch Drive, Lewistown	1 yr.

(Ord. 1993-5, 12/13/93)

§504. Powers and Duties. a) The planning commission shall at the request of the governing body under the authority of MPC Section 209.1, have the power and shall be required to:

- (1) Prepare the comprehensive plan for the development of the municipality as set forth in this act, and present it for the consideration of the governing body.
- (2) Maintain and keep on file records of its actions. All records and files of the planning commission shall be in the possession of the governing body.

b) The planning commission at the request of the governing body may:

- (1) Make recommendations to the governing body concerning the adoption or amendment of an official map.
- (2) Prepare and present to the governing body of the municipality a zoning ordinance, and make recommendations to the governing body on proposed amendments to it as set forth in this Act.
- (3) Prepare, recommend and administer subdivision and land development, and planned residential development regulations, as set forth in this Act.
- (4) Prepare and present to the governing body of the municipality a building code and a housing code and make recommendations concerning proposed amendments thereto.
- (5) Do such other acts or makes such studies as may be necessary to fulfill the duties and obligations imposed by this Act.
- (6) Prepare and present to the governing body of the municipality an environmental study.
- (7) Submit to the governing body of the municipality a recommended capital improvements program.
- (7.1) Prepare and present to the governing body of the municipality a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
- (8) Promote public interest in, and understanding of, the comprehensive plan and planning.
- (9) Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
- (10) Hold public hearings and meetings.
- (10.1) Present testimony before any board.
- (11) Require from other departments and agencies of the municipality such available information as relates to the work of the planning agency.

(1, §504, cont'd)

(1, §506)

- (12) In the performance of its functions, enter upon any land to make examinations and land surveys with the consent of the owner.
- (13) Prepare and present to the governing body a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the municipality.
- (14) Review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan. (Ord. 1993-5, 12/13/93)

§505. Use of Employees and Other Agencies. The planning commission may, with the consent of the governing body, accept and utilize any funds, personnel or other assistance made available by the County, the Commonwealth or the federal government, or any of their agencies, or from private sources. The governing body may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with the governmental procedures of the municipality. (Ord. 1993-5, 12/13/93)

§506. Repealer. All other resolutions and ordinances or parts thereof, inconsistent herewith, are hereby repealed. (Ord. 1993-5, 12/13/93)

Part 6

Collection Procedures and Schedule of Attorney Fees
On Municipal Liens

§601. Schedule of Fees.

(a) Granville Township hereby approves the following schedule of attorney fees for services in connection with the collection of delinquent taxes, user charges and other items covered by the Municipal Claims Act (“Accounts”), which is hereby determined to be fair and reasonable compensation for the services set forth below, all in accordance with the Act:

Legal Services	Fee for Service
Initial review and sending first demand letter	\$ 40.00
File lien and mail second demand letter	80.00
Prepare Writ of Scire Facias	125.00
Obtain Re-issued Writ	50.00
Prepare and mail letter under Pa.R.C.P. 237.1	35.00
Prepare Motion for Summary Judgment and related Judgment	25.00
Prepare Writ of Execution	300.00
Attendance at sale; Review Schedule of Distribution and Resolve distribution issues	300.00
Services not covered above	Hourly amount equal to Solicitor’s Regular charges to Township

(b) There shall be added to the above amounts the reasonable out-of-pocket expenses of counsel in connection with each of the services, as itemized in the applicable counsel bills, which shall be deemed to be part of the fees.

(c) The amount of fees determined as set forth above shall be added to the Township’s claim in each Account.
(Ord. 2000-2, 6-12-00)

§602. Collection Procedures. The following procedures are hereby established in accordance with the Act:

(a) At least thirty (30) days prior to assessing or imposing attorney fees in connection with the collection of an Account, the Township shall mail or cause to be mailed, by certified mail, return receipt requested, a notice of such intention to the taxpayer, user or other entity liable for the Account (the "Account Debtor")

(b) If within thirty (30) days after mailing the notice in accordance with subsection (a), the certified mail to any Account Debtor is refused or unclaimed or the return receipt is not received, then at least ten (10) days prior to the assessing of attorney fees, the Township shall mail or cause to be mailed, by first class mail, a second notice to the Account Debtor.

(c) All notices required by this Ordinance shall be mailed to the Account Debtor's last known post office address as recorded in the records or other information of the Township, or such other address as it may be able to obtain from the Mifflin County Assessment Office.

(d) Each notice as described above shall include the following:

(i) The type of tax or other charge, the date it became due and the amount owed, including penalty and interest;

(ii) A statement of the Township's intent to impose or assess attorney fees within thirty (30) days after the mailing of the first notice, or within ten (10) days of the mailing of the second notice;

(iii) The manner in which the assessment or imposition of attorney fees may be avoided by payment of the Account; and

(iv) The place of payment for Accounts and the name and telephone number of the Township official designated as responsible for collection matters.

(Ord. 2000-2, 6-12-00)

§603. Related Action. The proper officials of the Township are hereby authorized and empowered to take such action as they may deem necessary or appropriate to implement this Ordinance. (Ord. 2000-2, 6-12-00)

Part 7
Creation of the Position of Township Manager

§701. Creation of the Office of Township Manager. The Board of Supervisors of Granville Township hereby creates the office of Township Manager. (Ord. 2001-1, 4-23-01)

§702. Appointment and Removal. The Manager shall be appointed for an indefinite term by a majority of all members of the Board of Supervisors. The Manager shall service at the pleasure of the Board of Supervisors, and he or she may be removed at any time by a majority vote of all its members. At least thirty (30) days before such removal is to become effective, the Board of Supervisors shall furnish the Manager with a written statement setting forth its intention to remove him or her. (Ord. 2001-1, 4-23-01)

§703. Qualifications. The Manager shall be chosen solely on the basis of his or her executive and administrative abilities, with special reference to the duties of the office as herein outlined. The Manager need not be a resident of the Township or of the Commonwealth of Pennsylvania at the time of appointment, but during the tenure of office he or she may reside outside the Township only with the approval of the Board of Supervisors. If the Board of Supervisors fails within a reasonable time, not to exceed sixty (60) days after the appointment, to approve the Manager's residence outside the Township, he or she must immediately become, and during the tenure remain, a resident of the Township. (Ord. 2001-1, 4-23-01)

§704. Bond. Before entering into his or her duties, the Manager shall give a bond, in the sum established annually pursuant to a motion of the Board of Supervisors, with a bonding company as surety, to be approved by the Board of Supervisors, conditioned upon the faithful performance of his or her duties. The premium for said bond is to be paid by the Township. (Ord. 2001-1, 4-23-01)

§705. Manager's Compensation. The salary of the Township Manager shall be fixed from time to time by the Board of Supervisors. (Ord. 2001-1, 4/23/01)

§706. Powers and Duties. The Manager shall be the chief administrative office of the Township and shall be responsible to the Board of Supervisors as a whole for the proper and efficient administration of the affairs of the Township placed in his or her charge. The powers and duties for administration of all Township business shall be vested in the Manager, unless expressly imposed or conferred by statute or ordinance upon other Township officers.

(1, §706, cont'd)

(1, §706, cont'd)

Subject to recall, the powers and duties of the Township Manager shall include, but not be limited to the following:

Will have the right to enter into contracts for services and products for the use of the Municipality and its departments under the authority of the Board.

Can make purchases and must affix his/her initials on all invoices as approval of these purchases in the approval box affixed to each invoice to be paid.

Required to attend all Township meetings.

Must review all bid documents.

Must set up scheduling for paving in conjunction with the Road Foreman.

Must meet with Department Heads on a regular basis, as needed.

Must make sure chain of command is being followed by departments when problem is brought to him/her from a department.

Review policies and procedures on yearly basis, at least, and update as needed.

Monitor projects and daily business and make efficient, business-like decisions.

Research state contracts for better prices, make bulk purchases and work with other municipalities on bulk purchasing.

Oversee projects, grant updates, and keep current records on the overall state of the Township.

Prepare personnel policy changes.

Prepare & review annual budget and monitor the budget throughout the year. During budget preparation, the Manager shall request estimates of revenues and expenditures from the department heads of each department. These estimates must be submitted to the Manager no later than October 15, 2001.

Can make immediate purchases of up to \$10,000. No limit on the spending amount, with the approval of the Board.

Responsible to deal with emergency services, including fire & ambulance.

The elected officials are responsible for disciplinary action upon recommendation of the Township Manager.

(1, §706, cont'd)

(1, §708)

Responsible to answer all public inquiries, in writing, when practical. If this is not possible, a phone call must be made.

Must seek public opinion on projects by order of the elected officials or as an aid to the decision making of the elected officials.

Answers to the Elected Officials.

The manager can question the action of a member of the Board to the full Board without fear of retribution.

Must be courteous to the public.

Responsible for securing professional services for the whole township, i.e. engineers, legal services, for specific projects.

Responsible for making sure jointly purchased items are paid for evenly by the different departments.

Supervise and be responsible for the activities of all municipal departments.

Keep the elected officials informed on all ongoing projects and general business of the Township. (Ord. 2001-1, 4/23/01)

§707. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. (Ord. 2001-1, 4/23/01)

§708. Effective Date. This ordinance shall become effective on May 14, 2001. (Ord. 2001-1, 4/23/01)

Part 8

Return Check Fees and Service Charge Fee for Certifications from
Tax Collector§801. Return Check Fee

1. The Township of Granville hereby imposes a fee of thirty dollars and no/100 (\$30.00) (the "initial fee") per check returned by the financial institution or entity on which it is drawn to Granville Township or to the Granville Township Tax Collector and/or Tax Collector's Office, as applicable, due to the account being closed, due to the account having insufficient funds or the like or where there exists problems that otherwise necessitate the check not being honored and being returned and/or not otherwise honored by the financial institution or entity on which it is drawn.
2. The "initial fee", aforesaid, may be changed from time to time, as deemed reasonable and prudent, by Resolution of the Board of Supervisors and without the necessity of an amendment to this Ordinance.
3. The Return Check Fee will be charged for any returned check submitted for payment of a fee or obligation to any Township office or in relation to any tax paid to the Granville Township Tax collector.
4. The Return Check Fee shall also apply to any check returned which is submitted in payment of the Return Check Fee.
5. Fees collected and relating to returned checks in payment of taxes or other obligations to the Township Tax Collector shall be deposited to the Township Tax Collector's General Fund and fees collected by other Township Offices shall be deposited in the Township General Fund. (Ord. 2006-1, 2/6/2006)

§802. Service Fee Regarding Delinquent Tax Statement.

1. The Township of Granville hereby imposes a service fee of ten and no/100 dollars (\$10.00) to be assessed each person or entity, including, but not limited to, financial institutions, firms, corporations, attorneys, title companies and abstractors and others requesting a certificate or statement regarding current and/or delinquent taxes from the Granville Township Tax Collector for each certificate or statement of current and/or delinquent taxes provided by the Granville Township Tax Collector.
2. The "initial fee", aforesaid, may be changed from time to time, as deemed reasonable and prudent, by Resolution of the Board of Supervisors and without the necessity of an amendment to this Ordinance.

(1, §802, cont'd.)

(1, §805)

3. Fees relating to current and/or delinquent tax statements or certifications shall be deposited in the Granville Township Tax Collector's General Fund.
4. (Ord. 2006-1, 2/6/2006)

§803. Severability.

6. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township Supervisors that this Ordinance would have been adopted if such unconstitutional, illegal and invalid sentence, clause, section or part thereof had not been included therein. (Ord. 2006-1, 2/6/2006)

§804. Repealer.

7. Any ordinance or part of any Ordinance or Resolution or part of any Resolution or Motion or part of any Motion conflicting with the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance or is inconsistent with this Ordinance; otherwise, those provisions of Ordinances, Resolutions or Motions not hereby repealed or amended and not conflicting or not inconsistent herewith are confirmed. (Ord. 2006-1, 2/6/2006)

§805. Effective Date.

- This Ordinance shall be effective five (5) days after adoption.
8. (Ord. 2006-1, 2/6/2006)

Part 9
Unemployment Group Trust

§901. Adoption Authorization. That the Chairman of the Board of Supervisors and Secretary of the Township are hereby authorized to adopt the Restated Trust Agreement and any other agreements necessary for the Township's participation in the Trust. (Ordinance 2015-1, 1/5/15)

The Restated Trust Agreement is on file for inspection and review at the Township's offices at 100 Helen Street, Lewistown, PA 17044. The Restated Trust Agreement may be subsequently modified or amended in accordance with its terms, but in no event shall such modifications or amendments divert any of the trust funds from the purposes of the Trust. The Township may withdraw from the Trust in accordance with the Restated Trust Agreement, including if the Board of Supervisors determines the modifications or amendments are not in the best interest of the Township. (Ordinance 2015-1, 1/5/15)

§902. Participation. That the participation of the Township in the Trust is authorized for the purpose of pooling resources for the purpose of providing unemployment compensation insurance for Participating Employers at reasonable cost. (Ordinance 2015-1, 1/5/15)

§903. Conditions. That, as set forth in greater detail in the Restated Trust Agreement and as otherwise stated herein, the following conditions apply to the participation of the Township in the Trust:

1. That each Participating Employer must meet the admission and eligibility requirements set forth therein;
2. That each Participating Employer agrees to pay all contributions when due as provided in the Restated Trust Agreement or as otherwise established by the Board of Trustees; and
3. That each Participating Employer complies with all other conditions of the Restated Trust Agreement.

(Ordinance 2015-1, 1/5/15)

§904. Withdrawal Terms. That the Township agrees to participate in the Trust and may withdraw for any reason and in accordance with the Restated Trust Agreement provided that it has fulfilled all its financial obligations to the Trust upon withdrawal. (Ordinance 2015-1, 1/5/15)

§905. Effective Date. That the effective date of the Township's agreement to and joinder in the Restated Trust Agreement and the participation of the Township in the Trust pursuant to the terms of the Restated Trust Agreement will be January 5, 2015. (Ordinance 2015-1, 1/5/15)

(1, §906)

(1, §914)

§906. Delegation of Powers. That each Participating Employer delegates to the Board of Trustees the powers enumerated in the Restated Trust Agreement. (Ordinance 2015-1, 1/5/15)

§907. Organizational Structure. That the organizational structure of the Trust shall consist of a Board of Trustees. Under the Restated Trust Agreement, the Board of Trustees is authorized to, among other things, enter into contracts with third parties to perform various services necessary for the administration of the Trust. (Ordinance 2015-1, 1/5/15)

§908. Funding. That the funds required for the operation of the Trust shall be provided by the Participating Employers through scheduled appropriations as determined by the Board of Trustees. (Ordinance 2015-1, 1/5/15)

§909. Empowerment. That the Trust is empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for employees of the Trust, if any. (Ordinance 2015-1, 1/5/15)

§910. Participation Conditions. That as a condition of participating in the Trust, the Township agrees to comply with all of the terms and conditions in the Restated Trust Agreement. (Ordinance 2015-1, 1/5/15)

§911. Certification. That the Secretary of the Township shall provide a certified copy of this Ordinance upon its enactment to the Board of Trustees of the Trust. (Ordinance 2015-1, 1/5/15)

§912. Supervisor Authorization. The Board of Supervisors of the Township is hereby authorized to take any and all such other action as may be necessary or appropriate to carry out the purposes of this Ordinance and comply with the requirements of the attached Restated Trust Agreement and any duly adopted amendments thereto. (Ordinance 2015-1, 1/5/15)

§913. Term. The duration of the term of the Township's participation in the Trust and obligations under the Restated Trust Agreement shall continue until withdrawal from the Trust by the Township in accordance with the terms of the Restated Trust Agreement. (Ordinance 2015-1, 1/5/15)

§914. Determination. The Board of Supervisors hereby specifically finds and determines as follows:

1. The conditions of the intergovernmental cooperative agreement are set forth in the Restated Trust Agreement incorporated by reference herein.
2. The Township shall participate in the Trust in accordance with the Restated Trust Agreement until it withdraws by giving notice to the Board of Trustees in

accordance with the terms of the Restated Trust Agreement.

3. The purpose and objective of the intergovernmental cooperative arrangement, including powers and scope of authority delegated to the Board of Trustees, are set forth in the incorporated Restated Trust Agreement.
4. The manner and extent of financing of the agreement are that (i) funds to implement the Township's obligations under the agreement shall come from the normal and usual budgeted amounts for Township employee compensation and employee benefits and A(ii) no borrowing is anticipated to be required.
5. The Trust shall be managed by the Board of Trustees pursuant to the terms of the Restated Trust Agreement.
6. All assets and property, real or personal, of the Trust shall be titled to, acquired, managed, licensed or disposed of by the Trust, and its Board of Trustees, in accordance with the terms of the Restated Trust Agreement.

(Ordinance 2015-1, 1/5/15)

§915. Severability. The provisions of this Ordinance are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Governing Body that such determination by the Court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Governing Body that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment. (Ordinance 2015-1, 1/5/15)

§916. Prior Action. Nothing in this Ordinance shall be interpreted to affect any rights or liabilities of the Township, or to affect any cause of action, existing prior to the enactment of this Ordinance.

§917. Effective Immediately. This Ordinance shall become effective immediately upon its enactment. (Ordinance 2015-1, 1/5/15)

CHAPTER 2

ANIMALS

Part 1

Dogs at Large

- §101. Definitions
- §102. Unlawful to Allow Dogs to Run at Large
- §103. Seizing of Dogs
- §104. Licensed Dogs
- §105. Unlicensed Dogs
- §106. Threatening Dogs
- §107. Penalties

Part 2

Animal Noise Control

- §201. Intent and Purpose
- §202. Noise Disturbance
- §203. Exceptions
- §204. Penalties

Part 3

Animal Defecation

- §301. Animal Defecation on Public and Private Property Restricted
- §302. Disposal of Animal Feces
- §303. Dogs Accompanying Blind or Handicapped Persons Exempted
- §304. Penalties

Part 1

Dogs at Large

§101. Definitions. As used in this Part, the following terms have the meaning indicated, unless a different meaning clearly appears from the context:

OWNER - any person having a right of property in any dog or having custody of any dog, or any person who harbors or permits a dog to remain on or around his or her property.

RUNNING AT LARGE - being upon any public highway, street, alley, park, or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the control of the owner or any other person having custody of said dog. (Ord. 1988-1, 4/25/1988)

§102. Unlawful to Allow Dogs to Run at Large. It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the Township of Granville. (Ord. 1988-1, 4/25/1988)

§103. Seizing of Dogs. Any police officer or dog warden may seize any dog found at large in the Township of Granville. Such dogs are to be impounded in a licensed kennel. (Ord. 1988-1, 4/25/1988)

§104. Licensed Dogs. Owners of licensed dogs are to be notified by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in five days, if not claimed. Five days after the return receipt has been received, and the dog has not been claimed, the dog may be sold or destroyed in accordance with the 1982 Dog Law. (Ord. 1988-1, 4/25/1988)

§105. Unlicensed Dogs. Unlicensed dogs that are seized are to be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with the 1982 Dog Law. (Ord. 1988-1, 4/25/1988)

§106. Threatening Dogs. Dogs that, in the opinion of any police officer or dog warden, constitute a threat to public health and welfare may be killed by the police or dog warden. (Ord. 1988-1, 4/25/1988)

§107. Penalties.

1. The first two times a dog is seized, the owner shall pay a fine of fifteen dollars (\$15.00) to the Township of Granville as well as reasonable fees for keeping the animal in a kennel.

2. Any person allowing an animal to run at large a third time in violation 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1988-1, 4/25/1988, as amended by Ord. 1997-3).

Part 2

Animal Noise and Control

§201. Intent and Purpose. The Board of Supervisors of the Township of Granville, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the people as well as to their comfort, living conditions, general welfare and safety and being therefor a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Township. (Ord. 1988-1, 4/25/1988)

§202. Noise Disturbance. It shall be illegal within the Township of Granville for any person or persons to own, possess, harbor, or control any animal or bird which makes any noise continuously and/or incessantly for a period of ten minutes or makes such noise intermittently for one-half hour or more to the disturbance of any person any time of the day or night regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird. (Ord. 1988-1, 4/25/1988)

§203. Exceptions. This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from the nuisance suits by Act No. 1982-133. (Ord. 1988-1, 4/25/1988)

§204. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

Part 3

Animal Defecation

§301. Animal Defecation on Public and Private Property Restricted. No person, having possession, custody or control of any animals, shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e. defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Township of Granville, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal. (Ord. 1988-1, 4/25/1988)

§302. Disposal of Animal Feces. Any person having possession, custody or control of any dog or other animal which commits a nuisance, i.e. defecation or urination, in any area other than the private property of the owner of such dog or other animal, as prohibited in 301 shall be required to immediately remove any feces from such surface and either:

1. Carry same away for disposal in a toilet, or
 2. Place same in a nonleaking container for deposit in a trash or litter receptacle.
- (Ord. 1988-1, 4/25/1988)

§303. Dogs Accompanying Blind or Handicapped Persons Exempted. The provisions of 301 and 302 hereof shall not apply to a guide dog accompanying any blind persons, or to a dog used to assist any other physically handicapped person. (Ord. 1988-1, 4/25/1988)

§304. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

CHAPTER 3

BICYCLES

(Reserved to accommodate future ordinances)

See Also: Chapter 15, Motor Vehicles

CHAPTER 4

BUILDINGS

Part 1

Building Permits

- §101. Definitions
- §102. Unlawful to Construct without Obtaining a Permit
- §103. Issuance of Permit
- §104. Permit Fee
- §105. Refusal of Permit
- §106. Applicant is Required to Notify of Completion of Structure
- §107. Exception to Length of Permit
- §108. Revocation of Permit
- §109. No Liability Shall be Imposed with Issuance of Permit
- §110. Penalties

Part 2

- §201. Election to Administer
- §202. UCC Adopted
- §203. Administration and Enforcement
- §204. Establish a Board of Appeals
- §205. Prior Ordinances
- §206. Fees
- §207. Effective Date
- §208. Validity

Part 3

Demolition

- §301. Definitions
- §302. Unlawful to Demolish without Obtaining a Permit
- §303. Issuance of Permit
- §304. Permit Fee
- §305. Refusal or Delay of Permit
- §306. Applicant is Required to Notify of Disposal of Debris
- §307. Verification of Disposal
- §308. Exception to Length of Permit
- §309. Revocation of Permit
- §310. Insurance for Demolition Work
- §311. No Liability Shall be Imposed with Issuance of Permits
- §312. Penalties

Part 1

Assessment Permits

§101. Purpose. It is necessary for the Township of Granville to have accurate records pertaining to construction and alteration of structures for the purpose of making plans and policies and preparation for fire protection, emergency medical services, schools, highways, zoning and land use, sewerage, storm water run-off, budgeting, etc. (Ord. 2005-6, 7/5/05)

§102. Definitions. Unless otherwise expressly stated, the following words, when used in this Part 1, shall have the meanings ascribed to them in this section:

PERSON - every natural person, or persons, firm, partnership, association, other form of unincorporated enterprise owned by two or more persons, or corporation, and including fiduciaries acting in any capacity. Whenever used in any provision hereof prescribing and imposing a penalty or both, the term "person" when applied to firms, partnerships and associations, shall mean the partners or members thereof, and when applied to corporations, the officers thereof.

ALTERATION - any work of repair, rearrangement, removal, replacement, or enlargement of any exterior or interior wall, roof, floor or support, or any part thereof, of any structure or building.
(Ord. 1975-1, -/-/1975, 1; ord. 2005-6, 7/5/05)

§103. Unlawful to Construct without Obtaining a Permit. It shall be unlawful for any person, whether owner, lessee, contractor, agent, or employee, to cause or permit any structure, building, or trailer to be razed, constructed, placed, or reconstructed, or any alteration to be made thereon or therein, upon any premises within the Township of Granville, without first obtaining an Assessment Permit from the Township Building Code Official and/or Secretary and posting an Assessment Permit Notice in a conspicuous place on or near the structure or building involved. An Assessment Permit shall be required regardless of the value of the labor or material involved if the outside boundaries of any structure, or building are in any way affected by the proposed work. (Ord. 1975-1, -/-/1975, 2; ord. 2005-6, 7/5/05)

§104. Issuance of Permit. The Township Building Code Official and/or Secretary shall issue an Assessment Permit upon application made therefore upon such application form as may from time to time be required by the Township and upon payment of the fee All applicants shall furnish with their applications such specific information as may be required by the application form to enable the Township Building Code Official and/or Secretary to determine that the proposed work is in complete compliance with the requirements of law and of all Ordinances and Regulations of

the Township, including Federal Flood Insurance programs. (Ord. 1975-1, -/-/1975, 3; Ord. 2005-6, 7/5/05)

§105. Permit Fee. At the time of the filing of the application for an Assessment Permit, the applicant shall pay to the Township Building Code Official and/or Secretary the appropriate fee. Any future amendments to this section will be done by resolution of the Board of Supervisors. (Ord. 1975-1, -/-/1975, 4; as amended by Ord. 1988-1, 4/25/1988; Ord. 1996-1, 2/26/96; Res. 2000-3, 1-10-00; Ord. 2005-6, 7/5/05)

§106. Refusal of Permit. The Township Building Code Official and/or Secretary shall have the right to refuse to issue an Assessment Permit in any case in which he/she determines it to be desirable that Supervisors specifically approve such Permit before it is issued. (Ord. 1975-1, -/-/1975, 5; Ord. 2005-6, 7/5/05)

§

§107. Applicant is Required to Notify of Completion of Structure. Within ten (10) days after the completion of the razing, erecting, constructing or alteration of any building or structure for which an Assessment Permit is required or has been issued, the holder of such Permit, or the person required to obtain such permit under the provisions hereof, shall notify the Township Building Code Official and/or Secretary of the date of completion of the work for which the Permit was issued by filling in and returning to the Township Secretary the detachable stub affixed to the Assessment permit. In cases where a person has failed to obtain an Assessment Permit required under the provisions hereof, notice of the completion date shall be made to the Township by such person in writing within the period herein before stated. (Ord. 1975-1, -/-/1975, 6; Ord. 2005-6, 7/5/05)

§108. Exception to Length of Permit. No Assessment Permit shall be granted for a period longer than one year, except upon special authorization of Supervisors. (Ord. 1975-1, -/-/1975, 7; as amended by Ord. 1988-1, 4/25/1988; Ord. 2005-6, 7/5/05)

§109. Revocation of Permit. The Township Building Code Official and/or Secretary shall have the right to revoke an Assessment Permit upon failure of the Permit holder to comply with the requirements of any Township Ordinance or Regulations. Upon revocation of such Permit, all work permitted thereby shall cease. The holder of the Permit shall have the right to appeal from the Township Secretary's revocation of the Permit to the next regular meeting of Supervisors or to a special meeting of Supervisors held for that purpose. (Ord. 1975-1, -/-/1975, 8; Ord. 2005-6, 7/5/05)

§110. No Liability Shall be Imposed with Issuance of Permit. The issuance of a Assessment Permit shall not impose any liability upon the Township or any of its officials, agents, or employees for any damage done to person or property in connection with the work done under such Permit, but the Permit holder or any other person responsible shall be and remain liable for any and all damage, of

(4, §110, cont'd)

(4, §111)

whatsoever kind and nature, resulting from, or occurring in connection with, or by reason of, such work. (Ord. 1975-1, -/-/1975, 9; ord. 2005-6, 7/5/05)

§111. Penalties.

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 a 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (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. Any building or structure razed, constructed, reconstructed, extended or altered without compliance with the provisions of this Part is hereby declared to be a public nuisance and shall be abatable as such.

(Ord. 1975-1, -/-/1975, 10; as amended by ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3; ord. 2005-6, 7/5/05)

Part 2

Building Codes

§201. Election to Administer. This municipality hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations. (Ord. 2004-3, 4/26/04)

§202. UCC Adopted. 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 Granville Township. (Ord. 2004-3, 4/26/04)

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

- a. By the designation of an employee of Granville Township to serve as the Township Building Code Official to act on behalf of the Township;
- b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township/
- c. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
- d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of Granville 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.

(Ord. 2004-3, 4/26/04)

§204. Establish a Board of Appeals. A Board of Appeals shall be established by resolution of the governing body of Granville Township in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other

municipalities, said Board of Appeals shall be established by joint action of the participating municipalities. (Ord. 2004-3, 4/26/04)

§205. Prior Ordinances.

a. All building code ordinances or portions of ordinances which were adopted by Granville 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. (Ord. 2004-3, 4/26/04)

b. All building code ordinances or portions of ordinances which are in effect as of the effected date of this ordinance and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

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

§206. Fees. Fees assessable by the Municipality for the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established by the governing body by resolution from time to time. (Ord. 2004-3, 4/26/04)

§207. Effective Date. This ordinance shall be effective five days after the date of passage of this ordinance. (Ord. 2004-3, 4/26/04)

§208. validity. If any section, subsection, sentence, or clause of this ordinance is held for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. (Ord. 2004-3, 4/26/04)

Part 3

Demolition

§301. Definitions. Unless otherwise expressly stated, the following words, when used in this Section, shall have the following meanings ascribed to them:

Person-every natural person, or person firm, partnership, association, other form of unincorporated enterprise owned by two or more persons, or corporation, and including fiduciaries acting in any capacity. Whenever used in any provision herein prescribing and imposing a penalty or both, the term "Person" when applied to firms, partnerships and associations, shall mean its partners or members, and when applied to corporations, its officers.

Demolition-the act of demolishing, tearing down, razing, or removing, either completely or partially, a building or structure of any nature, whether functional or not. (Ord. 2003-1, 2/24/03)

§302. Unlawful to Demolish without Obtaining a Permit. It shall be unlawful for any person, whether owner, lessee, contractor, agent, or employee, to cause or permit any structure, building, or trailer to be demolished, razed or destroyed, either fully or partially, in or on any premises within Granville Township, except as hereinafter stated, without first obtaining a demolition Permit from the Township. (Ord. 2003-1, 2/24/03)

§303. Issuance of Permit. The Township shall issue a Demolition Permit upon application and payment of the fee as provided in this Section. All applications for the demolition of any commercial structure or building shall be accompanied by proof that DEP has approved the demolition (814-946-7290). All applicants shall furnish with their applications such other specific information as may be required to enable the Township to determine that the proposed work is in complete compliance with the requirements of the law and of all ordinances and regulations of Granville Township, Mifflin County and the Commonwealth of Pennsylvania. (Ord. 2003-1, 2/24/03)

§304. Permit Fee. Applications for a Demolition Permit shall be accompanied by a fee, payable to the Township, currently at the following rates (which are subject to change by the Township Supervisors):

<u>Residential Demolition:</u>	<u>Fee:</u>
Permit to be issued within 10 days	\$50*

*Fee can be waived at the discretion of the Board of Supervisors for loss due to fire or natural disaster. Any structure under 500 square feet is exempted, for residential demolition only.

<u>Commercial Demolition:</u>	<u>Fee:</u>
Proof of notification to DEP	\$200

Future amendments to this section will be done by resolution of Granville Township Supervisors. (Ord. 2003-1, 2/24/03)

§305. Refusal or Delay of Permit. The Township shall have the right to delay issuance of a Demolition Permit in any case in which it is determined that it is desirable that the Township specifically approve such Permit at a regular meeting before it is issued. The Township shall also have the right to refuse to issue a Demolition Permit in limited circumstances, including but not limited to, when a structure has been certified by the state or federal government as having historical significance. (Ord. 2003-1, 2/24/03)

§306. Applicant is Required to Notify of Disposal of Debris. Within ten days after the completion of the demolition, razing, or destruction of any building or structure for which a Demolition Permit is required or has been issued, the holder of such Permit, or the person required to obtain such permit under these provisions, shall notify the Township of the date of completion of the work for which the Permit was issued. In cases where a person has failed to obtain a Demolition Permit as required under these provisions, notice of the completion date shall be made to the Township by such person in writing within the period stated above. (Ord. 2003-1, 2/24/03)

§307. Verification of Disposal. The holder of the Demolition Permit shall submit landfill slips, recycling slips, and other evidence of disposal of demolition debris, to the Township in order to document proper disposal. The Township will follow up by contacting the Mifflin County Solid waste Authority, or other named disposal entity, and any recycling facilities to verify proper disposal of the debris. (Ord. 2003-1, 2/24/03)

§308. Exception to Length of Permit. No Demolition Permit shall be granted for a period of longer than six months, except upon special authorization of the Township Supervisors. (Ord. 2003-1, 2/24/03)

§309. Revocation of Permit. The Township shall have the right to revoke a Demolition Permit upon failure of the permit holder to comply with the requirements of any Federal, State, County or Township law, ordinance or regulation. Upon revocation of a

Permit, demolition cannot take place until compliance is achieved and the Permit reissued. The applicant shall have the right to appeal the revocation at 6th next regular meeting of the Township Supervisors. (Ord. 2003-1, 2/24/03)

§310. Insurance for Demolition Work.

(a) Insurance Requirement.

(b) Before a Permit shall be issued for the removal or demolition of a building or structure, the applicant shall furnish evidence in the form of insurance certificates of public liability and insurance coverages in the minimum amount of \$25,000/\$50,000; property damage insurance coverage in the minimum amount of \$5000 in the name of the applicant with an insurance company authorized to do business in the Commonwealth of Pennsylvania, which insurance shall be for the protection of any persons who shall be injured or who shall sustain property damage in the removal or demolition of a building or structure for which the applicant of the Permit may be held liable. Where the Township deems that a larger amount of insurance coverage shall be required, the Township shall not issue a Permit until evidence in the form of insurance certificates of such additional insurance coverage is provided.

(b) Exceptions.

(c) The township may in its discretion waive the requirement that an applicant for a Permit for the removal or demolition of a building or structure furnish evidence of public liability and property damage insurance coverage in those cases where the Township determines that:

The building or structure to be removed or demolished is a one-story building or structure that does not exceed fourteen feet in height, or the area of the building or structure does not exceed six hundred square feet, and the outside walls of the building or structure are distant from all street or alley lines and all lot lines;

The building or structure is completely detached from any other building or structure and is completely detached from any electric, gas, water, sewer or telephone lines or laterals;

The building or structure is completely detached from any other building or structure and is completely detached from any electric, gas, water, sewer or telephone lines or laterals;

The removal or demolition will be done by manually dismantling the building or structure and manually lowering the material to the ground as distinguished from those methods

of demolition commonly known as the "ball and crane" or "trip-type" or "dropping" methods; and

There are no other circumstances that in the opinion of the Township Supervisors might endanger the health and safety of the public or the property of the public.
(Ord. 2003-1, 2/24/03)

§311. No Liability Shall be Imposed with Issuance of Permits.
The issuance of a Demolition Permit shall not impose any liability upon Granville Township or any of its officials, (agents, or employees for any damage done to person or property in connection with the work done under any such Permit, but the permit holder or any other person responsible shall be and remain liable for any and all damage, of whatever kind and nature, resulting from, or occurring in connection with, or by reason of, such work.(Ord. 2003-1, 2/24/03)

§312. Penalties. Any person, firm or corporation who shall violate any provision of this Section, upon conviction thereof in an action brought before a district justice in a 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 one thousand (\$1000) dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Section continues, or a violation of each offense in this Section, shall constitute a separate offense.
(Ord. 2003-1, 2/24/03)

CHAPTER 5

CODE ENFORCEMENT

(Reserved to accommodate future ordinances)

CHAPTER 6

CONDUCT

Part 1

Curfew

- §101. Unlawful for Any Minors to be on the Streets Between Certain Hours
- §102. Unlawful for Parent to Allow Minors on Streets Between Certain Hours
- §103. Penalties

Part 2

Alcoholic Beverages

- §201. Definitions
- §202. Prohibition of Consumption at Certain Places
- §203. Possession
- §204. Exceptions
- §205. Penalties

Part 3

Prohibited Activities

- §301. Interference with Township Officers and Employees Prohibited
- §302. Defecating, Urinating or Vomiting on Land of Others
- §303. Penalties

Part 1

Curfew

§101. Unlawful for Any Minors to be on the Streets Between Certain Hours. It shall be unlawful for any child under the age of sixteen years to loiter on or frequent the streets, alleys and other public places in the said Township of Granville between ten (10:00) PM and six (6:00) AM, unless such child is accompanied by a parent, guardian or other person having legal custody of such child or unless such child's employment makes it necessary to be upon such streets, alleys or public places between ten (10:00) PM and six (6:00) AM. (Ord. 11/24/1970, 11/24/1970, 1)

§102. Unlawful for Parents to Allow Minors on Streets Between Certain Hours. It is hereby made unlawful for any parent, guardian or legal custodian of any child under the ages of sixteen years to allow or permit such child to linger on or frequent the streets, alleys or other public places in the Township between the hours specified in §101 hereof, unless such parent, guardian or legal custodian accompanies such child or unless such child's employment makes such frequenting necessary. (Ord. 11/24/1970, 11/24/1970, 2)

§103. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 11/24/1970, 3; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

Part 2

Alcoholic Beverages

201. §Definitions. Unless the context otherwise requires, the following words and phrases shall be construed according to the definitions set forth below in this Part 2.

ALCOHOLIC BEVERAGE - any spirits, wine, beer, ale or other liquid containing more than one-half of one (1/2%) percent of grain alcohol by volume, which is fit for beverage purposes.

CONTAINER - any bottle, can or other vessel for the holding of liquids in which alcoholic beverages are contained. (Ord. 1984-5, -/-/1984, 1)

§202. Prohibition of Consumption at Certain Places. No person shall consume any alcoholic beverage in any quantity upon any street, avenue, alley, sidewalk, stairway, thoroughfare or other public property within the Township of Granville, nor shall any person consume any alcoholic beverage within five (5) feet of any public way or thoroughfare while on a private stairway, doorway or other private property open to public view, without the express or implied permission of the owner, his agent, or other person in lawful possession thereof. (Ord. 1984-5, -/-/1984, 2)

§203. Possession. No person shall possess any container of alcoholic beverage, whether wrapped or unwrapped, which has been opened or on which the seal has been broken in any manner on any public street, avenue, alley, thoroughfare or other public property within the Township of Granville, nor shall any person possess any container of alcoholic beverage within five (5) feet of any public way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent, or other person in lawful possession thereof. (Ord. 1984-5, -/-/1984, 3)

§204. Exceptions. The provisions of §202 and §203 above shall not apply to interior portions of any private dwelling, habitat or building, nor to the consumption or possession by persons in the areas hereby designated of any duly prescribed and dispensed medication having alcoholic content as specified in §201 above; and the provisions of §202 and §203 hereof shall not apply to premises duly licensed by the Pennsylvania Liquor Control Board and to persons then and there patrons of any such licensee. (Ord. 1984-5, -/-/1984, 4)

§205. Penalties. Any person, firm or corporation who shall thereof in an action brought before a district justice in the manner provided for the enforcement of summary violate any provision of this Part, upon conviction offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more

(6, §205, cont'd)

(6, §205, cont'd)

than one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1984-5, -/-/1984, 5; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

Part 3

Prohibited Activities

§301. Interference with Township Officers and Employees Prohibited. It shall be unlawful for any person to obstruct, resist, oppose or in any way interfere with any officer or employee of the Township while that officer is or employee is in the performance of any of the duties of his office or employment. (Ord. 1989-4, 3/27/89)

§302. Defecating, Urinating or Vomiting on Land of Others. It shall be unlawful for any person, without justification or legitimate purpose, to defecate, urinate or vomit on any land or property within the Township which is not owned or leased by the actor or on which the owner or occupant of the land or property has not given permission for the actor to defecate, urinate or vomit. For the purposes of this 302, the fact that the actor may have been under the influence of alcohol, a drug, or other debilitating liquid or substance shall not constitute justification or legitimate purpose for the actor's defecating, urinating or vomiting unless the liquid or substance was being taken as prescribed by a doctor. (Ord. 1989-4, 3/27/89)

§303. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1989-4, 3/27/89; as amended by Ord. 1997-3)

CHAPTER 7

FIRE PREVENTION AND PROTECTION

Part 1

Outdoor Open Fires

- §101. Definitions
- §102. Exceptions to Outdoor Fires
- §103. Burn Bans
- §104. Transporting Burnable Materials into the Township is Prohibited
- §105. Penalties

Part 1

Outdoor Open Fires

§101. Definitions. Unless otherwise expressly stated, the following words, when used in this Part 1, shall have the meanings ascribed to them in this Section:

PERSON - shall include firm, every partnership, association, corporation and other entity.

CAMPFIRES - a small fire contained in a fire ring, pit, or container for the purpose of outdoor cooking, barbecuing or illumination.

OPEN FIRES - shall mean all fires whether or not contained in a metal or masonry enclosure, and shall include smoldering coals.

LARGE PILE - is a quantity of burnable materials covering an area over 1000 square feet, and must be materials permitted to be burned according to State law. Exception to the above can be made for fire training purposes when monitored by Fire Chief. (Ord. 12/23/1971, 12/23/1971, 1; as amended by Ord. 1992-6, 7/13/92; as amended by Ord. 2004-5, 6/28/04; as amended by Ord. 2005-8, 9/6/05)

§102. Exceptions to Outdoor Fires. It shall be unlawful for any person to set or maintain an outdoor, open fire of any kind, including items that can be recycled within the Township limits, Township of Granville, Mifflin County, Pennsylvania, except under the following conditions:

1. Between one (1) hour after sunrise and one (1) hour before sunset.

2. Monday through Saturday, inclusive.

3. Only while such fires are constantly attended by a responsible person over the age of sixteen (16) years.

4. Such fires must be at least twenty-five (25) feet from the property line on all sides.

5. Which are not a nuisance in fact or dangerous to the person or surrounding property.

6. If the fire to be burned is for clearing of property for a construction project, or demolition material, or agricultural related, burning can occur during the day or night and on Sunday, as long as notification is given prior to lighting the fire. Notification must be given to the Township office during normal working hours. Outside of normal working hours and on weekends or holidays notification must be given to the Communications Center.

In the case where the township has been notified, the Township will forward the information to the Communication Center and the fire companies by facsimile transmission.

7. If burning after dark or burning a large pile, as permitted in this ordinance, anytime of day or night, the property owner or responsible person attending the fire must notify the Mifflin County Emergency Services dispatch center prior to lighting the fire.

(Ord. 12/23/1971, 12/23/1971, 2; as amended by Ord. 1988-1, 4/24/1988; as amended by Ord. 2004-5, 6/28/2004; as amended by Ord. 2005-8, 9/6/05)

§103. Burn Bans. The Board of Supervisors may institute a burn ban in the Township from time to time when environmental conditions, such as drought/dryness of vegetation, make open burning dangerous to the adjoining areas. A ban may also be imposed when the National Weather Service issues a "Drought Warning" or "Drought Emergency" for Mifflin County, PA. When a burn ban is in effect, no burning of any kind is permitted.

(Ord. 2005-8, 9/6/05)

§104. Transporting Burnable Materials into the Township is Prohibited. No flammable materials of any kind may be imported, brought into, transported into, or disposed of, or for the purpose of disposing by burning, or burned within the Township of Granville.

(Ord. 2005-8, 9/6/05)

§105. Penalties. 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 one thousand dollars (\$1,000.00), plus costs, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, that shall be found to have been violated, shall constitute a separate offense. Any person, firm or corporation who shall violate any provision of this part, shall be further ordered by a police officer, fire chief, township supervisor, or township code officer to immediately extinguish the fire.

(Ord. 2005-8, 9/6/05; as amended by Ord. 2008-4, 9/8/08)

CHAPTER 8

FLOOD PLAINS

Part 1

Development within Flood Prone Areas

- §101. Definitions
- §102. Purpose
- §103. Permit Requirement
- §104. Permit Application
- §105. Permit Issuance
- §106. Permit Duration and Revocation
- §107. Nonliability of Township
- §108. Identification of Flood Prone Area
- §109. Limitations, Standards and Requirements
- §110. Separate Requirements for Manufactured Homes
- §111. Buildings or Structures Presently within Flood Prone Areas
- §112. Development which May Endanger Human Life
- §113. Activities Requiring Special Permits
- §114. Variances
- §115. Penalties

Part 1

Development within Flood Prone Areas

§101. Definitions. Unless otherwise expressly stated, the following words, when used in this Part 1, shall have the meanings ascribed to them in this Section:

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.

ALTERATION - renovation, extension, enlargement, expansion, substantial improvement or removal of a building, structure or obstruction, or any part thereof, including manufactured homes.

BASEMENT - means 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.

COMPLETELY DRY SPACE - a space, which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

CONSTRUCTION - erection, reconstruction, substantial improvement or relocation of a building, structure or obstruction, including basement or manufactured home.

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.

ESSENTIALLY DRY SPACE - a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

FLOOD - a temporary inundation of normally dry lands.

FLOOD PLAIN 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.

FLOOD PROOFING - means 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 designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

HISTORIC STRUCTURE-any structure that is:

- (a) 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;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(8, §101 cont'd)

(8, §101 cont'd)

- (1) By an approved state program as determined by the Secretary of the Interior, or
- (2) Directly by the Secretary of the Interior in states without approved programs.

IDENTIFIED FLOODPLAIN AREA - the floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood.

LAND DEVELOPMENT - any of the following activities:

- (a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; 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.

LOWEST FLOOR - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed, 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 ordinance.

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 - a parcel of land under single ownership, which has been planned and improved for the placement of two or more manufactured homes for non-transient use.

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

NEW CONSTRUCTION - structures for which the start of construction commenced on or after August 13, 1980, and includes any subsequent improvements thereto.

OBSTRUCTION - any assembly of materials, including fill, above or below the surface of land or water, or any activity which might impede, retard or change flood flows. This term does not include general farming operations such as, but not limited to, plowing, planting, harvesting or maintenance of necessary fencing.

ONE HUNDRED YEAR FLOOD - a flood that, on average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).

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.

RECREATIONAL VEHICLE - a vehicle which is

- (a) built on a single chassis;
- (b) not more than 400 square feet, measured at the largest horizontal projections;
- (c) designed to be self propelled or permanently towable by a light-duty truck;
- (d) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOOD ELEVATION – the one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 ½) feet.

REPETITIVE LOSS – flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

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

STRUCTURE – anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured homes, and other similar items. This term includes any man-made object having an ascertainable stationary location on or in land or water whether or not affixed to land.

SUBDIVISION – the division or redivision of a lot, tracts, parcels or other divisions of land including changes to 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 ten (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 be equal or exceed fifty (50) percent 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 fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage” or “repetitive loss” regardless of the actual repair work performed. The term does not, however include either:

- (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been

(8, §101, cont'd)

(8, §101, cont'd)

identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or;

- (b) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".

UNIFORM CONSTRUCTION CODE (UCC) - the statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor & 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 Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

(Ord. 1980-1, 8/13/1980, 1; as amended by Ord. 1981-1, 7/14/1981; by Ord. 1987-4, 12/14/1987; and by Ord. 1989-6, 5/13/1989; and by Ord. 1993-4, 12/13/1993)

§102. Purpose. The purpose of this Part 1 is to promote the general health, safety and welfare of the citizens of the Township of Granville and its surrounding environs by encouraging and regulating proper development, alteration and construction in flood prone areas to prevent or minimize flood damage and by preserving existing water supply and natural drainage courses. (Ord. 1980-1, 8/13/1980, 2)

§103. Permit Requirement. It shall be unlawful for any person, in any capacity, whether owner, landlord, tenant, contractor, agent, employee or fiduciary, to cause or permit development of any kind, including any building, structure or obstruction, including connected or detached in-ground residential swimming pools, and non-structural development within the Township of Granville, except as otherwise provided herein or by subsequent legislation, without first obtaining a building permit from the Township and posting the same in a conspicuous place at the site of the proposed work, provided however, that no such permit shall be required for repair of a building, structure or obstruction. (Ord. 1980-1, 8/13/1980, 3; as amended by Ord. 1981-1, 7/14/1981; by Ord. 1985-4, 10/28/1985; and by Ord. 1989-6, 5/13/1989)

§104. Permit Application.

1. General Provisions. All persons seeking a Building Permit shall secure an application therefore from the Township

Secretary, which shall be in the form as from time to time may be established by the Township Supervisors by regulation, and shall complete and submit such application to the Township Secretary together with the fee required, if any, as may hereafter be established by the Township Supervisors by regulation. The application shall include the name and address of the applicant, the name and address of the owner of the property, if other than the applicant, site location including address, the name and address of any contractor who will perform the proposed work, a brief description of the work proposed together with plans and specifications therefore, the estimated cost, including a breakout, if any, of the flood-related cost and the market value of the building before the flood damage, if any, occurred thereof, and the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and land development; which plan shall indicate the lowest floor and basement elevations in relation to mean sea level and the proximity of the proposed work to existing buildings, structures or obstructions, and shall indicate whether all other necessary governmental permits have been obtained, including but not limited to 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); 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.

2. Flood Prone Area. If the proposed work is wholly or partially within an identified flood prone area, the applicant shall also provide the location of existing or proposed utilities and facilities such as, but not limited to, sewer, gas, electrical and water systems and shall also indicate existing and proposed ground controls, nearest base or one hundred (100) year flood elevations, soil types and flood proofing measures, if any. In addition, such application shall include a certification of a registered Professional Engineer or architect that the proposed flood proofing measures are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base or one hundred (100) year flood. Such certification need not be provided if the lowest floor (including basement) is to be elevated to or above base flood levels.
(Ord. 1980-1, 8/13/1980, 4; Ord. 2006-2, 6/5/2006)

§105. Permit Issuance. The Township Secretary or any building permit officer designated by the Board of Township Supervisors shall make a determination upon the application within ten (10) business days (exclusive of Saturdays, Sundays and legal holiday) of its submission. Such officer may, in his sole discretion, require additional information, plans, specifications or explanations, if he determines it necessary to make his determination. Such officer shall make his

determination within five (5) business days of the receipt of such additional materials of the application. If the applicant fails to submit such materials within ten (10) business days from such request, the applicant will be deemed to have withdrawn or abandoned the application. If such officer fails to make a determination or refuses to issue a building permit, the applicant may present such application to the Board of Township Supervisors at the next regular meeting of said Supervisors. If said Supervisors fail or refuse to issue a building permit within thirty-five (35) days of such presentation, the application shall be deemed denied, and the applicant may proceed with any further remedies provided by law. Nothing contained in this section shall forbid the Board of Township Supervisors from requesting additional information, plans specifications, explanations or the like for their consideration and guidance. Any determination made herein shall be in conformity with the requirements and standards established or hereafter established by the United States Federal Emergency Management Agency (FEMA). If the Township Secretary, any building permit officer or, upon appeal, the Board of Township Supervisors, shall determine that the projected work for which a building permit is sought shall require no such permit under this Part 1 or other applicable law, the building permit officer or Township Secretary, at the direction of the Board of Supervisors, shall issue a letter of no need to the applicant covering the project for which an application has been filed, and shall deliver the same to the applicant together with a refund of his fee as determined by the Township Secretary, building permit officer or Board of Township Supervisors, in their sole discretion, as is fair to the Township and to the applicant under the circumstances. (Ord. 1980-1, 8/13/1980, 5; as amended by Ord. 1985-4, 10/28/1985)

§106. Permit Duration and Revocation.

1. No building permit issued shall be valid for a period in excess of one (1) year from the date of issuance unless extended by express authority of the Board of Township Supervisors.

2. The holder of a building permit shall notify the Township of the completion of the work contemplated in said permit within ten (10) days thereof. Failure to provide such notice shall subject the permit holder to the sanctions provided herein.

3. Any building permit issued shall be revoked if the holder (i) shall deviate or depart from the plans, specifications or details set forth in the application, (ii) shall fail to comply with the provisions of law including, but not limited to, the ordinances or regulations of this Township.

4. Upon revocation of such permit, all work contemplated therein shall forthwith and immediately cease. The holder thereof may appeal such revocation to the Board of Township

Supervisors at their next regular meeting. (Ord. 1980-1, 6; as amended by Ord. 1985-4, 10/28/1985)

§107. Nonliability of Township. The issuance of a building permit shall impose no liability upon the Township of Granville or upon any of its officers, agents or employees for any damage done to any person or any property as the result of work performed, or materials utilized, or both, pursuant to such permit; nor shall the issuance of a building permit be deemed an approval or determination that any plan, alteration, construction or development contemplated therein is sufficient or satisfactory for any purpose, including human habitation, or complies with any standard of public or private health or safety. (Ord. 1980-1, 8/13/1980, 7)

§108. Identification of Flood Prone Area.

1. For the purpose of this Part 1, areas within the Township of Granville considered to be flood prone shall be those areas identified as being subject to a base or one hundred (100) year flood (also referred to as "A" Zones) in the Flood Insurance Study prepared for the Township of Granville by the Federal Emergency Management Agency (FEMA) and the Maps promulgated thereby, effective *August 16, 2006*, which are available for inspection at the Township office, and as may hereafter be revised by the Federal Emergency Management Agency (FEMA). Further, for the purpose of this Part 1, the following terms are used in reference to the various types of flood prone areas as identified in said study (i) FW (floodway area), (ii) FF (Floodway Fringe area), (iii) FA (general flood plain area), (iv) FE (special flood plain area).

2. The one hundred year flood elevations shall be as shown in the Flood Insurance Study. Within the FA area, information from Federal, State, or other acceptable source shall be used to determine the one hundred year flood elevations, as well as a FW area, if possible. When no other information is available, the one hundred year flood elevation shall be determined by using a point on the boundary of the identified flood plain, which is nearest to the construction site in question.

3. Areas identified as flood prone may be revised or modified by the Board of Township Supervisors if, in their sole judgment, information provided by any qualified agency or person documents the need for such revision. However, no such modification or revision shall be made without prior approval from the Federal Emergency Management Agency (FEMA).

4. In the event of a dispute as to the location or identity of any flood prone area, the building permit officers shall make an initial determination, which may be appealed by the aggrieved party to the Board of Township Supervisors in the manner provided in 105 hereof. The burden of proof shall be borne by the Appellant. (Ord. 1980-1, 8/13/1980, 8; as amended

by Ord. 1981-1, 7/14/1981; by Ord. 1987-4, 12/14/1987; and by Ord. 1989-6, 5/13/1989; and by Ord. 1993-4, 12/13/1993; Ord. 2006-2, 6/5/2006)

§109. Limitations, Standards and Requirements.

1. No encroachment, alteration, or development is permitted within any FW area, which would result in any increase in flood levels within the Township during the occurrence of a base flood discharge.

A. Within any FE area no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and proposed development, will not increase the one hundred year flood elevation more than one (1) foot at any point.

2. No alteration or relocation of a watercourse shall be made without prior notice thereof to all municipalities, which may be affected thereby. Copies of such notice shall be sent to the administrator of the National Flood Insurance Program and to the Department of Community and Economic Development. Any such alteration or relocation must assure that the flood carrying capacity of such watercourse is maintained.

3. Residential construction, alteration or development within any FW, FF, FA or FE area shall provide that the lowest floor, including the basement, shall be at the level of the one hundred "100 year flood" elevation and shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure, constructed with materials and utility equipment resistant to flood damage and be construction so as to minimize flood damage.

4. Nonresidential construction alteration or development within an FW, FF, FA, or FE area shall provide that the lowest floor, including the basement, shall be at the level of the one hundred "100 year flood" elevation, or be designed and constructed so that the same together with attendant utility and sanitary facilities, below such flood level, is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy and shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure, constructed with materials and utility equipment resistant to flood damage and be constructed so as to minimize flood damage.

5. Drainage facilities in FW, FF, FA or FE areas shall be designed to convey the flow of storm water runoff in a safe and efficient manner and away from buildings or structures and to prevent discharge or excess runoff onto adjacent properties.

6. Sanitary sewer facilities in FW, FF, FA or FE areas:

(i) all new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters; and (ii) on-sight waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding and shall meet the requirements of the Pennsylvania Sewage Facilities Act.

7. Water facilities in FW, FF, FA or FE areas: all water facilities shall be designed to minimize the infiltration of flood waters into such systems and to minimize or eliminate the flood damage thereto and to avoid impairment or contamination thereof.

8. Utilities: In FW, FF, FA or FE areas, all public utilities and facilities shall be located and constructed to minimize or eliminate flood damage thereto.

9. Space below the lowest floor.

- a. Fully enclosed space below the lowest floor (including basement) is prohibited.
- b. Partially enclosed space below the lowest floor (including basement) 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 flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "partially enclosed space" also includes crawl spaces.

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 (2) openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - (2) The bottom of all openings shall be no higher than one (1) foot above grade.
 - (3) Openings may be equipped with screens, louvers, etc or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- c. Consideration may be given to the requirements of 34 PA Code (Chapters 401-405 as amended) and the 2003 IRC (Secs. R323.2.2 and R323.1.4) and the

2003 IBC (Secs. 1612.4, 1612.5, 1202.3.2 and 1203.3.3).

- d. Accessory structures – structures accessory to a principal building need not be elevated or flood proofed to remain dry, but shall comply, at a minimum, with the following requirements:
- (1) The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
 - (2) Floor area shall not exceed 600 square feet.
 - (3) The structure will have a low damage potential.
 - (4) The structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
 - (5) Power lines, wiring and outlets will be at least one and one-half (1 ½) feet above the 100 year flood elevation.
 - (6) Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryer, etc. are prohibited.
 - (7) Sanitary facilities are prohibited.
 - (8) The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing the hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (a) a minimum of two (2) openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - (b) The bottom of all openings shall be no higher than one (1) foot above grade.
 - (c) Openings may be equipped with screens, louvers, etc. or other coverings or

devices provided that they permit the automatic entry and exit of floodwaters.

10. Fill - If fill is used, it shall:
 - a. extend laterally at least fifteen (15) feet beyond the building line from all points;
 - b. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
 - c. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - d. be no steeper than one (1) vertical to two (2) horizontal feet, unless substantiated data justifying steeper slopes are submitted to and approved by the Building Permit Officer; and,
 - e. be used to the extent to which it does not adversely affect adjacent properties. The provisions contained in the 2003 IBC (Sec. 1801.1 and 1803.4) shall be utilized.
11. Drainage Facilities - Storm drainage facilities shall be designed to convey the flow of storm water 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. The provisions contained in the 2003 IBC (Appendix G401.5) shall be utilized.
12. Streets - The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.
13. 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 Section 4.04, Development which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or flood proofed to the maximum extent possible.
14. Placement of Buildings or 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 flood water.

15. 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.
- c. The design and construction requirements of the UCC pertaining to this subsection as referred to in 34 PA Code (Chapters 401-405 as amended) and contained in the 2003 IBC (Secs. 1605.2.2, 1605.3.1.2, 1612.4 and Appendix G501.3), the IRC (Secs. R301.1 and R323.1.1) and ASCE 24-98 (Sec 5.6) shall be utilized.

16. 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.
- e. The provisions of the UCC pertaining to this subsection and referenced in the 34 PA Code (Chapters 401-405 as amended) and contained in the 2003 IBC (Secs. 801.1.3, 1403.2, 1403.4, 1403.6 and 1404.2), the 2003 IRC (Secs. R323.1.7 & R501.3) and ASCE 24-98 (Chapter 6).

17. 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.) shall be finished with a "marine" or "water-resistant" paint or other finishing material.
- d. The standards and specifications contained in 34 PA Code (Chapters 401-405 as amended), the 2003 IBC (Secs. 801.1.3, 1403.7 and Appendix G) and the 2003 IRC (Sec. R323.1.7).

18. Electrical Components -

- a. Electrical distribution panels shall be at least three (3) feet above the one hundred (100) year flood elevation.
- b. Separate electrical circuits shall serve lower levels and shall be dropped from above.
- c. The provisions pertaining to the above provisions and referenced in the UCC and 34 PA Code (Chapters 401-405) as amended, and contained in the 2003 IBC (Sec. 1612.4), the IRC (Sec. R323.1.5), the 2000 IFGC (Secs. R301.5 and R1601.3.8) and ASCE 24 (Chapter 8) shall be utilized.

19. 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.
- b. The provisions pertaining to the above provisions and referenced in the UCC and 34 PA Code (Chapters 401-405 as amended) and contained in the 2003 IBC (Sec. 1612.4), the 2003 IRC (Secs. R323.1.5), the 2000 IFGC (Secs. R301.5 and R1601.3.8) and ASCE 24 (Chapter 8) shall be utilized.

20. Fuel Supply System – All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

21. Uniform Construction Code Coordination – The Standards and Specifications contained in 34 PA Code (Chapters 401-405 as amended) and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and/or supplement the requirements of this ordinance.

International Building Code (IBC) 2003 or the latest edition thereof: Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.

International Residential Building Code (IRC) 2003 or the latest edition thereof: Secs. R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

These regulations shall be utilized for subdivisions, inspections, residential and non-residential structures (507.14A), floodway increases (507.13), electrical components (507.16k), water systems (507.15) and manufactured homes (507.17).

(Ord. 1980-1, 8/13/1980, 9; as amended by Ord. 1989-6, 5/13/1989, 9; Ord. 2006-2, 6/5/2006)

§110. Separate Requirements for Manufactured Homes.

All manufactured homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors as follows: (i) over-the-top type shall be provided at each of the four corners of the manufactured home, with two (2) additional ties per side at intermediate locations, except that manufactured homes less than fifty (50) feet in length shall require only one additional tie per side; (ii) frame ties shall be provided at each corner of the manufactured home with five (5) additional ties per side at intermediate points thereof, except that manufactured homes less than fifty (50) feet in length shall require no more than four (4) additional ties per side; (iii) all components of the anchoring system shall be capable of withstanding a force of four thousand eight hundred (4,800) pounds; (iv) any additions to a manufactured home shall be similarly anchored.

2. Manufactured homes shall, in addition, (i) be elevated on permanent foundations so that the lowest floor of the

manufactured home will be at or above the base flood level; and (ii) have adequate surface drainage and access for a hauler. (Ord. 1980-1, 8/13/1980, 10; as amended by Ord. 1987-4, 12/14/1987)

§111. Buildings or Structures Presently Within Flood Prone Areas.

1. All buildings or developments presently existing within any identified flood prone area at the enactment of this Part 1, but not in conformity herein, may continue in existence except that the same may not be substantially altered or improved, as such words are used herein, unless in conformity with this Part 1.
2. No expansion or enlargement of an existing structure shall be allowed within any FW area that would cause any increase in the elevation of the one hundred year flood.
3. No expansion or enlargement of an existing structure shall be allowed within any FE area that would, together with all other existing and anticipated development, increase the one hundred year flood elevation more than one foot at any point.
4. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this Ordinance.

(Ord. 1980-1, 8/13/1980, 11; as amended by Ord. 1989-6, 5/13/1989, 11; Ord. 2006-2, 6/5/2006)

§112. Development which May Endanger Human Life.

1. In accordance with the Pennsylvania Floodplain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which (1) will be used for the production or storage of more than five hundred fifty (550) gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or (3) 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 Product (gasoline, fuel oil, etc.)
- M. Phosphorus
- N. Potassium
- O. Sodium
- P. Sulphur and Sulphur Products
- Q. Pesticides including insecticides, fungicides and rodenticide)
- R. Radioactive Substances, insofar as such substances are not otherwise regulated.

2. Within any Floodway area, any structure of the kind described in Subsection (1) above shall be prohibited.

3. Where permitted within any Floodplain area, any structure of the kind described in Subsection (1) above, shall be (i) elevated or designed and constructed to remain completely dry up to at least one and one-half (1 1/2) feet above the one hundred (100) year flood and (ii) designed to prevent pollution from the structure or activity during the course of a one hundred (100) year 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 flood-proofing contained in the publication "Flood-Proofing Regulations" (U.S. Army Corps of Engineers, June 1972), or with some other equivalent watertight standard.

4. Within any Floodplain area, any structure of the kind described in Subsection (1) above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.

5. Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements of this section. (Ord. 1984-6, 12/10/1984, 13)

§113. Activities Requiring Special Permits.

1. Identification of Activities Requiring a Special Permit. In accordance with the Pennsylvania Floodplain Management Act (Act 1978-166) and regulations adopted by the Department of Community and Economic Development as required by the Act, the following obstructions and activities are permitted only by Special Permit, if located partially or entirely within any floodplain area:

A. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:

- (1) hospitals
- (2) nursing homes, or
- (3) jails or prisons

B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

2. Application Requirements. Applicants for Special Permits shall provide five (5) copies of the following items:

A. A written request including a completed Building Permit Application Form.

B. A small scale map showing the vicinity in which the proposed site is located.

C. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:

- (1) North arrow, scale and date;
- (2) Topography based upon the National Geodetic Vertical Datum of 1929, showing existing and proposed contours at intervals of two (2) feet;
- (3) All property and lot lines including dimensions, and size of the site expressed in acres or square feet;
- (4) The location of all existing streets, drives, other access ways, and parking areas, with information concerning widths, pavement types and construction, and elevation;
- (5) The location of any existing bodies of water or watercourses, buildings, structure and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting, or affected by, the proposed activity or development.

(8, §113 cont'd)

(8, §113 cont'd)

(6) The location of the floodplain boundary line, information and spot elevations concerning the one hundred (100) year flood elevations, and information concerning the flow of water including direction and velocities;

(7) The location of all proposed buildings, structures, utilities, and any other improvements; and

(8) Any other information, which the municipality considers necessary for adequate review of the application.

D. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:

(1) sufficiently detailed architectural or engineering drawings, including floor plans, sections, and exterior building elevations, as appropriate;

(2) For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;

(3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the one hundred (100) year flood;

(4) Detailed information concerning any proposed flood proofing measures;

(5) Cross-section drawings for all proposed streets, drives, other access ways, and parking areas, showing all rights-of-way and pavement widths;

(6) Profile drawing for all proposed streets, drives, and vehicular access ways including existing and proposed grades; and

(7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.

E. The following data and documentation:

(1) Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;

(2) Certification from a registered professional engineer, architect, or landscape architect that the

(8, §113 cont'd)

(8, §113 cont'd)

proposed construction has been adequately designed to protect against damage from the one hundred (100) year flood;

(3) A statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a one hundred (100) year flood, including a statement concerning the effects such pollution may have on human life;

(4) A statement certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on one hundred (100) year flood elevations and flows;

(5) A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the one hundred (100) year flood elevation and the effects such materials and debris may have on one hundred (100) year flood elevations and flows;

(6) The appropriate component of the Department of Environmental Protection "Planning Module for Land Development";

(7) where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control;

(8) Any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under 302 of Act 1978-166; and

(9) An evacuation plan, which fully explains the manner in which the site will be safely evacuated before or during the course of a one hundred (100) year flood.

3. Application Review Procedures. Upon receipt of an application for a Special Permit by the Township, the following procedures shall apply in addition to all other applicable permit procedures, which are already established:

A. Within three (3) working days following receipt of the application, a complete copy of the application and all

accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations.

Copies of the application shall also be forwarded to Township Engineer for review and comment.

B. If any application is received that is incomplete, the Township shall notify the applicant in writing, stating in what respects the application is deficient.

C. If the Township decides to disapprove an application, it shall notify the applicant, in writing of the reasons for the disapproval.

D. If the Township approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development, by registered mail, within five (5) working days after the date of approval.

E. Before issuing the Special Permit, the Township shall allow the Department of Community and Economic Development thirty (30) days after receipt of the notification by the Department to review the application and the decision made by the township.

F. If the Township does not receive any communication from the Department of Community and Economic Development, during the thirty (30) day review period, it may issue a Special Permit to the applicant.

G. If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the Township and the applicant, in writing, of the reasons for the disapproval, and the Township shall not issue the Special Permit.

4. Technical Requirements for Development Requiring a Special Permit. In addition to any other applicable requirements, the following provisions shall also apply to the activities requiring a Special Permit. If there is any conflict between any of the following requirements and any otherwise applicable provision, the more restrictive provision shall apply.

A. No application for a Special Permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner, which will:

(1) Fully protect the health and safety of the general public and any occupants of the structure. At a minimum,

all new structures shall be designed, located and constructed so that:

(a) the structure will survive inundation by waters of the one hundred (100) year flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the one hundred (100) year flood elevation.

(b) the lowest floor elevation (including basement) will be at least one and one-half (1 1/2) feet above the one hundred (100) year flood elevation.

(c) the occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the one hundred (100) year flood.

B. All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc. shall be submitted in sufficient detail to allow thorough technical review by the Township and Department of Community and Economic Development.

5. Within any identified floodplain area, any structure of the kind described in Subsection (2) above shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.

6. Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the requirements of this section. (Ord. 1984-6, 12/10/1984, 14; as amended by Ord. 1987-4, 12/14/1987)

§114. Variances. If compliance with any of the requirements of this Part 1 would result in an exceptional hardship for a prospective builder, developer, or landowner, the Township may, upon request, grant relief from the strict application of the requirements.

Requests for variances shall be considered by the township in accordance with the following:

1. No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.

2. Except for a possible modification of the one and one-half (1 1/2) foot freeboard requirements, no variance shall be

granted for any of the other requirements pertaining specifically to development regulated by Special Permit (113) or to Development Which May Endanger Human Life (112).

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

4. In granting any variance, the Township 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 Part 1.

5. Whenever a variance is granted, the Township shall notify the applicant in writing that:

A. The granting of the variance may result in increased premium rates for flood insurance.

B. Such variance may increase the risks to life and property.

C. That the granting of the variance will (i) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense; (ii) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable State statute or regulations, or local ordinances or regulations.

7. A complete record of all variance requests and related actions shall be maintained by the Township. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Emergency Management Agency.

8. No variance shall be granted for any construction, development, use, or activity within any FE area that would, together with all other existing and anticipated development, increase the one hundred year flood elevation more than one (1) foot at any point.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood. (Ord. 1984-6, 12/10/1984, 15, as amended by Ord. 1989-6, 5/13/1989, 13)

§115. Abrogation and Greater Restrictions. This ordinance 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 Ordinance, the more restrictive shall apply. Ord. 1984-6, 12/10/1984, 15

(8, §116)

(8, §116)

§116. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1984-6, 12/10/1984, 16; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

CHAPTER 9

GRADING AND EXCAVATING

(Reserved to accommodate future ordinances)

CHAPTER 10

HEALTH AND SAFETY

Part 1

Regulation of the Storage of Motor Vehicles or Parts on Private Grounds

- §101. Definitions
- §102. Motor Vehicle Nuisances Prohibited
- §103. Storage of Motor Vehicle Nuisances Permitted
- §104. Inspection; Notice to Comply
- §105. Authority to Remedy Noncompliance
- §106. Hearing
- §107. Penalties
- §108. Remedies not Mutually Exclusive

Part 2

Regulations Relative to the Growth and Cutting of Vegetation

- §201. Definitions
- §202. Unlawful Height of Weeds
- §203. Unlawful for Owner to Allow Hedges to Extend onto Sidewalk
- §204. Restrictions on Trees
- §205. Unlawful to Maintain or Erect Anything that Extends onto Sidewalk
- §206. Unlawful to Maintain Any Tree on Any Portion of the Sidewalk
- §207. Penalties
- §208. Any Vegetation that is in Violation is Hereby Declared a Nuisance

Part 3

Regulation of Property Maintenance and Vector Control

- §301. Short Title
- §302. Statutory Authority
- §303. Application of Ordinance
- §304. Definitions
- §305. Dangerous Buildings Declared Nuisances
- §306. Standards for Repair, Vacation or Demolition
- §307. Duties of Enforcement Officer
- §308. Hearings
- §309. Removal of Notice Prohibited
- §310. Emergency Cases
- §311. Prohibited Acts
- §312. Responsibilities of Owners and Occupants
- §313. Vector Control and Vector-Proofing
- §314. Private Vector Control Program
- §315. Abatement by Township
- §316. Authority to Abate Vector Problems

- §317. Miscellaneous Provisions
- §318. Notice of Violation
- §319. Compliance
- §320. Penalties
- §321. Owners Severally Responsible
- §322. Inspection

Part 1

Regulation of the Storage of Motor Vehicles or Parts
on Private Grounds

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

LESSEE - owner for the purpose of this ordinance when the lessor holds the 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 street or highways, and including trailers or semi-trailers 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 of Granville.

OWNER - the actual owner, agent or custodian of the property on which motor vehicles are stored, whether individual or partnership, association, or corporation.

PERSON - a natural person, firm, partnership, association, corporation, or other legal entity.

BUSINESS-any person, corporation, partnership, incorporated association or other similar entity using vehicles and/or vehicle parts in their day-to-day operations, and possessing a sales tax number.

In this ordinance, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter. (Ord. 12/-/1967C, 12/-/1976, 1 (a); as revised by Ord. 1988-1, 4/25/1988; as amended by Ord. 2004-4, 6/28/2004)

§102. Motor Vehicle Nuisances Prohibited. It shall be unlawful for any person, owner, business or lessee to maintain a motor vehicle nuisance upon the open private grounds of such person, owner or lessee within the Township of Granville. A motor vehicle nuisance shall include any motor vehicle, which does not have current registration or current inspection and is unable to move under its own power and has any of the following physical defects:

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

(10, §102, cont'd)

(10, §102, cont'd)

2. One or more flat or open tires or tubes, which could permit vermin harborage.
3. Missing doors, windows, hood, trunk or other body parts, which could permit animal harborage.
4. Any body parts with sharp edges including holes resulting from rust.
5. Missing tires resulting in unsafe suspension of the motor vehicles.
6. Upholstery, which is torn or open, which could permit animal and/or vermin harborage.
7. Broken headlamps or tail-lamps with sharp edges.
8. Disassembled chassis parts apart from the motor vehicle stored in a disorderly fashion or loose in or on the vehicle.
9. Protruding sharp objects from the chassis.
10. Broken vehicle frame suspended from the ground in an unstable manner.
11. Leaking or damaged oil pan or gas tank, which could cause fire or explosion.
12. Exposed battery containing acid.
13. Inoperable locking mechanism for doors or trunk.
14. Open or damaged floor boards including trunk and fire wall.
15. Damaged bumpers pulled away from the perimeter of vehicle.
16. Broken grill with protruding edges.
17. Loose or damaged metal trim and clips.
18. Broken communication equipment antenna.
19. Suspended on unstable supports.
20. Such other defects, which could threaten the health, safety and welfare of the citizens of the Township of Granville. (Ord. 12/-/1967C, 12/-/1967, 1 (a); as revised by Ord. 1988-1, 4/25/1988; as amended by Ord. 2004-4, 6/28/2004)

§103. Storage of Motor Vehicle Nuisances Permitted. Only a business that required the storage of motor vehicles may obtain a permit for storage. Proof of business, such as an inspection license and sales tax number will be required. Any business that has one or more motor vehicle nuisances as defined in 102 above may store such vehicle(s) in the Township of Granville only in strict compliance with the regulations provided herein. Such business must, first, apply for a permit for either temporary or permanent storage and pay a fee to the Township such as may be provided from time to time by resolution of the Board of Supervisors. If the number of such motor vehicle nuisances will occupy less than 1,000 square feet of area and are stored outside a garage or building, a fence will not be required. If the number of such motor vehicle nuisances will occupy more than 1,000 square feet of area and are stored outside a garage or building, a fence will be required. They must be stored within an opaque fence at least six feet (6') high which is locked at all times when unattended. With the special approval of the Board of Supervisors motor vehicle nuisances may also be stored outside in an area enclosed by a chain link fence, at least six feet (6') high, screened by shrubbery around the perimeter to the height of the fence, with an obstructed 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, shall 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 five thousand (5,000 ft) square feet. All motor vehicle nuisances must be at least twenty-five (25) feet from the property lines on all sides.

Any person, owner or lessee other than a business wishing to do so may store one (1) motor vehicle nuisance on their property as long as it is stored in a building or covered by a tarp, is twenty-five (25) feet from the property lines on all sides and meets all the other requirements of the ordinance.

Nothing herein shall be construed to permit the storage of motor vehicle nuisances contrary to the provisions of the Township Zoning Ordinance. (Ord. 12/-/1967C, 12/-/1967, 1(a); as revised by Ord. 1988-1, 4/25/1988; and as amended by Ord. 1989-1, 1/9/89; and as amended by Ord. 2004-4, 6/28/2004)

§104. Inspection; Notice to Comply.

1. The [Enforcement Officer/Inspector] is hereby empowered to inspect grounds on which motor vehicles are stored to determine if there is compliance with the provisions of this ordinance. If noncompliance with the provisions of this ordinance constitutes a nuisance, or if any condition, structure, or improvement poses a threat to the health, safety, or welfare of the public, he 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 be unknown, by posting the notice conspicuously upon the offending premises.

2. Said notice shall specify the condition or structure or improvement complained of, and shall require the owner to commence to remove or otherwise rectify the condition or structure or improvement as set forth therein within ten (10) days of mailing or posting of said notice, and thereafter, to fully comply with the requirements of the notice within a reasonable time. (Ord. 12/-/1967C, 12/-/1967, 1(a); as revised by Ord. 1988-1, 4/25/1988)

§105. Authority to Remedy Noncompliance. If the owner of grounds on which motor vehicles are stored does not comply with the notice to abate the conditions, within the time limit prescribed, the Township of Granville shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus ten percent (10%) of all costs. 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. (Ord. 12/-/1967C, 12/-/1967, 1(a); as revised by Ord. 1988-1, 4/25/1988)

§106. Hearing.

1. Any person aggrieved by the decision of the [Enforcement Officer/Inspector] may request and shall then be granted a hearing before the Board of Supervisors; provided, he files with the Board of Supervisors within ten (10) days after notice of the [Enforcement Officer's/Inspector's] decision, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The hearing shall commence not later than thirty (30) days after the date on which the petition was filed unless postponed for sufficient cause.

2. After such hearing, the Board of Supervisors shall sustain, modify or overrule the action of the [Enforcement Officer/Inspector]. (Ord. 12/-/1967C, 12/-/1967, 1(a); as revised by Ord. 1988-1, 4/25/1988)

§107. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each date that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 12/-/1967C, 12/-/1967, 1(a); as revised by Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

§108. Remedies not Mutually Exclusive. The remedies provided herein for the enforcement of this ordinance, or any remedy provided by law, shall not be deemed mutually exclusive; rather

(10, §108, cont'd)

(10, §108, cont'd)

they may be employed simultaneously or consecutively, at the option of the Board of Supervisors. (Ord. 12/-/1967c, 12/-/1967, 1(a); as revised by Ord. 1988-1, 4/25/1988)

Part 2

Regulations Relative to the Growth and Cutting
of Vegetation

§201. Definitions. Unless otherwise expressly stated, the following words, when used in this Part 2, shall have the meanings ascribed to them in this Section:

PERSON - shall include every partnership, association, firm, and corporation and other entity.

OWNER - every person as hereinbefore defined owning, leasing or having a present interest of any kind in any real estate in the Township.
(Ord. 12/-/1967A, 12/-/1967, 1)

§202. Unlawful Height of Weeds. It shall be unlawful for any owner to permit weeds or similar vegetation to grow or remain on premises of such owner to a height of more than six (6) inches above the surface of the ground. (Ord. 12/-/1967, 2)

§203. Unlawful for Owner to Allow Hedges to Extend onto Sidewalk. It shall be unlawful for any owner to permit any hedges, bushes or vines to extend past the inside line of the sidewalk along such owner's real estate. (Ord. 12/-/1967, 12/0/1967, 3)

§204. Restrictions on Trees. It shall be unlawful for any owner to permit trees on or along such owner's real estate, or on the sidewalk adjoining the same, to have branches which extend lower than seven (7) feet above the surface of the sidewalk or curb, or nine (9) feet above the surface of any part of the street or road, or which in any way obstruct the view of motorists or of street, road or traffic lights. (Ord. 12/-/1967A, 12/-/1967, 4)

§205. Unlawful to Maintain or Erect Anything that Extends onto Sidewalk. It shall be unlawful for any owner to erect or maintain any awning, sign or any other projection of whatsoever kind or nature, which extends over any portion of the sidewalk or curb in front of or along such owner's real estate unless every part of such awning, sign or other projection be at a minimum height of seven (7) feet above the surface of the sidewalk and be affixed and fastened in such manner as not to be in any way dangerous or harmful to users of the sidewalks, streets, or roads of the Township. Nothing herein contained, however, shall permit the erection of any awnings, signs or other projections, which extend beyond the sidewalk line in front of any premises, and any such erection shall be unlawful. (Ord. 12/-/1967A, 12/-/1967, 5)

(10, §206)

(10, §208)

§206. Unlawful to Maintain Any Tree on Any Portion of the Sidewalk. It shall be unlawful for any owner to maintain any tree or portion thereof on a sidewalk, curb or any portion of a street or road, after notice from the Board of Township Supervisors that said Board has determined that such tree or any portion thereof interferes with full use of any sidewalk, street or road of the Township, or so projects on any portion of any sidewalk, street, or road of the Township, so as to obstruct or interfere with the full use of any such sidewalk or with traffic or parking on any such street or road. (Ord. 12/-/1967A, 12/-/1967, 6)

§207. Penalties. Any person, firm or corporation who shall violate any provision of this Part, or any owner who shall fail to comply with any notice from the Board of Supervisors to cut and remove any weeds, other similar vegetation, hedges, bushes, vines or tree branches, which are in violation of any of the provisions of this Part 2, or to cut and remove or trim any tree or portion thereof, or to remove any awning, sign or other projection which is in violation of any of the provisions of this Part 2, within five (5) days of the date of such notice, 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 12/-/1967A, 12/0/1967, 7, as amended by Ord. 1997-3)

§208. Any Vegetation that is in Violation is Hereby Declared a Nuisance. Any weeds or similar vegetation, hedges, bushes or vines and tree branches which are not cut or maintained in accordance with the provisions of this Part 2, any tree or part thereof which in any way obstructs or interferes with the use of sidewalks, streets, or roads in violation of the provisions of this Part 2, and any awnings, signs or other projections which are not maintained at the height herein specified, or affixed or fastened in the manner provided in this Part 2, are hereby declared to be nuisances and detrimental to the health, cleanliness, comfort, and safety of the inhabitants of the Township. The Board of Supervisors is hereby vested with authority to abate any such nuisances, and the cost of such abatement shall be collected in any manner provided in "The Second Class Township Code," as amended. (Ord. 12/-/1967A, 12/-/1967, 8)

Part 3

Regulation of Property Maintenance and Vector Control

§301. Short Title. This Part 3 may hereafter be referred to as the Granville Township Property Maintenance and Vector Control Ordinance. (Ord. 1985-6, 12/23/1985, 1)

§302. Statutory Authority. This Part 3 is enacted according to the powers granted to Townships of the second class, of which this Township is one, under the Second Class Township Code of the Commonwealth of Pennsylvania, §702, clause XII, XXIX, and XXXII. (Ord. 1985-6, 12/23/1985, 2)

§303. Application of Ordinance. The provisions of this Part 3 shall supplement local laws, ordinances or regulations existing in the Township or those of the Commonwealth of Pennsylvania. Where a provision of this Part 3 is found to be in conflict with any provision of a local law, ordinance, code or regulations or those of the Commonwealth of Pennsylvania, the provisions that are more restrictive or which establish the higher standard shall prevail. (Ord. 1985-6, 12/23/1985, 3)

§304. Definitions. As used in this Part 3, terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

ACCESSORY STRUCTURE - a detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on or partially on any premises.

BOARD OF SUPERVISORS - shall mean the Board of Supervisors of the Township of Granville, Mifflin County, Pennsylvania, and any representative authorized by said Board. Reference herein to Supervisors or to Board shall be deemed to mean Board of Supervisors.

BREEDING AREA - any condition, which provides the necessary environment for the birth or hatching of vectors.

BUILDING - any roofed structure, enclosed by one or more walls, resting on its own foundation, for the shelter, housing, storage or enclosure of persons, goods, materials, equipment or animals, and includes any dwelling, garage, barn, stable, shed, greenhouse, mobile home, plant, factory, warehouse, school or similar structure.

COLLECTION OF WATER - water contained in ditches, pools, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tanks of flush closets, reservoirs, vessels, receptacles of any kind, or other containers or devices which may hold water.

COURT - any open or unoccupied space on land that is enclosed at least on three (3) sides by the walls of a building.

COVERED RECEPTACLE - a container of metal, wood, heavy-duty plastic or synthetic material of solid construction, with a tight-fitting cover secured against wind and leakage.

DANGEROUS BUILDINGS - all buildings or structures that have any or all of the following defects shall be deemed dangerous buildings:

(1) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;

(2) Those which, exclusive of the foundation, show damage or deterioration to thirty-three (33%) percent of the supporting member or members, or damage or deterioration of fifty (50%) percent of the nonsupporting enclosing or outside walls or covering;

(3) Those, which have improperly distributed loads upon the floors or roofs, or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used;

(4) Those which have been damaged by fire, wind or other causes so as to be dangerous to life, safety, or the general health and welfare of the occupants or the public;

(5) Those which are so damaged, dilapidated, decayed, unsafe, unsanitary, vermin-infested or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or general welfare of those living therein;

(6) Those, which have parts thereof, which are so attached that they fail and injure property or members of the public;

(7) Those that lack illumination, ventilation or sanitation facilities or because of another condition are unsafe, unsanitary, or dangerous to the health, safety or general welfare of the occupants or the public;

(8) Those that because of their location are unsanitary, or otherwise dangerous, to the health or safety of the occupants or the public;

(9) Those existing in violation of any provision of the building code, fire prevention code, or other ordinances of the Township.

DER - Department of Environmental Resources, Commonwealth of Pennsylvania.

DILAPIDATED - fallen into partial ruin or decay.

DISPOSAL - storage, collection, disposal or handling of refuse.

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

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

EXTERMINATION - the control and elimination of vectors by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, fogging, larviciding, trapping or by any other recognized and legal vector control elimination methods approved by the local or state authority having such administrative authority.

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

HARBORAGE - any place where vectors can live, nest or seek shelter.

INFESTATION - presence, within or around a building, of any insects, rodents, vermin, vectors as defined below, or any other pests.

LOT - any or all plots, tracts, premises, or parcels of land, with or without improvements thereto.

MUNICIPALITY - the Township of Granville, a municipal corporation and body politic, being a Second Class Township of the Commonwealth of Pennsylvania, which acts by its Board of Supervisors.

OCCUPANT - any person, over one (1) year of age, living, sleeping, cooking or eating in or actually having possession of a dwelling unit or a rooming unit; in dwelling units, a guest will not be considered an occupant.

OWNER - any person who, alone or jointly or severally with others shall have:

(1) Legal title to any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or

(2) Charge, care, or control of any premises, dwelling or dwelling unit, as owner or agent of the owner, or as an executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Part 3 and of the rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

PERSON - any natural person, firm, partnership, association, or corporation.

REFUSE - all solid waste, whether combustible or not, including garbage, ashes, dead animals, market and industrial waste, glass, metal, paper, plant growth and wood.

RUBBISH - glass, metal, paper, plant growth, wood, or nonputrescible solid wastes.

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

Whenever the words "dwelling", "dwelling unit", or "premises" are used in this Part 3, they shall be construed as though they were followed by the words "or any part thereof".

UNOCCUPIED HAZARD - any building, or part thereof, or manmade structure, which remains unoccupied for a period of more than six (6) months, with either doors, windows, or other openings broken, removed, boarded or sealed up, or any

(10, §304, cont'd)

(10, §306)

building under construction upon which little or no construction work has been performed for a period of more than six (6) months.

VECTOR - a rodent, arthropod, or insect capable of transmitting a disease or infection, including, but not limited to, rats, mosquitoes, cockroaches, flies and ticks.

VECTORPROOFING - a form of construction to prevent ingress or egress of vectors, or to form a given space or building or gaining access to food, water, or harborage, including, but not limited to, rat-proofing, fly-proofing, and mosquito-proofing.

YARD - an open space on the same lot with a building and, for the most part, unobstructed from the ground up.
(Ord. 1985-6, 12/23/1985, 4)

§305. Dangerous Buildings Declared Nuisances. All dangerous buildings within the terms of §301 of this Part 3 are hereby declared to be public nuisances and shall be repaired, vacated, or demolished as herein provided. (Ord. 1985-6, 12/23/1985, 5)

§306. Standards for Repair, Vacation or Demolition. The following standards shall be followed in substance by the Enforcement Officer of the Township in ordering repair, vacation or demolition:

1. If the dangerous building can reasonably be repaired so that it will no longer exist in violation of the terms of this Part 3, it shall be ordered to be repaired.

2. If the dangerous building is in such condition as to make it dangerous to the health, safety or general welfare of its occupants, or the public and is so placarded, it shall be ordered to be vacated within such length of time, not exceeding thirty (30) days, as is reasonable.

3. No dwelling or dwelling unit which has been placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the Enforcement Officer. The Enforcement Officer shall remove such placard whenever the defect or defects upon which the placarding action was based have been eliminated.

4. If a dangerous building is fifty (50%) percent or more damaged or decayed, or deteriorated from its original condition; if a dangerous building cannot be repaired so that it will no longer exist in violation of the term of this Part 3; or if a dangerous building is a fire hazard existing or erected in violation of the

terms of this Part 3, or any ordinance of the Township or Statute of the Commonwealth of Pennsylvania, it shall be ordered to be demolished; Provided, the cost of repairs to rectify or remove the conditions constituting the nuisance exceed fifty (50%) percent of the market value of the building at the time demolition is proposed. (Ord. 1985-6, 12/23/1985, 6)

§307. Duties of Enforcement Officer.

1. The Enforcement Officer or Township shall inspect on a regular basis dwellings, buildings and structures to determine whether any conditions exist that render such premises dangerous buildings within the terms of §301 above.

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

- A. Shall be in writing;
- B. Shall include a statement of the reasons it is being issued;
- C. Shall state a reasonable time to rectify the conditions constituting the nuisance or to remove and demolish the dwelling building or structure;
- D. Shall be served upon the owner, or his agent, or the occupant, as the case may require.

(1) except in emergency cases and where the owner, occupant, lessee, or mortgagee is absent from the Township, all notices shall be deemed to be properly served upon the owner, occupant or other person having an interest in the dangerous building, if a copy thereof is served upon him personally, or if a copy thereof is posted in a conspicuous place in or about the structure affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of the Commonwealth.

(2) except emergency cases, in all other cases where the owner, occupant, lessee, or mortgagee is absent from the Township, all notices or orders provided for herein shall be sent by Registered Mail to the owner, occupant, and all other persons having an interest in said building, as shown by the records of the County Recorder of Deeds, to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the dangerous building to which it relates. Such mailing and posting shall be deemed adequate service.

E. May contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this Part 3, and with the rules and regulations adopted pursuant thereto.

3. Appear at all hearings conducted by the Enforcement Officer and testify as to the condition of dangerous buildings. (Ord. 1985-6, 12/23/1985, 7)

§308. Hearings.

1. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Part 3 may request and shall be granted a hearing on the matter before the Enforcement Officer; Provided, that such person shall file with the Enforcement Officer a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten (10) days after the day the notice was served. Upon receipt of such petition, the Enforcement Officer shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than twenty (20) days after the day on which the petition was filed.

2. After such hearing, the Enforcement Officer shall sustain, modify or withdraw the notice. If the Enforcement Officer sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to this Part 3 shall automatically become an order if a written petition for a hearing is not filed with the Enforcement Officer within ten (10) days after such notice is served.

3. Any aggrieved party may appeal the final order to the Township in accordance with the provisions of the Local Agency Law. (Ord. 1985-6, 12/23/1985, 8)

§309. Removal of Notice Prohibited. No person shall remove or deface the notice of dangerous building, except as provided in 306(3). (Ord. 1985-6, 12/23/1985, 9)

§310. Emergency Cases. Whenever the Enforcement Officer finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as is necessary to meet the emergency. Notwithstanding the other provisions of this Part 3, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Enforcement Officer shall be afforded a hearing as soon as possible. After such hearing, depending upon the findings as to whether the provisions of this Part 3 have been complied with, the

Enforcement Officer shall continue such order in effect, or modify or revoke it. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided herein for other cases. (Ord. 1985-6, 12/23/1985, 10)

§311. Prohibited Acts. It shall be unlawful:

1. For any person to deposit or to knowingly permit any person acting as agent, employee, or servant of said person, to deposit any refuse, offal, pomace, dead animals, decaying matter, or organic substance of any kind or upon any private lot, building, structure, accessory structure, premises, or in or upon any street, avenue, alley, parkway, ravine, ditch, gutter, or into any of the waters of the Commonwealth so that the same shall or may afford food, harborage or breeding areas for vectors.

2. For any person to deposit or permit to accumulate in or upon any premises, improved or vacant, or on any open lot, or alley, any lumber, boxes, barrels, bottles, cans, glass, scrap iron, wire, metal articles, pipe, broken stone or cement, broken crockery, broken plaster, or rubbish of any kind, unless the same may be kept in covered receptacles or placed on open racks that are elevated not less than eighteen (18) inches above the ground, and evenly piled or stacked; or unless disposed of in a manner approved by DER.

3. To maintain a junkyard or a place for the dumping or wrecking or disassembling of automobiles, trucks, tractors, or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, in such a manner as to afford harborage or breeding areas for vectors.

4. To store refuse in containers other than covered receptacles, which shall be kept clean by rinsing and draining as often as necessary so as not to provide food or breeding areas for vectors.

5. To dump, burn, destroy, or otherwise dispose of refuse except at an approved refuse disposal site.

6. To collect, haul, transport, or convey garbage in open, unenclosed, nonleak-proof vehicles.

7. To construct, maintain or use a sewage system, privy, urinal, cesspool, or other receptacle for human excrement so that vectors may have access to the excrementitious matter contained therein.

8. To have, keep, maintain, cause or permit any collection of standing or flowing water except for agricultural or industrial purposes in which mosquitoes breed or are likely to breed, unless such collection of water is treated or maintained so as effectually to prevent such breeding. (Ord. 1985-6, 12/23/1985, 11)

§312. Responsibilities of Owners and Occupants.

1. Every owner of a dwelling containing two (2) or more dwelling units shall maintain, in a clean and sanitary condition, the shared or public areas of the dwelling and premises thereof, in such a manner as to prevent breeding areas and harborage for vectors.

2. Every occupant in any dwelling unit, whether existing separate and apart, or constructed with one (1) or more other dwelling units, shall be responsible for extermination within his dwelling unit. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain dwelling in a rodent-proof or reasonable insect-proof condition, extermination shall be the responsibility of owner and occupant.

3. No owner of any building or structure shall fail to take steps and perform such maintenance thereto, as may be required from time to time, to ensure the property is safe, sound, sanitary and secure and does not present a health and/or safety hazard to surrounding properties and to the general populace.

4. No owner of any unoccupied building or structure shall fail to take such steps as may be required to ensure that these are securely closed so as to prohibit and deter entry thereto and to ensure that no health and/or safety hazard, or threat thereof, is precipitated due to a lack of maintenance or due to neglect.

5. Owners of any and all unoccupied buildings and/or structures which, through neglect, have deteriorated to the point of being classified as unoccupied hazards, and therefore constitute a severe health and/or safety hazard shall, upon direction of the Township, remove, or cause the removal of, the building and/or structure.

6. No person shall permit:

A. Fences and/or minor structures to be constructed and maintained so as to present a safety or health hazard to persons and/or property;

B. The development or accumulation of hazards, rodent harborage and/or infestation upon yards, courts or lots;

C. Objectionable materials to accumulate and to be blown about the surrounding neighborhood;

D. wells, cesspools, cisterns, sedimentation ponds, stormwater management impoundment ponds and/or ponds of similar nature to remain open without adequate fencing or barricades to prevent access thereto by the general public;

E. The accumulation of heavy undergrowth and/or vegetation which would impair the health and/or safety of the neighborhood; nor shall they permit any trees, plants, or shrubbery, or any portion thereof, to grow on their property and which constitutes a safety hazard to pedestrian and/or vehicular traffic.

F. Any occupant of a premises shall be responsible for compliance with the provisions of this Part 3 with respect to the maintenance of that part of the premises, which he occupies, and/or controls in a safe, sound and/or sanitary condition pursuant to the terms of the contract/agreement under which he exercises occupancy and/or control thereof.

G. Owner of premises shall comply with the provisions of this Part 3 as well as operators and occupants, regardless of any agreements between owners and operators or occupants as to which party shall assume such responsibility.

H. In instances where an occupant is responsible, or shares responsibility with an owner, for the existence of one (1) or more violations of this Part 3, said occupant shall be deemed responsible and treated as if an owner within the true intent and meaning of this Part 3.

(Ord. 1985-6, 12/23/1985, 12)

§313. Vector Control and Vector-Proofing.

1. Grounds, buildings and structures shall be maintained free of insect, vermin, and rodent harborage and infestation.

2. Adequate sanitary facilities and methods shall be used for the collection, storage, handling and disposal of garbage and refuse.

3. Where there exists rodent and vermin infestation, corrective measures shall be undertaken by the property owner and/or occupant to alleviate the existing problem(s), to include screening, extermination, and/or garbage and refuse control. Methods employed for extermination shall conform to generally accepted practices.

4. Any dwelling, building, structure, accessory structure, premises or any other place shall be required to be vector-proofed when found to provide harborage or breeding areas for vectors, upon written notice at least twenty (20) days prior to a hearing, and upon hearing by the Board of Supervisors of this Township, or their representative or representatives as designated by general or special resolution of the Board to perform such function, with an opportunity for the owner or occupier or both to be present, to cross-examine witnesses, and to receive a written decision to be rendered within thirty (30) days after said hearing. Appeal from the decision of the Board of Supervisors or its representative or representatives shall be to the Court of Common Pleas of Mifflin County, Pennsylvania, in like manner as an appeal is taken in other civil matters form a justice of the peace, district justice or magistrate.

5. It shall be unlawful for the owner, occupant, contractor, public utility company, plumber or any other person to remove or fail to restore to substantially the same condition any vector-proofing placed in any building, structure or accessory structure and interfered with by any such person in the conduct of installation repairs or the application of any labor or materials to any said building for any purpose. (Ord. 1985-6, 12/23/1985, 13)

§314. Private Vector Control Program. A program plan and specifications for private vector control programs shall be required to be submitted by the owner to the Board of Supervisors of the Township of Granville upon determination of the necessity by the Vector Control Program Director. Said determination shall be served on the owner personally or by Certified Mail. Within sixty (60) days of said service, the owner may contest the necessity of the program by requesting a hearing to be conducted in accordance with §311 of this Part 3. Said program plan shall be submitted by the owner to the Board of Supervisors within ninety (90) days of notice or within ninety (90) days after the decision of the Board of Supervisors or its representatives shall have entered a decision on the necessity for a program. The program plan shall state the type of vectors to be controlled, the name of the company contracted to carry out the program, if any, and any and all work to be conducted in an effort to control said vectors. The Vector Control Program Director shall review the program plan, and if the plan is found to be inadequate or incomplete, additional information may be required as well as additional control methods. The owner may request a hearing on the Director's determination in accordance with §311 of this Part 3. (-Ord. 1985-6, 12/23/1985, 14)

§315. Abatement by Township. If the owner, occupant, mortgagee, or lessee fails to comply with the order of the Enforcement Officer within the time specified in the notice issued by the Enforcement Officer, the Enforcement Officer shall cause such building or structure to be repaired, vacated, or demolished as the facts may warrant, under the standards hereinbefore provided. The Township may collect the cost of such repair, (10, vacation or demolition together with a penalty of ten (10%) percent of such cost, in the manner provided by law. (Ord. 1985-6. 12/23/1985, 15)

§316. Authority to Abate Vector Problems.

1. From and after passage of this Part 3, any Supervisors or any representative of the Board of Supervisors is empowered to make periodic inspections of the interior and exterior of all dwellings, buildings, structures and accessory structures, premises, collections of water, or any other places to determine full compliance with this Part 3, and to determine evidence of vector infestation and the need for vector-proofing or additions or repairs to existing vector-proofing.

2. Whenever it shall be determined by the Board of Supervisors that any dwelling, building, structure, accessory structure, premises, collection of water, or any other place is in violation of this Part 3, a notice shall be issued setting forth the alleged violation(s), and advising the owner, occupant, operator, or agent that such violation(s) must be corrected. The time for the correction of said violation(s) must be given as well as the necessary methods to be employed in the correction.

3. Whenever any violation(s) shall fail to be corrected within the time set forth, and an extension of time is not deemed to be necessary, the municipality may proceed to abate the violation(s) in the manner provided by law.

4. The owner shall have the right to appeal from said determination by hearing in accordance with §304 of this Part 3. (Ord. 1985-6, 12/23/1985, 16)

§317. Miscellaneous Provisions. No person shall permit:

1. Roof, surface and/or sanitary drainage to create a safety and/or health hazard to persons and/or property by reason of inadequate and/or improper construction, or maintenance, or manner of discharge.

2. Roof gutters, drains, or any other system designed and constructed to transport stormwater, to be discharged into any sanitary sewage system and/or any part thereof;

3. Any refrigerator, freezer and/or other similar storage chest to be discarded, abandoned or stored in any place or location which is accessible to the general public

without first completely removing any and all locking devices and/or doors. (Ord. 1985-6, 12/23/1985, 17)

§318. Notice of Violation. Upon failure to comply with any terms or conditions of this Part 3, the owner and/or occupant shall be notified by the Township or its authorized representative, by Certified Mail, or through personal service, of said violation or violations. Such notification shall be in writing and shall identify the premises and shall cite the specific violation or violations; shall direct the owner and/or occupant to correct the deficiency and/or deficiencies within a period of thirty (30) days from the receipt of such notice and shall inform the owner and/or occupant of the fines and penalties which would accrue for the failure to comply. The notice shall also advise that, in lieu of or in addition to fines and penalties, and subsequent to the thirty (30) day period for voluntary compliance, the Township may itself correct the deficiencies or contract for the correction thereof and assess the cost thereof as a lien against the premises and/or recover the expenses incurred in a manner as prescribed by law. In the event the owner and/or occupant cannot be ascertained or is not able to be located, a notice, containing the above required information in summary form, shall be published once in each of two (2) consecutive weeks in a newspaper of general circulation in the Township, advising of the existence of the violation and requiring correction thereof; in accordance with the terms and conditions herein established detailed notice thereof shall be posted on the subject premises and at the Township Building. (Ord. 1985-6, 12/23/1985, 18)

§319. Compliance. The owner and/or occupant shall have thirty (30) days from the receipt of a notice of violation or, alternatively, from the date of the second appearance of the published notice of violation, to correct any and all stipulated deficiencies. Extensions to the thirty (30) day period in which deficiencies must be corrected may be granted by the Township upon demonstration by the owner and/or occupant that such an extension thereto is warranted and justified. Failure to comply shall constitute a violation of this Part 3. A conviction of an owner and/or occupant shall not bar further prosecutions for noncompliance with this Part 3 subsequent to such conviction. (Ord. 1985-6, 12/23/1985, 19)

§320. Penalties. 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 one thousand (\$1,000.00) dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to

(10, §320, cont'd)

(10, §322)

exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1985-6, 12/23/1985, 20; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

§321. Owners Severally Responsible. If the premises are owned by more than one (1) owner, each owner shall severally be subject to prosecution for the violation of this Part 3. (Ord. 1985-6, 12/23/1985, 21)

§322. Inspection. The Township may, or may cause, through an authorized representative of the Township, entry onto premises for the purpose of inspection of any and all premises, properties, buildings and/or structures located within the Township for ascertaining the existence of violations. In those matters where the nature of an alleged violation is such that an inspection of the interior of a building or structure is necessitated, prior arrangements must be made with the owner, or his agent, to secure access thereof. (Ord. 1985-6, 12/23/1985, 22)

CHAPTER 11

HOUSING

(Reserved to accommodate future ordinances)

CHAPTER 12

LIBRARIES

(Reserved to accommodate future ordinances)

CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

Part 1

Junk Dealers

- §101. Short Title
- §102. Definitions
- §103. License
- §104. Application for License
- §105. Issuance of License
- §106. License Fee
- §107. License Limitation
- §108. Transfer of License
- §109. Transfer Fee
- §110. Records
- §111. Delay in Disposal
- §112. Regulations
- §113. Penalties
- §114. Abatement of Nuisances

Part 2

Community Antenna Television Franchise

- §201. Short Title
- §202. Definitions
- §203. Levy of the Fee
- §204. Payment to the Township
- §205. Effective Date

Part 3

False Alarm Devices

- §301. Definitions
- §302. Permits Required
- §303. Operational Standards
- §304. False Alarms
- §305. Change in Location of the Police Department or Fire Department
- §306. Testing
- §307. Liability of Municipality
- §308. Administration and Enforcement
- §309. Right to Appeal
- §310. Penalties
- §311. Repealer
- §312. Severability
- §313. Effective Date

Part 4

Wind Turbines

- §401. Findings
- §402. Establishment
- §403. Definitions
- §404. Special Conditions
- §405. Permits Required
- §406. Permit Fee
- §407. Duration of Permit
- §408. Notice of Application
- §409. Review of Applications
- §410. Issuance of Permits
- §411. Criteria and Regulations for Granting of Permit
- §412. Waiver
- §413. Continued Compliance
- §414. Noise and Shadow Flicker
- §415. Private Access Roads and Forestry Management
- §416. Use of Public Roads
- §417. Safety
- §418. Insurance
- §419. Field Representative and Site Manager
- §420. Performance Standards
- §421. No Further Land Development
- §422. Revocation of Permit
- §423. No Further Subdivision
- §424. Wind Turbine Generator Removal
- §425. Penalty
- §426. Appeals
- §427. Appeal Cost
- §428. Savings Clause
- §429. Repealer
- §430. Severability
- §431. Effective Date
- §432. Adoption Necessity
- §433. Adoption Date

Part 1

Junk Dealers

§101. Short Title. This Part 1 shall be known and may be cited as "Granville Township Junkyard and Refuse Ordinance." (Ord. 12/-/1967B, 12/-/1967, 1)

§102. Definitions. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Part 1 to have the meanings herein indicated:

BOARD - the Board of Supervisors of Granville Township.

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, rubbish or garbage kept in a proper container for the purpose of prompt disposal.

JUNK DEALER - any person, as herein after defined, who shall engage in the business of selling, buying, salvaging, and dealing in junk and who maintains and operates a junk yard within the Township of Granville.

JUNK YARD - any place where any junk as hereinafter defined, is stored, disposed of, or accumulated.

LICENSE - the permit granted to a person who accumulates, stores or disposes of junk as hereinbefore defined.

PERSON - shall include any partnership, association, firm, corporation and other entity.

TOWNSHIP - Granville Township, Mifflin County, Pennsylvania.
(Ord. 12/-/1967B, 12/-/1967, 2)

§103. License. No person shall engage in business as a junk dealer, or maintain a junk yard without first having obtained a license from the Board, for which license the fee 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 December 31, and each license must be renewed annually, on or before the first day of January of each year. (Ord. 12/-/1967b, 12/-/1967, 3)

§104. Application for License. The license provided for in this Part 1 shall be issued by the Board after written application shall have been made therefor 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 junk yard 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 Applicant who shall also submit therewith a plot of the premises used or to be used in connection with such license. (Ord. 12/-/1967B, 12/-/1967, 4)

§105. Issuance of License. Upon receipt of an application by the Board, the Board shall issue a license to the person applying therefor after an examination of the application and taking into consideration the suitability of the property proposed to be used 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 Board shall issue a license, it may impose upon the license and the person applying therefor such terms and conditions in addition to the regulations herein contained and adopted pursuant to this Part 1 as may be deemed necessary to carry out the spirit and intent of this Part 1. (Ord. 12/0/1967B, 12/-/1967, 5)

§106. License Fee. The annual license fee in the amount of seventy-five (\$75.00) dollars shall be paid immediately upon the issuance or renewal of a license. No license shall be issued for the use of a tract of land in excess of twenty (20) acres, excluding set-back area. (Ord. 12/-/1967B, 12/0/1967, 6; as amended by Ord. 1988-1, 4/25/1988; Res. 2000-3, 1-10-00)

§107. License Limitation. No person licensed under this Part 1 shall, by virtue of one license, keep more than one (1) place of business within the Township or maintain more than one (1) junk yard, for the purpose of buying, selling and dealing in junk. No person shall engage in business as a junk dealer in any place other than the place designated upon his license, or maintain a junk yard in any place other than the place designated upon his license. (Ord. 12/0/1967B, 12/-/1967, 7)

§108. Transfer of License. No license issued by the Board shall be transferable by the licenser to any other person, unless such a transfer is authorized by the Board. Any person desiring to transfer his license shall notify the Board, in writing, which notification shall be accompanied by an application for a license, as described in §104 of this Part 1, by the transferee. (Ord. 12/1/1967B, 12/-/1967, 8)

§109. Transfer Fee. In the event the Board shall approve the transfer of a license, the transferee shall immediately pay to the Township a transfer fee of ten (\$10.00) dollars. (Ord. 2/-/1967, 12/-/1967, 9)

§110. Records. Every person, licensed under this Part 1, shall provide and shall constantly keep a book, in which shall be fairly written down in the English language at the time of the purchase of any junk, a description of every article or material purchased or received by him, the date and hour of such purchase, or receipt, and the person from whom such article or material was purchased, received or handled by such person and which shall at all time be subject to the inspection of any official of the Township. (Ord. 12/-/1967B, 12/-/1967, 10)

§111. Delay in Disposal. Every person, licensed under this Part 1, shall keep and retain upon the licensed premises, for a period of forty-eight (48) hours after the purchase or receipt thereof, all junk received or purchased by him, and he shall not disturb or reduce the same or alter the original form, shape or condition until such period of forty-eight (48) hours shall have elapsed. (Ord. 12/-/1967B, 12/-/1967, 11)

§112. Regulations. Every person licensed under this Part 1 shall constantly maintain the licensed premises in accordance with the following conditions.

1. Such premises shall, at all times, be maintained so as not to constitute a nuisance or a menace to the health of the community or of residents nearby or a place for the breeding of rodents and vermin.

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

3. Whenever any motor vehicle shall be received in such premises as junk, all gasoline and oil shall be drained and removed therefrom. Gasoline in an amount not exceeding ten (10) gallons may be stored above ground in said junk yards, provided the same be placed in containers approved by the Board. All other gasoline, which is kept in the premises shall be stored underground, which underground storage must be approved by the Department of Environmental Resources.

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

5. All junk kept, stored, or arranged on the licensed premises shall, at all times, be kept, stored and arranged within the junk yard as described in the application for license hereunder, and as limited under paragraph (4) above.

6. A person licensed under this Part 1 shall not burn more than one motor vehicle or its equivalent at any one time. No oil, grease, tires, gasoline or other similar material that might be dangerous or tend to produce obnoxious smoke or odors shall be burned within a junk yard at any time. Burning of vehicles must be attended and controlled at all times, and shall be subject to and be controlled by any future ordinance relative to the cause and control of fires.

7. The premises to be licensed shall be set back a minimum distance of twenty-five (25) feet from the right-of-way lines on all streets or roads and a minimum distance of twenty-five (25) feet from all other property lines. The area between the set back line and the right-of-way line and all streets and roads and all other property lines shall be at all times, kept clear and vacant.

8. When the Board shall deem it necessary and desirable, the premises to be licensed shall at the set back lines be enclosed by a fence of type and style to be determined by the Board or by evergreen screen plantings, or both. The Board may set forth the fence and planting requirements at the time of the issuance of a license or at the time of renewal or transfer of a license. (Ord. 12/-/1967B, 12/-/1967, 12; as amended by Ord. 1988-1, 4/25/1988)

§113. Penalties. 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 one thousand dollars (\$1,000.00) plus costs, and in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 12/-/1967B, 12/-/1967, 13; as amended by Ord. 1988-1, 4/25/1988; and amended by Ord. 1997-3)

§114. Abatement of Nuisances. In addition to the remedies provided in §113 above, any continued violations of this Part 1, which shall constitute a nuisance in fact, or which shall in the opinion of the Board constitute a nuisance, may be abated by proceedings against the violator in a court of equity for relief. (Ord. 12/-/1967B, 12/-/1967, 14)

Part 2
Community Antenna Television Franchise

§201. Short Title. This ordinance shall be known and may be cited as the Township of Granville Community Antenna Television Franchise Ordinance. (Ord. 1995-8, 11/27/95)

§202. Definitions.

A. "Community Antenna Television" (CATV) shall mean an arrangement or combination of apparatus whereby television signals broadcast over the air are received at one or more towers, antennas or other devices from television stations licensed by the Federal Communications Commission and other information sources and which for a consideration are transmitted by means of a co-axial cable or suitable device to television receiving sets or subscribers to such service.

B. "Township" is the Township of Granville, Mifflin County, Pennsylvania.

C. "Company" is Comcast, Zampelli Electronics and Nittany Media, Inc. or their successors and assigns and any other entity that renders like services within the Township. (Ord. 1995-8, 11/27/95); (Ord. 2007-1, 01/02/07)

§203. Levy of the Fee. It is hereby levied and imposed upon the cable company a franchise fee of 5% of the cable company gross revenues derived from connections within the Township. This fee may be changed from time to time by resolution of the Board of Supervisors. (Ord. 1995-8, 11/27/95); (Ord. 2007-1), 01/02/07

§204. Payment to the Township. The company shall pay a fee to the Township during the life of this ordinance. Said fee to be 5% of the gross annual receipts of the company arising with the Township from monthly subscriber service charges; said fee being for the regulation and privilege of using the streets and alleys of the Township for the operation of its system. The franchise fee shall be due and payable on the fifteenth day of April, July, October and January of each and every year hereinafter. If the company does not pay the fee at the designated time the township, after written demand upon the company, may, through its solicitor institute an action for the collection of the fee in the Court of Common Pleas of Mifflin County (Ord. 1995-8, 11/27/95); (Ord. 2007-1, 01/02/07) (Amended by Ord. 2010-6, 9/7/2010)

§205. Effective Date. This ordinance shall become effective five (5) days after enactment by the Township. This ordinance shall become effective immediately. (Ord. 1995-8, 11/27/95); (Ord. 2007-1); 01/02/07

Part 3
False Alarm Devices

Section 301. Definitions. As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly applies from the context:

ACCIDENTAL FALSE ALARM means a false alarm, which is not an intentional false alarm as defined herein, or, not when an intrusion, crime, fire or other emergency has actually occurred.

ALARM means a communication to the police department or fire department indicating that a crime, fire or other emergency situation warranting immediate action by the police department or fire department has occurred or is occurring.

ALARM DEVICE means a mechanical device designed to automatically transmit an alarm by wire, telephone, radio or other means (1) directly to the police department or fire department, (2) to a person who is instructed to notify the police department or fire department of the alarm, or (3) to activate a bell or sounding device to be heard outside a building which is intended to alert the police of the existence of a crime, fire or other emergency situation warranting action by the police department or fire department.

BUSINESS means any corporation, partnership, incorporated association or other similar entity.

FALSE ALARM means an alarm to which the police department or fire department responds resulting from the activation of an alarm device when a crime, fire or other emergency warranting immediate action by the police department or fire department has not in fact occurred.

INDIRECT ALARM DEVICE means an alarm device designed to transmit an alarm to a person who is instructed to notify the police department or fire department of the alarm.

INTENTIONAL FALSE ALARM means a false alarm resulting from the intentional activation of an alarm device where that individual has no reasonable basis to believe that a crime, fire or other emergency situation warranting immediate action by the police department or fire department has occurred or is occurring.

PERMIT HOLDER means a business to which the police department or fire department has issued an alarm device permit.

TELEPHONE DIALER ALARM DEVICE means an alarm device designed to automatically transmit a recorded message over regular telephone lines directly to a person who is instructed to notify the police department or fire department of the alarm.

(Ord. 2000-1, 5-8-00)

Section 302. Permits Required.

1. It shall be unlawful for a business property owner or lessee of business property occupying a premise within Granville Township to put an alarm device into operation on their premises or to allow an alarm device to be put into operation on their premises without first obtaining an alarm device permit from the police department and/or fire department. It shall also be unlawful for a business property owner or lessee of business property occupying a premise outside of Granville Township to put into operation an alarm device which terminates at the Granville Township Police Department or a Granville Township fire company or to allow such an alarm device to be put into operation on his or her premises without first obtaining an alarm device permit from the police department or fire department.
2. In order to obtain an alarm device permit, a business must submit an application to the Granville Township secretary's office on behalf of the police department or fire department stating:
 - A. their name;
 - B. their home and business address and the telephone number of each;
 - C. the location at which the alarm device will be installed and operated;
 - D. the names, addresses and telephone numbers of at least two (2) individuals who have keys to the premises at which the alarm device is located and who are authorized to enter the premises at any time, but who reside somewhere other than the premises at which the alarm device is located; and
 - E. a general written description of the device other than the schematics.
 - F. if alarm device is for entry, fire, or both, or any other purpose to be described.

If the alarm device is to be leased or rented from, or is to be serviced pursuant to a service agreement by, a person other than the business making application for an alarm device permit, the name, address and telephone number of that person must be stated in the application. In addition, each business submitting an application for an alarm device permit shall submit a signed statement in the following:

I/we, the undersigned applicant(s) for an alarm device permit, intending to be legally bound hereby, agree with Granville Township that neither I/we, nor anyone claiming by, through or under me/us, shall make any claim against Granville Township, its officials or agents, for any damages caused to the premises at which the alarm device, which is the subject of this application, is or will be located, if such damage is caused by forced entry to said premises by employees of Granville Township in order to answer an alarm from said alarm device at any time when said premises are or appear to be unattended or when in the discretion of said employees the circumstances appear to warrant a forced entry.

The Township secretary, on behalf of the police department or fire department, shall furnish forms, which any person wishing to apply for an alarm device permit shall submit with his application.

3. A business applying for an alarm device permit for a telephone dialer alarm device, local sounding device, or an indirect alarm device shall submit the required fee along with his application. The fee shall be \$25.00 as of the effective date of this ordinance, and shall be fixed from time to time by resolution of the Granville Township Board of Supervisors for fire/entry or other usage.
4. The Township secretary, on behalf of the police department or fire department, shall, within thirty (30) business days from receipt of an application for an alarm device permit, either grant an alarm device permit or notify the applicant, in writing, that his application has been denied and the reasons for denial.
5. An application may only be denied if the applicants alarm device fails to comply with subsection 2 or 3 of this section, or fails to conform to the operational standards set forth in section 3 of this ordinance.
6. Notwithstanding the language contained in subsection 1 of this section, it shall be lawful for a business to continue to operate an alarm device on their premises without an alarm device permit for a period of ninety (90) days after the effective date of this ordinance, provided, said alarm was in operation on the effective date of this ordinance.

7. The Township secretary, on behalf of the police department or fire department, shall have the power to revoke an alarm device permit. A permit shall be revoked by notifying the permit holder in writing that their permit has been revoked and the reason for said revocation. Said notice shall be:
 - A. Delivered personally to the permit holder, in which case the revocation shall be effective.
 - B. Mailed to the permit holder at their last known address by certified mail, postage paid, in which case the revocation shall be effective three (3) days after mailing.
8. An alarm device permit may only be revoked for the following reasons:
 - A. Failure of an alarm device to conform to the operational standards set forth in section 3 of this ordinance.
 - B. Failure of the permit holder to pay a false alarm charge assessed to them by the police department or fire department under the provisions of section 4 of this ordinance within thirty (30) days of the mailing of a notice to them of a notice of the assessment of a false alarm charge.
 - C. The occurrence of more than twelve (12) false alarms from an alarm device during any calendar year.
 - D. The occurrence of an intentional false alarm caused by the permit holder or by an individual over the age of fifteen (15).
9. A business who has had his alarm device permit revoked under subsections 7 and 8 of this section may reapply for an alarm device permit forty-five (45) days after the effective date of said revocation; provided, that if a business's alarm device permit was revoked for nonpayment of a false alarm charge, the Township secretary, on behalf of the police department or fire department, shall deny said application unless such charge has been paid. Notwithstanding the foregoing, a business that has had its alarm device permit twice revoked on the basis of an occurrence of an intentional false alarm may not reapply for an alarm device permit for one (1) year from the effective date of the second revocation.
10. It shall also be the responsibility to keep information on the application current and up to date. If required, the Township reserves the right to require, by resolution, the renewal of said permits at a time interval to be described.

(Ord. 2000-1, 5-8-00)

Section 303. Operational Standards.

1. An alarm device need not contain a delay service, which causes a delay to occur between the time the alarm device receives a triggering stimulus and the time the alarm device transmits an alarm.
2. An alarm device that allows the permit holder to abort the alarm signals.
3. If the alarm device is designed to cause a bell, siren or sound-making device to be activated on or near the premises on which the alarm device is installed at the time it gives an alarm, said alarm device shall be designed to deactivate the bell, siren or other sound-making device after thirty (30) minutes of operation. Preexisting units must be modified for a thirty (30) minute device unless said unit cannot be modified without replacement.
4. All alarm devices shall meet the applicable standards of the Underwriters Laboratories and /or the National Fire Protection Association, and/or other recognized industry standards, and shall be permitted under this ordinance if in conformity thereto. An alarm device which does not meet any of the above standards or for which there is no recognized industry standard shall require the applicant for a permit to submit evidence of the reliability or suitability of the alarm device. Any permit issued for such an alarm device, which does not conform to the recognized standard, shall be conditionally subject to satisfactory performance of said alarm device after installation. The applicant for a permit may be required to submit subsequent evidence of the reliability of the alarm device.
5. The sensory mechanism used in connection with an alarm device must be adjusted to suppress false indications of fire or intrusion, so that the alarm device will not be activated by impulses due to transient pressure change in water pipes, short flashes of light, wind noises such as the rattling or vibrating of doors or windows, vehicular noise adjacent to the premises, or other forces unrelated to genuine alarm situations.
6. The alarm device must be maintained by the permit holder in good repair to assure reliability of operation.
(Ord. 2000-1, 5-8-00)

Section 304. False Alarms.

1. Intentional False Alarms. No permit holder or person shall create an intentional false alarm.

- 2. Accidental False Alarms. Any person or permit holder causing accidental false alarms for any reason shall pay to Granville Township a charge for each and every false alarm to which the police and/or fire departments respond, in each calendar year, as follows:

Alarms sounded after first month of installation

First alarm each year.....	Free w/notice of ordinance
Second alarm each year	\$ 25.00
Third alarm each year	\$ 50.00
All other alarms each year	\$100.00

- 3. When a false alarm occurs, the police department or fire department, within ten (10) days from the date of the false alarm, shall notify the permit holder of the alarm device from which the false alarm emanated or other person causing said false alarm that a false alarm charge is due and the amount thereof. Such notice shall be in writing and mailed to the permit holder or person causing said false alarm at his last known address by regular mail, postage prepaid. Failure of the police department to mail notice of assessment of a false alarm charge within ten (10) days from the occurrence of a false alarm shall preclude Granville Township from assessing a false alarm charge for said false alarm.
- 4. A false alarm charge shall be due and payable at the office of the Township secretary thirty (30) days from the date of the mailing of the notice of assessment of the charge.
- 5. Failure of a permit holder to pay a false alarm charge on or before the date due shall subject such permit holder to revocation of his alarm device permit under section 2(8) of this ordinance.
- 6. Failure of a person causing a false alarm, other than a permit holder, to pay a false alarm charge on or before the date due shall constitute a violation of the ordinance, and shall subject said person to the penalties set forth in section 11 hereof.
- 7. Each false alarm in succession shall constitute a separate violation of this ordinance.
(Ord. 2000-1, 5-8-00)

Section 305. Change in Location of the Police Department or Fire Department. If the location of the headquarters of the police department should change at any time, Granville Township shall not be responsible for any cost incurred by permit holders or other persons because of said change in location. (Ord. 2000-1, 5-8-00)

Section 306. Testing. No business shall conduct or test any alarm device without first obtaining permission from the police department or fire department. Where the equipment is keyed through an intermediary, no such permission is necessary unless the alarm or signal is to be relayed to the Central Receiving Station. (Ord. 2000-1, 5-8-00)

Section 307. Liability of Municipality. The issuance of any permit shall not constitute acceptance by Granville Township of any liability to maintain any equipment, to answer alarms, nor otherwise render Granville Township liable to any person for any loss or damage relating to the alarm system or procedure. (Ord. 2000-1, 5-8-00)

Section 308. Administration and Enforcement. Administration and enforcement of this ordinance shall be functions of Granville Township and shall include the following:

1. Authority to accept or reject a permit application or revoke a permit because of a misrepresentation or false statement contained in any application for a permit, failure to correct any deficiencies in equipment or operation of an alarm device after receipt of due notice from Granville Township, or not meeting other conditions and specifications of this ordinance.
2. Authority to order the disconnection of an alarm device until such device is made to comply with operational standards set forth herein, but only when evidence of failure to comply with said standards imposes a burden upon Granville Township as a result of false alarms.
3. Authority, at reasonable times and upon written notice, to enter upon any premises within Granville Township to inspect the installation and operation of an alarm device.
4. All administration of this ordinance will be handled through the Township secretary's office. (Ord. 2000-1,5/8)

Section 309. Right to Appeal. Whenever, under the provisions of this ordinance, the police department or fire department is empowered to make a decision with respect to the installation, operation or maintenance of any alarm device, or with respect to the denial or revocation of any permit relating thereto, any applicant for a permit or permit holder aggrieved by such decision, may, within ten (10) days following the decision, file a written appeal therefrom with the Granville Township Board of Supervisors, whereupon the Granville Township Board of Supervisors shall promptly conduct a hearing and affirm, modify or reverse the decision appealed from. The decision of the Granville Township Board of Supervisors shall be final. (Ord. 2000-1, 5-8-00)

Section 310. Penalties. Any person or business that shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than one thousand (\$1,000.00) dollars, and/or to imprisonment for a term not to exceed ninety (90) days. (Ord. 2000-1, 5-8-00)

Section 311. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. (Ord. 2000-1, 5-8-00)

Section 312. Severability. If any sentence, clause, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared the intent of the Granville Township Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, or part thereof not been included herein. (Ord. 2000-1, 5-8-00)

Section 313. Effective Date. This ordinance shall become effective on March 27, 2000. (Ord. 2000-1, 5-8-00)

Part 4
Wind Turbines

§401. Findings-The Granville Township Supervisors make the following findings with respect to the construction, operation and maintenance of wind Turbine Generators:

A. The construction, maintenance and operation of wind Turbine Generators which fail to comply with all criteria and regulations set forth in this ordinance, present tangible and immediate dangers to the preservation of the natural, scenic, historic and aesthetic values of the environment of the Township of Granville.

B. The construction, maintenance and operation of wind Turbine Generators which fail to comply with all criteria and regulations set forth in this ordinance, present tangible and immediate dangers to the public and neighboring landowners in the nature of ejection of projectiles (ice or injured birds), continuous generation of noise during night time hours and glare from sunlight continually flashing off of rotating blades;

C. The construction, maintenance and operation of wind Turbine Generators presents a danger following the useful life of the wind Turbine Generators from deteriorating structures if provisions for decommissioning are not made as required by this ordinance;

D. The construction, maintenance and operation of wind Turbine Generators, which fail to comply with all criteria and regulations set forth in this ordinance, unreasonably interferes with the reasonable use, comfort and enjoyment of property in the vicinity and/or endangers the health, safety and/or welfare of the occupants of the property in the vicinity, and prohibits or denies the property owners and taxpayers the legitimate enjoyment of their reasonable rights and use of their property and rights as well as the rights guaranteed to them and to the public by Section 27 of the Declaration of Rights of the Pennsylvania Constitution;

E. The construction, maintenance and operation of wind Turbine Generators, including, but not limited to, the repetitive noise and glare, visual impacts, flickering reflections and/or shadows, large scale excavation of environmentally sensitive areas, constitute an unreasonable use of property which causes injury, damage, harm, inconvenience, annoyance, and discomfort to the property owners and taxpayers in the legitimate enjoyment of their reasonable rights and use of their property and rights, and constitute a danger to migratory birds, the watershed, and the

(13, §401, cont'd)

(13, §401, cont'd)

scenic aesthetic and natural quality of the environment of the Township.

F. The wind Turbine Generators shall meet current standards and regulations, if any, of any other agency of the State, Federal and Local Government with the authority to regulate Wind Turbine Generators.

(Ord. 2014-4, 5/5/2014)

§402. Establishment-The Granville Township Supervisors hereby declare the construction and maintenance of wind Turbine Generators to constitute a nuisance and offensive business, if not constructed and maintained in accordance with the criteria and regulations set forth in the ordinance, a copy of which is attached hereto and incorporated herein by reference, subject to prohibition under Section 1529 of the Pennsylvania Second Class Township Code (53 P.S. § 66529) and provide for their regulation and permitting under the conditions set forth below in order to avoid the maintenance of nuisance or offensive businesses within the geographic limits of Granville Township.

Furthermore the Granville Township Supervisors find that such construction and maintenance of Wind Turbine Generators is likely to destroy the rights guaranteed to the people by Section 27 of the Declaration of Rights of the Pennsylvania Constitution, which rights the Township Supervisors are duty bound to protect.

(Ord. 2014-4, 5/5/2014)

§403. Definitions.

- (1) **wind Turbine Generators**-As prohibited or regulated by this Ordinance shall mean real and personal property, which are composed of generators, blades, tower, base, components of the aforementioned and appurtenances of the aforementioned ("Wind Turbine Generator" with the term referring to both the singular and the plural of such structure);
- (2) **Property Line**-As referred to is the boundary of the property or lot upon which the wind Turbine Generators is to be located.
- (3) (Ord. 2014-4, 5/5/2014)

§404. Special Conditions.

- A. **Design.** Each wind turbine generator shall consist of a tubular support, generator, nacelle, and three blades. Each wind turbine generator site will have access roads,

underground transmission cabling to connect the generators to an electric substation, and underground fiber optic lines. Onsite transmission and power lines between wind turbines shall be placed underground. All wind turbine generator sites shall be designed and constructed in such a fashion as to avoid any disruption and/or interference with private wells, springs, and/or other water sources.

The predevelopment site conditions with slopes exceeding 20% shall not be disturbed in the construction of the wind turbines. This prohibition includes the construction of roads required to deliver the materials for construction to the construction site. In the event any problems occur with any private water source, which problems are proximately caused by Developer/Permittee, Developer/Permittee shall immediately supply, in perpetuity, potable water in such quality and quantity as supplied by the original private water source. Applicant must provide written notice to all property owners and tenants occupying property within 2,500 feet of the boundary of the property upon which the wind turbine generator will be located and advise them that Applicant, at Applicant's sole cost, will test their well, springs, or other water sources, using a DEP certified laboratory selected by the Township, prior to construction as to the land owners potable water, the quality of the water and the quantity of the water and supply and the report thereof shall be furnished to the Township and to the property owners and tenants.

All wind Energy Facilities shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over-speed protection.

The design of the wind Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, det Norske Veritas, Germanischer Lloyd wind Energies, or other similar certifying organizations.

Developer/Permittee shall install wind turbine generators of two megawatts nameplate capacity each unless otherwise

agreed to by the Parties, which comply with all terms and provisions of this Agreement.

- B. **Maintenance, Repair & Replacement.** Developer/Permittee shall repair, maintain and replace the wind turbine generators and associated equipment during the Term of this Agreement in a manner consistent with Good Utility Practice as needed to keep the Project in good repair and operating condition.
- C. **Signs.** No advertising material or signage other than warning, equipment information or indicia or ownership shall be allowed on the wind turbine generators. This prohibition shall include the attachment of any flag, decorative sign, streamers, pennants, ribbons, spinners or waiving, fluttering or revolving devices, but not including weather devices.
- D. **Lighting.** The wind turbine generators shall not be artificially illuminated except as required by the FAA or any other applicable authority. If lighting is required, the lighting alternatives and design chosen will seek to minimize the disturbance to the surrounding views.
- E. **Aesthetics.** The towers and generators of the wind turbine generators shall have a non-reflective, painted steel finish in a neutral color, subject to any applicable standards of the FAA or other regulatory requirements. The blade of the wind turbine generators are not covered by this section.
- F. **Stray Voltage/Electromagnetic Fields (EMF).** Developer/Permittee will utilize Good Utility Practice to minimize, to the extent practicable, the impact, if any, of stray voltage and/or EMF on Non-participating property. Developer/Permittee shall state that there will not be stray voltage impact from the Project because such impacts occur only on distribution facilities which are not included in the Project.

(Ord. 2014-4, 5/5/2014)

§405. Permits Required-No wind Turbine Generators shall be constructed, operated or maintained within Granville Township without a permit for the same. Application for permit shall be made on forms provided by the Township. The application form

shall include a statement requiring that the applicant indemnify the Township with respect to all activities related to the operation of the wind Turbine Generator(s). A separate application shall be filed for each structure. In addition, the issuance of a permit pursuant to the Wind Turbine Ordinance will not relieve the facility owner of any applicable requirements contained in any other Township Ordinance including but not limited to the Township Subdivision and Land Development Ordinance.

A. Permit Application-The permit application shall demonstrate that the proposed wind Energy Facility will comply with this Ordinance.

B. Among other things, the application shall contain the following:

1. A narrative describing the proposed wind Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the wind Energy Facility, the approximate number representative types and height or range of heights of wind Turbines to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.

2. An affidavit or similar evidence of agreement between the property owner and the Facility Owner or Operator demonstrating that the Facility Owner or Operator has the permission of the property owner to apply for necessary permits for construction and operation of the wind Energy Facility.

3. Identification of the properties on which the proposed wind Energy Facility will be located, and the properties adjacent to where the wind Energy Facility will be located.

4. A site plan showing the planned location of each wind Turbine, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the wind Energy Facility to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.

5. Setbacks-The wind turbine generators shall comply with the following setbacks:

a. **Civil Structures.** Each wind turbine generator shall be set back from the nearest existing (at the time of the

building permit issuance) school, hospital, church or public library, a distance of no less than 2,500 feet.

b. Participating Residences. For an existing (at the time of the building permit issuance or notice from the building code enforcement officer that no building permit is required) participating structure intended for temporary or permanent human habitation, the setback distance from a wind turbine generator shall be at least 2,000 feet. In the event that a lesser distance is desired, the Developer/Permittee shall request a waiver to this provision pursuant to the requirements of this Ordinance. In no event shall the setback distance be less than 1.1 times the total height of the wind turbine generator (measured at the highest point of the blade tip).

c. Non-Participating Residences. For an existing (at the time of the building permit issuance or notice from the building code enforcement officer that no building permit is required) non-participating structure intended for temporary or permanent human habitation, the setback distance from a wind turbine generator shall be at least 2,500 feet.

Definition of Participating and Non-Participating. For purposes of this Ordinance "Participating" shall mean a property owner or property (including a residence) that is subject to an agreement or lease with Developer/Permittee. "Non-Participating" shall mean all property owners of properties (including a residence) which are not participating property owners or property.

d. Property Lines. Each wind turbine generator shall be set back from the nearest property lines a distance of no less than 2,000 feet.

e. Public Roads. Each wind turbine generator shall be set back from the nearest public road a distance of no less than 2,000 feet, determined at the nearest boundary of the right-of-way for such public road. Unless conclusive evidence exists to the contrary, the public road right-of-way is presumed to be 60 feet.

f. Communication and Electric Lines. Each wind turbine generator shall be set back from the nearest above-ground public electric power line or public telephone line, or underground gas transmission lines a distance of no less than 2,000 feet.

g. Natural Resources and Historic Sites and Structures. Each wind turbine generator shall be set back a distance of no less than 2,500 feet from the nearest existing critical and irreplaceable natural and cultural resource areas of the Township (at the time of the building permit issuance):

1. Important Bird Areas (IBA).
2. National Wetland Inventory (NWI) wetlands.
3. Historic structure listed or eligible to be listed on the Pennsylvania Heritage Inventory and National Landmarks.
4. Mifflin County Natural Heritage Areas including core habitat and publicly managed lands.
5. Lakes, dams, ponds and public water source wells and springs.

The applicant is required to contact and present their proposals by certified return receipt mail to each of the following agencies. The Applicant will copy the Township on any correspondence sent to or received from the agencies. The Applicant is required to follow all the recommendations and all directives of the agencies and provide the Township with a letter of consistency from each agency.

Should any agency fail to respond within 90 days of the date of return receipt to an applicant's request for review of the proposal, this sub-section of the ordinance will be satisfied as to the need to obtain a finding of consistency from that specific agency. Setback requirements or recommendations of the following agencies as they relate to Natural Resources and Historic Sites and Structures supersede the setbacks in this Section. Where specific standards, recommendations or requirements as to any of the Historic or Natural resources listed in this section are not obtained, this ordinance and permit requirements will be adhered to. Where the different agencies differ in their standards, recommendations or requirements, the more strict standards, recommendations and requirements will be followed by the applicant.

(13, §405, cont'd)

(13, §406)

U.S. Fish and wildlife Service
PA Field Office
315 South Allen Street, Suite 322

State College, PA 16801-4850

Pennsylvania Historical & Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120-0093

Resources

Department of Conservation and Natural

Bureau of Forestry
Central Office
6th Floor, Rachel Carson State Office

Building

P.O. Box 8552
Harrisburg, PA 17105-8552

Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110-9797

Pennsylvania Fish and Boat Commission
1601 Elmerton Avenue
P.O. Box 6700
Harrisburg, PA 17106-7000

C. Documents related to decommissioning.

D. Other relevant studies, reports, certifications and approvals as may be reasonably requested by Granville Township to ensure compliance with this Ordinance.

E. Within sixty (60) days after receipt of a permit application, Granville Township will determine whether the application is complete and advise the applicant accordingly.

(Ord. 2014-4, 5/5/2014)

§406. Permit Fee—Developer/Permittee will pay to the Township a permit fee of ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00) per proposed megawatt for each wind turbine

generator. The permit fee shall be paid at the time the application is submitted. Fees shall not be returned where an application has been denied. The Township Supervisors may modify this fee by resolution from time to time in keeping with the Township's experience with the cost of administering the provisions of this Ordinance.

Thereafter, Developer/Permittee will pay the Township ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$1,500.00) per megawatt for each wind turbine generator actually installed in the Township (the "Per Megawatt Payment"). Pursuant to the above terms, Developer/Permittee specifically agrees that the Commonwealth may not impair the right to this payment by the passage of legislation, executive order or otherwise.

Such payments shall be on an annual basis payable on the anniversary of the Issuance or Notice Date. Under no circumstances shall the Township receive less than ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS per megawatt from Developer/Permittee. However, Developer/Permittee may receive a Credit, which shall be set off against the Per Megawatt Payment.

"Credit" is defined as the amount of any payments related to the wind Farm or wind turbine generators located in the Township paid by Developer/Permittee to any other governmental entity, for which such funds are actually (or are traceable to an amount) received by the Township. If the Credit is less than the Per Megawatt Payment, then the Per Megawatt Payment will be reduced by the Credit. However, if the Credit is equal to or great than the Per Megawatt Payment, no Per Megawatt Payment is payable to the Township. (Ord. 2014-4, 5/5/2014)

§407. Duration of Permit-A permit issued shall be valid for a period of thirty (30) years. Permits are non-renewable and any wind Turbine Generator facility operator wishing to continue operation must reapply for a new permit under this ordinance. Any permit granted under this Ordinance is not assignable or transferable to any other person, firm or corporation, whether by operation of law or otherwise, without the express prior written consent of the Township. (Ord. 2014-4, 5/5/2014)

§408. Notice of Application-The applicant must provide written notice of application to all property owners and tenants occupying property within 2,500 feet of the boundaries of the property upon which the wind Turbine Generators will be located.

(13, §408, cont'd)

(13, §412)

Proof of service of such notice by Certified Mail or notarized Affidavit of hand delivery must be provided with the application. (Ord. 2014-4, 5/5/2014)

§409. Review of Applications-The Township will review the application submitted, and reject the same if it is incomplete in any respect. In such case, the application fee shall be retained as compensation for the time spent in review. If the application is determined to be complete, the Township Secretary shall place the matter on the agenda for action by the Supervisors at a public meeting. (Ord. 2014-4, 5/5/2014)

§410. Issuance of Permits-The Supervisors of the Township, with the assistance of such consultants as they deem appropriate, shall make a determination at a public meeting as to whether the application submitted meets the criteria and regulations set forth in this Ordinance, and approve or reject the application based upon that determination in a public vote. (Ord. 2014-4, 5/5/2014)

§411. Criteria and Regulations for Granting of Permit-No permit for the construction, operation or maintenance of a Wind Turbine Generator(s) shall be granted unless the applicant demonstrates compliance in its application with all criteria and regulations set forth in this Ordinance. (Ord. 2014-4, 5/5/2014)

§412. Waiver-No waiver by the Township of the obligations of the permittee shall be deemed to be made unless the same shall be in writing and be signed by a duly authorized Township official and Developer/Permittee. Each waiver, if any, shall be a waiver only with respect to the specific instance involved and shall in no way impair the rights of the Township or Developer/Permittee in any other respect at any other time. The decision of the Township Board of Supervisors on a waiver request shall be considered final.

All waivers shall be in the form of an executed written waiver or non-disturbance easement, covenant or consent. All of the aforementioned must be recorded in the Office of the Recorder of Deeds of Mifflin County, Pennsylvania. Such easement or covenant shall run with the land and, at a minimum, provide that the said property owner waives and releases any and all claims, damages and/or losses resulting from higher noise levels, visual impacts or flickering reflections and/or shadows which may arise as a result of the location of a wind turbine generator within the established setback distance of an existing residential or

commercial structure on the property of the owner executing the same. Such easement, covenant or consent shall meet such requirements as to form and content consistent with this Agreement as may be required by the Township.
(Ord. 2014-4, 5/5/2014)

§413. Continued Compliance—An applicant granted a permit under this Ordinance shall be under a continuing obligation to meet the performance criteria and regulations set forth above. The Granville Township Supervisors hereby declare that a wind Turbine Generator(s) which ceases to meet the criteria and regulations listed above, after construction pursuant to a permit, shall constitute a nuisance, and following a 30-day notice to the applicant at the address listed on the application for permit of the need for abatement, which remains un-remedied or un-appealed, the Township may act to remove the structure. Such Notice of Violation shall be appealable as set forth below. (Ord. 2014-4, 5/5/2014)

§414. Noise and Shadow Flicker.

- A. Developer/Permittee shall comply with the following noise standards:
 - 1. Developer/Permittee shall make good faith effort to maintain a noise level attributable to the wind turbine generators of not more than 45dBA or 45dBC within a reasonable margin of error as measured from the property line of existing Non-Participating residences;
 - 2. The Parties acknowledge that the Project's construction will be the source of intermittent noise. Developer/Permittee shall require all contractors to incorporate reasonable noise reduction measures in order to mitigate the amount of noise generated during the construction phase.
 - 3. The Developer or Permittee shall conduct a semi-annual sound test, paid for by the Developer or Permittee, by a qualified independent sound testing professional.
- B. The Facility Owner and Operator shall make every reasonable effort to minimize shadow flicker to any Occupied Building on a Non-participating Landowner's property.
- C. (Ord. 2014-4, 5/5/2014)

(13, §415)

(13, §417)

§415. Private Access Roads and Forestry Management. Every effort should be made to use existing roads and logging roads. New deforestation and forest fragmentation should be kept to a minimum. Private entrance roads to wind turbine generators and associated meteorological towers, communication towers, and auxiliary buildings will not be paved but kept mud free. The cartway will be kept to the minimum possible. (Ord. 2014-4, 5/5/2014)

§416. Use of Public Roads-The Applicant shall identify all state and local public roads to be used within the municipality to transport equipment and parts for construction, operation or maintenance of the wind Energy Facility.

- A. The Township Engineer or a qualified third party engineer hired by the Township and paid for by the Applicant, shall document road conditions prior to construction. The engineer shall document road conditions again thirty (30) days after construction is complete or as weather permits.
- B. The Township will require that the road be bonded in compliance with state regulations to ensure the prompt repair of damaged roads. The Developer/Permittee shall comply with all other Township ordinances with respect to public roads.
- C. Any road damage caused by the applicant or its contractors shall be promptly repaired at the applicant's expense.
- D. (Ord. 2014-4, 5/5/2014)

§417. Safety-Developer/Permittee shall comply with the following safety standards:

- A. All wiring between the wind turbine generators and the substation shall be underground to the extent practicable; and
- B. The outside of the wind turbine generator towers shall not be climbable; and
- C. All access doors to the towers and electrical equipment shall be locked; and
- D. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points

of guy wires and along the guy wires up to a height of ten feet from the ground.

- E. Appropriate and clearly visible warning signage shall be placed on each tower, all electrical equipment, and all entrances; and
- F. Developer/Permittee shall abide by all applicable local, state and federal fire code and emergency service guidelines; and
- G. All wind turbine generators shall be equipped with portable fire extinguishers, unless the local fire department or municipal engineer provides written documentation establishing that the same is not necessary; and
- H. Inspection and O & M Provider: Developer/Permittee shall cause its Operations and Maintenance provider ("O & M Personnel") to comply with the following schedule:
 - 1. At least once every thirty-six (36) months the individual wind turbine generators shall be inspected by O & M Personnel, or its agent, who is regularly involved in the maintenance, inspection and/or erection of wind turbine generators, towers and antennas. At a minimum, this inspection shall be conducted in accordance with the provisions of this Ordinance and in accordance with the wind turbine generator inspection check list provided by the Parties' respective Engineers, as applicable. This is considered a major inspection.
 - 2. At least once every twelve (1) months a visual inspection from the ground shall be conducted by O & M Personnel. This inspection from the ground shall include, but not be limited to, visual inspection of wind turbine generator foundations, structures, guy, and connections for evidence of settlement or lateral movement, soil erosion, condition of paint or galvanizing, rust or corrosion, loose or missing bolts, loose or corroded lightning protection connectors, wind turbine generator tower plumbness, significant variation in guy sags (i.e. guy tensions), and other material areas or matters relating to the structural

integrity of the wind turbine generator. This is considered a minor inspection.

3. In addition to the regularly scheduled major and minor inspections set forth in paragraphs 1 and 2 above, a minor inspection, at a minimum will be conducted if a wind turbine generator or its appurtenances are noted at any time to be visibly damaged. Additionally, a major inspection should be conducted if the visible damage to a wind turbine generator is insignificant or when, after conducting a minor inspection, significant questions remain about the structural integrity of a wind turbine generator.
4. Developer/Permittee shall provide an annual letter to the Township certifying compliance with the inspection requirements of this Section.
5. (Ord. 2014-4, 5/5/2014)

§418. Insurance-Developer/Permittee shall maintain the following insurance coverage:

- A. A commercial general liability insurance policy with a financially responsible insurance company providing for;
(i) a limit of not less than \$1,000,000 for personal or bodily injury or death to any one person; and (ii) for a limit of not less than \$3,000,000 for personal or bodily injury or death to any number of persons arising from any one occurrence; and (iii) for a limit of not less than \$1,000,000 for any instance of property damage;
- B. Worker's compensation coverage in an amount required by Pennsylvania law. Developer/Permittee shall require subcontractors and others not protected under its insurance to obtain and maintain worker's compensation and employers' liability insurance; and
- C. Umbrella liability insurance with coverage to be in excess of the insurance required above. Limits of liability shall not be less than \$3,000,000 for each occurrence and \$3,000,000 in aggregate; and
- D. The Township shall be identified as an additional insured on all insurance policies referenced herein. No policy of insurance shall be cancelled without first providing the Township with at least thirty (30) days prior written notice of intent to cancel.

- E. Certificates of insurance evidencing compliance with these requirements shall be provided to the Township. All policies other than workers' compensation shall be written on an occurrence and not on a claims made basis.
- F. Coverage limits contained in this Section may be revisited by the Board of Supervisors from time to time. The Developer/Permittee will be required to provide updated insurance certificates to document the amended adequate coverage limits.
- G. (Ord. 2014-4, 5/5/2014)

§419. Field Representative and Site Manager-Developer/Permittee will be responsible for overseeing compliance with the conditions of a permit issued under this Ordinance during the construction phase of the Project. Upon completion of construction, Developer/Permittee shall designate a contact person for the Township who will be responsible for overseeing compliance with the conditions of a permit issued under this Ordinance for the duration of the Term of the permit. Developer/Permittee shall provide the names, addresses, daytime telephone numbers and emergency telephone numbers of any other designated field representative and site manager to the Township. The Township may make the telephone numbers available to local residents and officials. Developer/Permittee shall be entitled, upon prior written notice to the Township to change the field representative or site manager, or make other changes in the contact information. In addition, Developer/Permittee will make contact information available for the entity providing operation (monitoring) and maintenance services. (Ord. 2014-4, 5/5/2014)

§420. Performance Standards-Developer/Permittee agrees that the Project shall be operated and maintained consistent with Good Utility Practice for comparable facilities. For purposes of this Agreement, "Good Utility Practice" shall mean any of the practices, methods or acts engaged in or approved by a significant portion of the electric utility industry during the relevant time period, or any of the practices, methods and acts which in the exercise of reasonable judgment in light of the facts known at the time the decision was made, could have been expected to accomplish the desired result at a reasonable cost consistent with good business practices, reliability, safety and expedition. Good Utility Practice is not intended to be limited to the optimum practice, method, or act to the exclusion of all others, but rather to be acceptable practices, methods or acts generally accepted in the region. Under no circumstances shall the definition of "Good Utility Practices" include any violation,

regardless of degree, of any local, state, and/or federal law, ordinance, rule, and/or regulation. (Ord. 2014-4, 5/5/2014)

§421. No Further Land Development-Building permits shall not be issued for construction on the same parcel as a permitted wind Turbine Generator(s) when the proposed construction is within 2,500 feet of the wind Turbine Generator(s) unless the party requesting the building permit shall have executed a written waiver or non-disturbance easement, covenant, consent or any of the aforementioned which has been recorded in the Office of the Recorder of Deeds of Mifflin County, Pennsylvania. (Ord. 2014-4, 5/5/2014)

§422. Revocation of Permit-The following reasons shall constitute cause to revoke a permit issued under this Ordinance. Below is a partial list and the Township reserves the right to revoke a permit for violation of any other provision contained in this Ordinance.

- A. If Developer/Permittee ceases to operate the Project. Provided, however, that Developer/Permittee shall not be deemed to have ceased operating the Project if Developer/Permittee ceases operations for all or substantially all of the Project for a period not exceeding 6 months;
- B. If a petition is filed by Developer/Permittee under any bankruptcy, reorganization, arrangement, insolvency, dissolution or liquidation law of any jurisdiction, whether now or hereafter in effect, and is not dismissed within ninety (90) days after such filing;
- C. If Developer/Permittee fails to observe or perform any material condition or provision hereof for a period of sixty (60) days after receiving written notice of such failure from the Township, Developer/Permittee shall commence corrective action within thirty (30) days of notice from any source, of any failure, and shall complete corrective action within sixty (60) days of receipt of notice. Any period of time for which Developer/Permittee is unable to commence or complete corrective action as the result of any material third party withholding approval of such action shall not be counted against Developer/Permittee. If Developer/Permittee is unable to commence corrective action within thirty (30) days of notice or is unable to complete corrective action within sixty (60) days of receipt of notice for reasons other than delays caused by any material third party, Developer/Permittee shall request an extension from the

Township, which shall not be unreasonably withheld and which may include reasonable conditions, in order for Developer/Permittee to receive and maintain such extension,

- D. If Developer/Permittee continues to be in material breach of any statute, regulation, rule or permit administered by any federal, state, county or local department, agency or commission within sixty (60) days after receiving written notice of a violation by such federal, state or county department, agency or commission, Developer/Permittee shall notify the Township, in writing, of any alleged violation, order or enforcement proceeding within seven days of receipt. Developer/Permittee shall commence corrective action within thirty (30) days of notice, from any source, of any breach and/or violation, and shall complete corrective action within sixty (60) days of receipt of notice. Any period of time for which Developer/Permittee is unable to commence or complete corrective action as the result of any material third party withholding approval of such action shall not be counted against Developer/Permittee. If Developer/Permittee is unable to commence corrective action within thirty (30) days of notice or is unable to complete corrective action within sixty (60) days of receipt of notice for reasons other than delays caused by any material third party, Developer/Permittee shall request an extension from the Township which shall not be unreasonably withheld and which may include reasonable conditions in order for Developer/Permittee to receive and maintain such extension,
- E. In addition, the Township may revoke a permit issued under this Ordinance if the following conditions are met:
1. The Event of Default remains uncured; and
 2. There is no Force Majeure Event causing the Event of Default to continue; and
 3. The Township has provided Developer/Permittee an opportunity to present and explain its position before the Township Board to respond to the Event of Default, and any and all decisions and/or determinations by the Township Board may be appealed to the court of Common Pleas of Mifflin County, and all appeals are de novo; and
 4. All de novo appeals from the decision rendered by the Township Board under (Section E.3) have been exhausted.

(Ord. 2014-4, 5/5/2014)

§423. No Further Subdivision-No property or lot upon which a wind Turbine Generator has been located shall be further subdivided where to do so would result in the setbacks required by this Ordinance and/or as set forth in the permit not to be met. (Ord. 2014-4, 5/5/2014)

§424. Wind Turbine Generator Removal.

A. Bonding: Decommissioning

1. Before Final Permit approval, the Applicant must submit to the Granville Township Board of Supervisors a bond which shall be deposited with the municipality of financial security in an amount sufficient to cover the costs of decommissioning all improvements or common amenities including, but not limited to the windmill and appurtenances, including the base and footing, storm water detention and/or retention basins and other related drainage facilities, and electrical apparatus and restoration of the land to its original condition including forestry plantings of the type and density as the original.
2. when requested by the developer, in order to facilitate financing, the governing body may furnish the developer with a signed copy of a resolution indicating approval of the permit contingent upon the developer obtaining a satisfactory financial security and meeting all requirements of this Ordinance and Permit. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Township; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
3. without limitations as to other types of financial security which the municipality may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow account in such lending institutions shall be deemed acceptable financial security for the purposes of this section.

4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posing the financial security, provided said bonding company or lending institution is authorized to conduct such business with the Commonwealth.
5. Such bond or other security shall provide for and secure to the public the decommissioning of any improvements.
6. The amount of financial security to be posted for the decommissioning of any improvements shall be equal to 110% of the cost. The Developer or Permittee at their cost shall submit a revised cost estimate performed by a professional engineer licensed in this Commonwealth. Annually, the municipality may adjust the required amount of the financial security. Subsequent to said adjustment, the municipality 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.
7. The amount of financial security required shall be based upon an estimate of the cost of decommissioning of any 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 municipality, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the municipality 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 municipality 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 municipality and the applicant or developer.
8. As the work of decommissioning of any improvements proceeds, the party posing the financial security may

request the governing body to release, or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the governing body, and the governing body shall have forty-five (45) days from receipt of such request within which to allow the municipal engineer to certify, in writing, to the governing body that such portion of the decommissioning of any improvements has been completed. Upon such certification, the governing body shall authorize release by the bonding company or lending institution of an amount as estimated the municipal engineer fairly representing the value of the decommissioning of any improvements or, if the governing body fails to act within said 45-day period, the governing body shall be deemed to have approved the release of funds as requested.

B. Release from Decommissioning Bond.

1. When the developer has completed the decommissioning of all improvements, the developer shall notify the municipal governing body, in writing, by certified or registered mail, of the completion of the aforesaid decommissioning of all improvements and shall send a copy thereof to the municipal engineer. The municipal governing body shall, within ten (10) days after receipt of such notice, direct and authorize the municipal engineer to inspect the site. The municipal engineer shall, thereupon, file a report in writing with the municipal governing body, 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 sixty (60) days after receipt by the municipal engineer of the aforesaid authorization from the governing body. Said report shall be detailed and shall indicate approval or rejection of said decommissioning of all 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 municipal engineer, said report shall contain a statement of reasons for such non-approval or rejection.

The municipal governing body shall notify the developer, within fifteen (15) days of receipt of the

2. engineer's report, in writing by certified or registered mail of the action of said municipal governing body with relation thereto.
3. If the municipal governing body or the municipal engineer fails to comply with the time limitation provisions contained herein, all decommissioning of all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the work shall not be approved or shall be rejected by the municipal governing body, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the municipal governing body or the municipal engineer.
6. Where herein reference is made to the municipal engineer, that person shall be a duly registered professional engineer employed by the municipality or engaged as a consultant thereto.
7. The municipality may prescribe that the applicant shall reimburse the municipality for the reasonable and necessary expense incurred for the inspection of decommissioning of improvements. Such reimbursement shall be based upon a schedule established by resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the municipal 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 municipalities when fees are not reimbursed or otherwise imposed.

- a. In the event the applicant disputes the amount of any such expense in connection with the inspection of decommissioning of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the municipality that such expenses are disputed as unreasonable or unnecessary, in which case the municipality shall not delay or disapprove a permit related to the development due to the applicant's request over disputed engineer expense.
- b. If, within twenty (20) days from the date of billing, the municipality and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and municipality shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- c. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (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 municipality and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the municipality is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who in that case, shall be neither the municipal engineer nor any professional engineer who has been retained by, or performed services for, the municipality or the applicant within the preceding five (5) 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 municipality shall pay the fee of the professional engineer, but otherwise the municipality and the applicant shall each pay one-half of the fee of the appointed professional engineer.

C. Remedies to Effect Completion of Decommissioning of Improvements.

In the event that any decommissioning of improvements which are required have not been completed as provided in this ordinance and permit, the governing body of the municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of decommissioning of improvements covered by said security, the governing body of the municipality may, as its option, proceed with the decommissioning of all improvements 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 decommissioning of all improvements covered by such security and not for any other municipal purpose.

(Ord. 2014-4, 5/5/2014)

§425. Penalty-Any person who violates any portion of this Ordinance shall, in a civil enforcement proceeding, pay a fine as set by the Township Supervisors as provided for in the Second Class Township Code, 53 P.S. § 66601. This Ordinance is deemed to be an ordinance related to public health and safety, enacted under authority of the statutes and the Pennsylvania Constitution referred to in the preamble hereto and the Townships general authority to protect public health, safety and welfare. As such, a penalty of \$1,000.00 shall be assessed as a civil penalty for any violation hereof. Each day a violation continues shall be considered a separate assessment, until proof of compliance is provided. Notwithstanding any provision of this Ordinance respecting enforcement, the Township reserves the right to enforce this Ordinance through an action for injunction in the Court of Common Pleas of Mifflin County pursuant to 53 PS §66601c.1)(4). In addition to any civil penalty imposed, any

(13, §425, cont'd) (13, §429)
who violates this ordinance will be required to pay all court costs and attorney fees accrued by the Township. (Ord. 2014-4, 5/5/2014)

§426. Appeals-Any person aggrieved by any determination or action by the Township shall have an opportunity to present and explain its position before the Township Board of Supervisors. Any and all decisions and/or determinations by the Township Board of Supervisors may be appealed to the Court of Common Pleas of Mifflin County, and all appeals are de novo. Any such request to be heard by the Township Board of Supervisors shall include a complete statement of the reasons the person is aggrieved together with a written statement of all evidence to be provided to the Township Board of Supervisors. The factual basis or summary of any expert testimony that will be presented at such meeting of the Township Board of Supervisors must also be attached to the form provided by the Township. Failure to request the opportunity to present evidence to the Township Board of Supervisors under this paragraph within thirty (30) days from the date of the determination or action by the Township will result in the waiver of any right to request an opportunity to present evidence to the Board of Supervisors and appeal to the Court of Common Pleas. The person requesting an opportunity to be heard under this paragraph must provide written notice of the same to all property owners and tenants occupying property within 2,500 feet of the boundaries of the property upon which the wind Turbine Generators will be located. Proof of service of such notice by Certified Mail or notarized Affidavit of hand delivery must be included with the form provided by the Township. (Ord. 2014-4, 5/5/2014)

§427. Appeal Cost-The appeal shall be accompanied by a fee of \$1,000.00. Appellant shall be responsible for all costs of the appeal in excess of \$1,000.00. Failure to file a complete appeal, together with all statements, may result in dismissal of the appeal. (Ord. 2014-4, 5/5/2014)

§428. Savings Clause-It is hereby declared to be the intent of the Township that these regulations be considered nuisance regulations and not building regulations under the Uniform Construction Code, authorized by Act 45 of 1999, implemented by regulations of the Commonwealth of Pennsylvania Department of Labor and Industry. (Ord. 2014-4, 5/5/2014)

§429. Repealer-All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. (Ord. 2014-4, 5/5/2014)

(13, §430)

(13, §433)

§430. Severability-If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ord. 2014-4, 5/5/2014)

§431. Effective Date-This Ordinance shall become effective immediately, or as soon as legally permissible. (Ord. 2014-4, 5/5/2014)

§432. Adoption Necessity-It is declared that the adoption of this Ordinance and the execution, acknowledgment and delivery of the documents are necessary for the protection, benefit and preservation of the health, safety and welfare of the general public of the Municipality. (Ord. 2014-4, 5/5/2014)

§433. Adoption Date-at a public meeting of the Granville Township Supervisors held the 5th day of May, 2014, following advertisement as required by law. (Ord. 2014-4, 5/5/2014)

CHAPTER 14

MOBILE HOMES AND MOBILE HOME PARKS

(Reserved to accommodate future ordinances)

CHAPTER 15

MOTOR VEHICLES

Part 1

General Regulations

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

Part 2

Traffic Regulations

- §201. Maximum Speed Limits Established on Certain Streets
- §202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures
- §203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades
- §204. Maximum Speed Limits Established in Parks
- §205. Traffic Signals at Certain Locations
- §206. Intersections Where Turn Prohibited on Red Signal
- §207. One-way Streets Established
- §208. Turning at Certain Intersections Prohibited or Restricted
- §209. Right Turns Only Permitted at Certain Intersections
- §210. U-turns Prohibited at Certain Locations
- §211. No Passing Zones Established
- §212. Through Highways Established
- §213. Stop Intersections Established
- §214. Yield Intersections Established
- §215. Stop Signs-Bridges

Part 3

Restrictions on Size, Weight and Type of Vehicle and Load

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

Part 4

General Parking Regulations

- §401. Vehicles to be Parked within Marked Spaces
- §402. Angle Parking Required on Parts of Certain Streets
- §403. Parking Prohibited at All Times in Certain Locations
- §404. Parking Prohibited in Certain Locations Certain Days and Hours
- §405. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations
- §406. Parking Time Limited in Certain Locations Certain Days and Hours
- §407. Special Purpose Parking Zones Established; Parking Otherwise Prohibited
- §408. Standing or Parking on Roadway for Loading or Unloading
- §409. Penalties

Part 5

Removal and Impoundment of Illegally Parked Vehicles

- §501. Applicability and Scope
- §502. Authority to Remove and Impound
- §503. Tow Away Zones Designated
- §504. Designation of Approved Storage Garages; Bonding; Towing and Storage
- §505. Payment of Towing and Storage Charges
- §506. Reclamation Costs
- §507. Records of Vehicles Removed and Impounded
- §508. Restrictions Upon Removal of Vehicles
- §509. Penalty
- §510. Reports and Disposition of Unclaimed Vehicles

Part 6

Snow and Ice Emergency

- §601. Declaration of Snow and Ice Emergency
- §602. Parking Prohibited, Driving of Motor Vehicles Restricted, on Snow Emergency Routes During Emergency
- §603. Snow Emergency Routes Designated
- §604. Penalty for Violation

Part 7

Regulation of Pedalcycles

- §701. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited
- §702. Pedalcycles to be Licensed
- §703. Application for License
- §704. Issuance of License
- §705. License Plates
- §706. Renewal of License
- §707. Transfer of Ownership or Dismantling of Pedalcycle
- §708. Rental Agencies
- §709. Penalty for Violation

Part 1

General Regulations

§101. Definitions and Interpretation.

1. words and phrases, when used in this Chapter, except for sections or Parts to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code (the Act of June 17, 1976, P.L. 162 No. 81), as amended, except that, in this Chapter, the word "street" may be used interchangeably with the word "highway", and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

2. The term "legal holidays" as used in this Chapter shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

3. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine. (Ord. 1988-1, 4/25/1988)

§102. Manner of Adopting Permanent Traffic and Parking Regulations. All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this chapter, except where the law specifically authorized less formal action. (Ord. 1988-1, 4/25/1988)

§103. Provisions to be a Continuation of Existing Regulations. The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations. (Ord. 1988-1, 4/25/1988)

§104. Temporary and Emergency Regulations. The Chief of Police shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

A. in the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and

B. in the case of emergency or to facilitate public works, or in the conduct of parades, processions or public

events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.

Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this Chapter 15 for a violation of such nature, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this chapter, to a fine of not more than twenty-five (\$25.00) dollars, together with costs of prosecution. (Ord. 1988-1, 4/25/1988)

§105. Experimental Regulations. The Board of Supervisors may, from time to time by resolution, designate places upon and along the highways in the Township of Granville where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they have been specified in this chapter. No person shall operate or park a vehicle or tractor in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who shall violate any provision of this section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature, and in case of a violation for which no specific penalty is set forth in the law or elsewhere in this chapter, to a fine of not more than twenty-five dollars (\$25.00) together with costs of prosecution; provided, the purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking. (Ord. 1988-1, 4/25/1988)

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

1. Board of Supervisors shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

2. Board of Supervisors shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

3. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs. (Ord. 1988-1, 4/25/1988)

§107. Use of Streets by Processions and Assemblages.

1. For the purpose of this section, the words "assemblage" and "procession" shall have the following meanings:

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

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

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Chief of Police, which shall be issued without fee. Application for the permit shall be made at least one week in advance of the day on which the assemblage is proposed to be held, but in any case where a state-designated highway is proposed to be used, application shall be made at least three (3) weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Chief of Police, which shall be issued without fee. Application for the permit shall be made at least two weeks in advance of the day when the procession is proposed to be held, but in any case where a state-designated highway is proposed to be used, application shall be made at least three (3) weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route

to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have reached the end of the route of the procession and the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.

4. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs. (Ord. 1988-1, 4/25/1988)

§108. Authority of Police Officers. The police officers of the Township of Granville are hereby given authority to direct traffic on the highways of the Township and at intersections thereof. (Ord. 1988-1, 4/25/1988)

§109. Authorization for Use of Speed Timing Devices. The Township of Granville Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with Title 75, Pa. C.S.A. 3368.

This section authorizes the use of said devices upon all highways within the Township of Granville, be they Township, County or State highways, and does also hereby elect to exercise all powers granted to "local authorities" under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa. C.S.A. 6101 et seq. (1977) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. (Ord. 1988-1, 4/25/1988)

Part 2

Traffic Regulations

§201. Maximum Speed Limits Established on Certain Streets.

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

<u>Street</u>	<u>Between</u>	<u>Maximum Speed Limit</u>
Twp. Rd. T-710	Its intersection with Twp. T-355 and intersection with Leg. Rt. No. 44001	35 MPH
Twp. Rd. T-708	Its intersection with State Rt. 103 and Twp. Rd. No. 335	25 MPH
Twp. Rd. T-376	Its intersection with State Rt. 103 and Twp. Rd. No. 708	25 MPH
Twp. Rd. T-709	Its intersection with State Rt. 103 and Twp. Rd. No. 708	25 MPH
Twp. Rd. T-373	From Twp. Boundary line to its intersection with State Rt. 4013	35 MPH
Twp. Rd. T-478	From US 22 Intersection at Station 130+74 to 0+00	35 MPH
Twp. Rd. T-335	From its intersection with State Route 103 to its end on State Route 103	35 MPH
Twp. Rd. T-758	From its intersection with TR478 to its intersection with TR787	25 MPH
Twp. Rd. T-787	From its intersection with TR758 to its end	25 MPH
Twp. Rd. T-355	From Twp. Rd. No. 478 to Twp. Rd. No. 710	35 MPH
Twp. Rd. T-772	From intersection with SR-22 to Intersection with Twp. Rd. No. 478	35 MPH
Twp. Rd. T-776	From SR-103 to Cul-de-sac	25 MPH

(15, §201, cont'd)

(15, §202)

Twp. Rd. T-750	From Duquesne Way to SR-103S	25 MPH
Twp. Rd. T-764	From SR-103S to end	25 MPH
Twp. Rd. T-777	From intersection with Twp. Rd. No. 776 to end	25 MPH
Twp. Rd. T-388	Its Intersection with SR333 To its dead end	35 MPH
Twp. Rd. T-350	From its intersection with the Oliver Township Line to its Intersection at TR397	35 MPH
Hawsbrick Street	From its beginning at SR 333 To its end at SR 333	10 MPH
Twp. Rd. T-665	Its intersection with TR664 to its End intersecting again with TR664	15 MPH
Twp. Rd. T-859	Its intersection with SR103 South to its end	25 MPH
Twp. Rd. T-373	Its beginning at the Derry Twp. On the "upper" portion to the "Middle" portion	35 MPH
	The beginning of the "Middle" Portion to its end at the "Lower" Portion	25 MPH
	The beginning of the "Lower" Portion to its end at the Intersection with SR 4013	35 MPH

(Ord. 1988-1, 4/25/1988; amended by Ord. 1999-1, 2/8/99; amended by Ord. 1999-6, 11/22/99; amended by Ord. 2003-3, 9/8/03; as amended by Ord. 2005-9, 10/3/05; as amended by Ord. 2010-7, 11/1/2010)

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per hour over the maximum speed limit. (Ord. 1988-1, 4/25/1988, as amended by Ord. 1990-10, 10/8/1990, as amended by Ord. 1991-2, 8/12/91)

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

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

<u>Bridge or</u> <u>Elevated Structure</u>	<u>Location</u>	<u>Maximum Speed</u> <u>Limit</u>
---	-----------------	--------------------------------------

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by

more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per hour over the maximum speed limit. (Ord. 1988-1, 4/25/1988)

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

The following are declared to be hazardous grades, and upon any such hazardous grade, no person shall drive a vehicle, having a gross weight in excess of that referred to for that grade, in the direction stated for that grade, at a speed in excess of

that established in this section for that grade, and if so stated for a particular grade, the driver of every such vehicle shall stop the vehicle before proceeding downhill:

<u>Street</u>	<u>Between</u>	<u>Direction of Travel</u>	<u>Maximum Gross Weight</u>	<u>Maximum Speed Limit</u>	<u>Required to Stop Before Proceeding Downhill</u>
---------------	----------------	----------------------------	-----------------------------	----------------------------	--

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) for each mile in excess of five (5) miles per hour over the maximum speed limit. (Ord. 1988-1, 4/25/1988)

§204. Maximum Speed Limits Established in Parks.

1. A speed limit of thirty-five (35) miles per hour is established on all streets and roadways in the public parks maintained and operated by the Township of Granville, except in the following locations, where the lower maximums, as specified, shall apply:

<u>Park</u>	<u>Street</u>	<u>Location</u>	<u>Maximum Speed Limit</u>
-------------	---------------	-----------------	----------------------------

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per hour over the maximum speed limit. (Ord. 1988-1, 4/25/1988)

(15, §205)

(15, §207)

§205. Traffic Signals at Certain Locations.

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

<u>Location</u>	<u>Type of Signal</u>
-----------------	-----------------------

2. Any driver of a vehicle who disobeys the directions of any traffic signal shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988)

§206. Intersections Where Turn Prohibited on Red Signal.

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

<u>Intersection</u>	<u>Vehicles traveling on</u>	<u>Facing</u>
SR 3002	Hoss Drive	South

2. Any driver of a vehicle who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988; as amended by Ord. 2014-1, 3/3/14)

§207. One-Way Streets Established.

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

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction of Travel</u>
Belle Ave.	SR 103, Station Marker 30 38	SR 103 Station Marker 35 + 88	North
Belle Ave. Ext.	Belle Ave.	SR 103 Station Marker 29 + 00	South
Henrietta St.	Duquesne Way	Helen Street	West
Helen St.	Henrietta St.	Olympia Ave.	West

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988, as amended by Ord. 1990-7, 8/13/90)

(15, §208)

(15, §211)

§208. Turning at Certain Intersections Prohibited or Restricted.

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

<u>Vehicles</u>	<u>Direction</u>	<u>Not to</u>	<u>Type of Vehicle</u>
<u>Traveling on</u>	<u>of Travel</u>	<u>Make Into</u>	<u>Applicable to</u>
		<u>When</u>	
		(Reserved)	

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs. (Ord. 1988-1, 4/25/1988)

§209. Right Turns Only Permitted at Certain Intersections.

1. It shall be unlawful for the driver of any vehicle, traveling upon the first-named street at any of the following (15, 209, cont'd) (15, 209, cont'd)

intersections, in the direction or directions indicated in each case, to make other than a right turn, at any time stated, both left turns and straight-access traffic being prohibited:

<u>Vehicles Traveling on</u>	<u>Direction of Travel</u>
<u>Times</u>	<u>Not to Make Left Turn Into</u>
	<u>or Travel Straight Across</u>

(Reserved)

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs. (Ord. 1988-1, 4/25/1988)

§210. U-turns Prohibited at Certain Locations.

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

<u>Street</u>	<u>Portion</u>	<u>Direction of Travel</u>
---------------	----------------	----------------------------

(Reserved)

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs. (Ord. 1988-1, 4/25/1988)

§211. No Passing Zones Established.

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

<u>Street</u>	<u>Direction of Travel</u>	<u>Between</u>
Leg. Rt. 44012	Both	Station 0+00 to Station 130+74
Leg. Rt. 44012 (Spur E)	Both	Station 0+00 to Station 33+71

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988)

§212. Through Highways Established.

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

<u>Highway</u>	<u>Between</u>
----------------	----------------

(Reserved)

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988)

§213. Stop Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §214) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting of 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 Section 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.

<u>Stop Street</u>	<u>Intersecting or Through Street</u>	<u>Direction of Travel</u>
T-311 Granville Run Rd	SR 103	Northwest
T-335 North River Rd	SR 103	East
T-335 North River Rd	T 708 (Granville Rd)	East
T-336 Anderson Rd	SR 103	South
T-355 Middle Rd	SR 0022	Northwest
T-355 Middle Rd	T-478 (Loop Rd)	East/West
T-355 Middle Rd	T-772 (Industrial Pk Rd)	East/West
T-355 Middle Rd	T-478 (Loop Rd)	East
T-355 Middle Rd	T-381 (Airport Hill Rd)	West
T-373 Ort Valley Rd	SR 4013(Ferguson Vly Rd)	West
T-376 Malta Park Rd	T-708 (Granville Rd)	Northwest
T-376 Malta Park Rd	SR 103	Southeast
T-380 Caldwell Hill Rd	SR 0022	West
T-380 Caldwell Hill Rd	SR 0022	East
T-381 Airport Hill Rd	T-355 (Middle Rd)	East
T-381 Airport Hill Rd	T-381 (Airport Hill Rd "Y" Intx.)	South ¹
T-381 Airport Hill Rd	T-381 (Airport Hill Rd "Y" Intx.)	Northwest
T-388 Tower Hill Rd	SR 0333	Northwest
T-389 Hawsbrick St	SR 0333	West
T-389 Hawsbrick St	SR 0333	North
T-397 Country Ln	T-350 (Parchwood Rd)	East ²
T-397 Country Ln	T-350 (Parchwood Rd)	West
T-399 Peach Orchard Rd	SR 4013(Ferguson Vly Rd)	Southeast
T-478 Loop Rd	T-360 (US Hwy 522 South)	North
T-478 Loop Rd	T-772/T-773 Ind. Pk. Rd/Locust Rd	East/West
T-478 Loop Rd	T-335 (Middle Rd)	Northwest
T-478 Loop Rd	T-335 (Middle Rd)	Southeast
T-478 Loop Rd	SR 3002	North
T-665 Horseshoe Dr	T-664 (Country Ln)	Southwest
T-708 Granville Rd	SR 103	Southeast
T-709 Snook's Hill Rd	T-708 (Granville Rd)	Northeast
T-709 Snook's Hill Rd	SR 103	South
T-710 Strodes Run Rd	SR 4013(Ferguson Vly Rd)	North
T-710 Strodes Run Rd	SR 0022	South
T-711 Lockport Rd	T-355 (Middle Rd)	North
T-740 Race Track Rd	SR 103	Northwest
T-740 Race Track Rd	T-778 (Brannon Ln)	Southeast
T-750 Round House Rd	SR 103	South
T-751 Old 22 Rd	T360/T-478 US Hwy 522S/Loop Rd	Southwest
T-751 Old 22 Rd	T-360 (US Hwy 522S)	Southeast
T-758 Hillside Dr	T-748 (Loop Rd)	Northwest

(15, §213, cont'd)

T-758 Hillside Dr	T-787 (Scenic Dr)	Southeast
T-762 Steward Dr	T-478 (Loop Rd)	Southeast
T-763 Elm Dr	T-768 (King St)	West
T-764 Jenkins Ln	SR 103	South
T-765 Church Ave	T-766 (Bridgeview Dr)	Southeast
T-765 Church Ave	T-478 (Loop Rd)	Southeast
T-766 Bridgeview Dr	T-768 (King St)	Southwest
T-767 Queen St	T-768 (King St)	Northeast
T-768 King St	T-355 (Middle Rd)	North
T-772 Industrial Park Rd	T-478/T-773 (Loop Rd/Locust Rd)	South South
T-773 Locust Rd	T-478/T-772 (Loop Rd/Ind. Pk. Rd)	North South
T-776 Miller Ln	SR 103	South
T-777 Maple Ave	T-776 (Miller Ln)	West
T-779 Bailor Dr	SR 103	West
T-787 Scenic Dr	T-478 (Loop Rd)	Northwest
T-788 Long Dr	T-355 (Middle Rd)	South
T-788 Long Drive	SR 3002	North
T-793 Penn St	SR 0022	South
T-804 Aspen Dr Ext	T-793 (Penn St)	Northeast
T-805 Birch Dr	T-793 (Penn St)	Northeast
T-805 Birch Dr	T-803 (Clark Dr)	West
T-807 Crossover Dr	T-806 (Cedar Dr)	North
T-807 Crossover Dr	T-805 (Birch Dr)	South
T-809 Blue Juniata Dr	T-478 (Loop Rd)	West
T-810 Henry Dr	T-478 (Loop Rd)	West
T-810 Henry Dr	T-809 (Blue Juniata Dr)	North
T-834 Chapel Dr	SR 3005	West
T-836 Fairway Pl	T-355 (Middle Rd)	Northwest
T-836 Fairway Pl	T-836 (Fairway Pl)	Southwest
T-845 Dogwood Dr	T-846 (Fox Fire Rd)	South
T-846 Fox Fire Rd	SR 3005	West
T-848 Ridge Side Acr Rd	T-710 (Strodes Run Rd)	Southwest
T-848 Ridge Side Acr Rd	T-803 (Clark Dr)	Northeast
T-850 Expansion Dr	T-355 (Middle Rd)	North
T-852 Peace Dr	SR 3002	South
T-853 Tranquil Dr	T-852 (Peace Dr)	East
T-854 Duquesne Way	SR 103	East
T-855 Olympia St	T-854 (Duquesne Way)	North
T-856 Elizabeth St	T-855 (Olympia St)	East
T-856 Elizabeth St	T-750 (Round House Rd)	West
T-858 Rowe Dr	SR 4013	Northwest
T-859 Helen St	SR 103	Northeast
T-861 Belle Ave Ext.	SR 103	West
T-862 Park Ave	T-863 (Cliffside Dr)	East
T-863 Cliffside Dr	SR 0022	South

(15, §213, cont'd)

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs. (Ord. 1988-1, 4/25/1988; ord. 2001-4, 7/23/01; as amended by ord.2010-7, 11/1/2010)

§214. Yield Intersections Established.

1. The following intersections (in addition to intersections with the through highway established by 213) are established as yield intersections, and official yield signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the yield street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or yield street, in the direction indicated in each case, shall slow down or stop the vehicle as required by Section 3323(c) of the Vehicle Code, and then yield the right-of-way as required by that subsection of the Vehicle Code.

<u>Yield Street</u>	<u>Through Street</u>	<u>Direction of Travel</u>
	(Reserved)	

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988)

§215. Stop Signs-Bridges

The following bridges shall only be permitted to have one vehicle on them at one time. Stop signs will be erected on each side of the bridge. All vehicles must stop.

<u>Bridge Name</u>	<u>Road Location</u>
Strodes Run Bridge #1 (Ord. 1996-3, 8/26/96)	T-710 Strodes Run Road

Part 3

Restrictions on Size, Weight and Type of Vehicle and Load

§301. Vehicle Weight Limits Established on Certain Streets and Bridges.

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

<u>Street or Bridge</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
Unnamed Bridge	Strodes Mills & Lockport Rd. Located on Twp. Rd. T-710	24 Tons
Peach Orchard Road A/k/a Twp. Rd. 399	Entire Length	10 tons
Loop Road T-478	Eastern intersection with SR 22 through its Western intersection with Middle Road (T-355) approx. 2.9 miles	20 tons
Middle Road T-355	Western intersection with Loop Road (T-478) Through Intersection with Industrial Park Road (T-772)	20 tons

2. Any person who violates any provision of this section shall be prosecuted under Sections 4902(a) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of one hundred fifty dollars (\$150.00) plus one hundred fifty dollars (\$150.00) for each five hundred (500) pounds, or part thereof, in excess of three thousand (3,000) pounds over the maximum allowable weight, and costs.

(Ord. 1988-1, 4/25/1988; Ord. 1996-2, 5/28/1996; as amended by Ord. 2008-4, 11/3/08)

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

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

<u>Street or Bridge</u>	<u>Between</u>	<u>Restriction</u>
		(Reserved)

2. Any person who violates any provision of this section shall be prosecuted under Section 4902(a) and Section 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of seventy-five dollars (\$75.00) and costs.
(Ord. 1988-1, 4/25/1988)

§303. Restrictions as to weight and size of vehicles on Certain Streets and Bridges.

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

<u>Street or Bridge</u>	<u>Between</u>	<u>Restriction</u>
	(Reserved)	

2. Any person who violates any provision of this section shall be prosecuted under Section 4902(b) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00) and costs. (Ord. 1988-1, 4/25/1988)

§304. Truck Traffic Restricted on Certain Streets.

1. The following streets are hereby established as streets on which no tractor, truck tractor, trailer or semi-trailer shall be operated, stopped or parked except temporarily for the purpose of making deliveries or pickups at locations on those streets, with one exception. A tractor, truck tractor, trailer or semi-trailer shall be permitted to be parked at a residence owned by the truck operator as long as the property has adequate area to park said tractor, truck tractor, trailer or semi-trailer and the tractor, truck tractor, trailer or semi-trailer is not loaded while parked at the residence.

<u>Street</u>	<u>Between</u>
Racetrack Road	From SR 103 to and including all paved areas
Miller's Lane	From SR 103 to Cul-de-sac
Peace Drive	From SR 22/522 to Cul-de-sac
Tranquil Drive	From Peace Drive to Cul-de-sac
Long Drive	From SR 22/522 to Middle Road
King Drive	From Middle Road to Steward Drive
Elm Drive	From King Drive to Church Avenue
Queen Street	From King Drive to end of paved areas
Bridgeview Drive	From Church Avenue to King Drive
Steward Drive	From King Drive to Loop Road

(15, §304, cont'd)

(15, §304, cont'd)

Church Avenue	From Elm Drive to Loop Road
Blue Juniata Drive	From intersection with Loop Road in its entirety
Henry Drive	From Loop Road to Blue Juniata Drive
Scenic Drive	From Loop Road to end of paved area
Hillside Drive	From Scenic Drive to Loop Road
Birch Drive	From Strodes Run Road to Clark Drive and from Clark Drive to SR 22/522
Penn Street	From SR 22/522 to Cedar Drive
Cedar Drive	From Penn Street to Clark Drive
Clark Drive	From Cedar Drive to Aspen Drive
Aspen Drive	From Clark Drive to end of pavement at Pro Motors trailer Court
Crossover Drive	From Birch Drive to Cedar Drive
Rowe Drive	From Ferguson Valley Road to Cul-de-sac
Chapel Drive	From Sand Ridge Road to end of paved area
Foxfire Road	From Sand Ridge Road to Colony Lane
Colony Lane	From Foxfire Road .12 hundredths of a mile
Dogwood Drive	From Foxfire Road to end of paved area
Middle Road	From Loop Road to Long Drive
Loop Road	From its beginning at SR22/522 to its end At SR22/522
Middle Road	From its southwestern most intersection with Loop Road to the Strodes Mills area intersection of SR22/522
US Highway 522S	From its intersection with Industrial Park Road to its end at Airport Hill Road
Airport Hill Road	In its entirety
Caldwell Hill Road	In its entirety

(15, §304, cont'd)

(15, §304, cont'd)

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

2. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 1988-1, 4/25/1988, as amended by Ord. 1990-9, 8/13/1990; as amended by Ord. 1995-10, 12/28/1995; Ord. 2006-3, 6/5/06; as amended by Ord. 2010-7, 11/1/2010)

Part 4

General Parking Regulations

§401. Vehicles to be Parked within Marked Spaces. Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise. (Ord. 1988-1, 4/25/1988)

§402. Angle Parking Required on Portions of Certain Streets. Only angle parking shall be permitted on the following portions of streets.

<u>Street</u>	<u>Side</u>	<u>Between</u>
---------------	-------------	----------------

(Reserved)

On all streets where angle parking is required, every vehicle parked at the angle shall be parked with its front nearest the curb. (Ord. 1988-1, 4/25/1988)

§403. Parking Prohibited at All Times in Certain Locations. Parking shall be prohibited at all times in the following locations:

<u>Street</u>	<u>Side</u>	<u>Between</u>
Belle Avenue	East	From Station Marker 30 + 38 a distance of 40 feet
Belle Avenue	West	From Station Marker 35 + 20 a distance of 40 feet
Duquesne Way	Both	Belle Ave. and Olympia Ave.
Twp. Rd. T-751	Both	From its intersection with the present Traffic Route U.S. No. 22-522
U.S. Rt. 22-522	Both	Between Station No. 10/70 & 10/80
U.S. Rt. 22-522	Both	From Station Marker 1029+36 through Station Marker 1017+35
Intersection of Helen Street & Olympia Avenue	Both	At corner where streets meet See Attached drawing

(15, §403, cont'd)

(15, §404)

<u>Street</u>	<u>Side</u>	<u>Between</u>
Expansion Drive	Both	From Middle Road to its Southern end
Industrial Park Road	Both	From intersection with SR22/522 to its intersection with Loop Road
Middle Road	Both	From Intersection with Expansion Drive to intersection with Long Drive

Parking shall be prohibited within 1' of pavement at all times in the following locations:

<u>Street</u>	<u>Side</u>	<u>Between</u>
Upper Hawsbrick Street	Both	From its intersection with Hawsbrick Street to and Including the cul-de-sac
Hawsbrick Street	Both	From its intersection with SR 0333 at Station 120 to Its intersection with SR 0333 with one exception.

Parking shall be prohibited within 25' of pavement at all times in the following locations:

<u>Street</u>	<u>Side</u>	<u>Between</u>
Hawsbrick Street	North	From corner at eastern Entrance of Hawsbrick Street at mile marker 120 westerly for 250 feet
SR 0333	Both	From easterly intersection at Hawsbrick Street at mile Marker 120 westerly for 250 feet

(Ord. 1988-1, 4/25/1988, as amended by Ord. 1990-8, 8/13/1990, as amended by Ord. 2002-1, 8/12/2002; as amended by Ord. 2004-6, 6/28/2004; Ord. 2006-3, 6/5/2006)

§404. Parking Prohibited in Certain Locations Certain Days and Hours. Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this section, as follows:

(15, §404, cont'd)

(15, §408)

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>
---------------	-------------	----------------	-------------	--------------

(Reserved)

(Ord. 1988-1, 4/25/1988)

§405. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations. It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets, any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

<u>Street</u>	<u>Between</u>
---------------	----------------

(Reserved)

(Ord. 1988-1, 4/25/1988)

§406. Parking Time Limited in Certain Locations Certain Days and Hours. No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated: (15, 406, cont'd) (15, 406, cont'd)

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>	<u>Parking time Limit</u>
---------------	-------------	----------------	-------------	--------------	---------------------------

(Reserved)

(Ord. 1988-1, 4/25/1988)

§407. Special Purpose Parking Zones Established; Parking Otherwise Prohibited. The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked, in any such zone, except as specifically provided for that zone:

Except for persons parking vehicles lawfully bearing a handicapped or severely disabled veteran registration plate or displaying a handicapped or severely disabled veteran parking placard when such vehicles are being operated by or for the transportation of a handicapped person or a severely disabled veteran, no person shall park a vehicle on public or private property reserved for a handicapped person or severely disabled veteran which property has been so posted in accordance with departmental regulations.

(Ord. 1988-1, 4/25/1988, amended by Ord. 1992-5, 7/13/92)

§408. Standing or Parking on Roadway for Loading or Unloading. It shall be unlawful for any person to stop, stand or

(15, §408, cont'd)

(15, §409)

Park a vehicle (other than a pedalcycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9:00 a.m.

and 11:30 a.m. and between the hours of 1:30 p.m. and 4:00 p.m., and for no longer than necessary for the loading or unloading.

<u>Street</u>	<u>Side</u>	<u>Between</u>
(Reserved)		
(Ord. 1988-1, 4/25/1988)		

§409. Penalties. Any person who violates any provision of this Part shall, upon conviction, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) as determined by the appropriate District Justice. Provided: it shall be the duty of the police officers and of parking enforcement personnel of the Township of Granville to report to the appropriate official all violations of any provision of this Part, indicating, in each case: the section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the Granville Township office and pay the sum of not more than fifteen dollars (\$15.00) within five (5) days after the time of the notice, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section. (Ord. 1988-1, 4/25/1988)

Part 5

Removal and Impoundment of Illegally Parked Vehicles

§501. Applicability and Scope. The part is enacted under the authority of Section 6109(a-22) of the Vehicle Code*, and gives authority to the Township to remove and impound those vehicles which are parked in a tow away zone and in violation of parking regulations of this Chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others, may be towed under the provisions of the Pennsylvania Motor Vehicle Code. (Ord. 1988-1, 4/25/1988)

§502. Authority to Remove and Impound. The Township of Granville shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally, provided that the circumstances of its parking were within the conditions stated in 501 of this Part. Provided: no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part, or the provisions of the Pennsylvania Vehicle Code. (Ord. 1988-1, 4/25/1988)

§503. Tow Away Zones Designated. The following designated streets and/or parking lots are hereby established as towaway zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of the Township parking regulations:

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Parking Lot</u>
---------------	-------------	----------------	--------------------

(Reserved)

(Ord. 1988-1, 4/25/1988)

§504. Designation of Approved Storage Garages; Bonding; Towing and Storage. Removal and impounding of vehicles under this Chapter shall be done only by "approved storage garages" that shall be designated from time to time by Board of Supervisors. Every such garage shall submit evidence to Board of Supervisors that it is bonded or has acquired liability insurance in an amount satisfactory to Board of Supervisors as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to Board of Supervisors its schedule of charges for towing and storage of vehicles under this Chapter, and, when the schedule is approved by the Board of Supervisors, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall

be demanded of or collected from any person whose vehicle is removed or impounded under this Chapter by any approved storage garage. Board of Supervisors shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Chapter (Ord. 1988-1, 4/25/1988)

*75 Pa C.S.A. 101 et seq. as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

§505. Payment of Towing and Storage Charges. The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Chapter for which the vehicle was removed or impounded. (Ord. 1988-1, 4/25/1988)

§506. Reclamation Costs. In order to reclaim his vehicle, the owner shall pay towing and storage costs, plus a twenty-five dollar (\$25.00) fee of which ten dollars (\$10.00) shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken. (Ord. 1988-1, 4/25/1988)

§507. Records of Vehicles Removed and Impounded. The Township of Granville shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle. (Ord. 1988-1, 4/25/1988)

§508. Restrictions upon Removal of Vehicles. No vehicle shall be removed under the authority of this Part or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately. (Ord. 1988-1, 4/25/1988)

§509. Penalty. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of fifty dollars (\$50.00) together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. 7301 et seq. (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. (Ord. 1988-1, 4/25/1988)

§510. Reports and Disposition of Unclaimed Vehicles. If after a period of fifteen (15) days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with 7311 of The Vehicle Code, by the person having legal custody of the vehicle. If the vehicle has not been claimed after thirty (30) days, the vehicle may be transferred to a licensed salvor who will

(15, §510, cont'd)

(15, §510, cont'd)

then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Pennsylvania Motor Vehicle Code (75 Pa C.S.A. 101 et seq., as amended). (Ord. 1988-1, 4/25/1988)

Part 6

Snow and Ice Emergency

§601. Declaration of Snow and Ice Emergency. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in 603 of this Part, the [designated official], in his discretion, may declare a snow and ice emergency (designated in this Part as a "snow emergency"). Information on the existence of a snow emergency may be given by the Township of Granville through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media. (Ord. 1988-1, 4/25/1988)

§602. Parking Prohibited, Driving Motor Vehicles Restricted, on Snow Emergency Routes During Emergency. After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

1. to park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in 603 of this Part; or
2. to drive any motor vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains. (Ord. 1988-1, 4/25/1988)

§603. Snow Emergency Routes Designated. The following are designated as snow emergency routes:

<u>Street</u>	<u>Between</u>
	(Reserved)

(Ord. 1988-1, 4/25/1988)

§604. Penalty for Violation.

1. If, at any time during a period of snow emergency declared under 601 of this Part, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of not more than fifteen dollars (\$15.00) and costs.
2. If, at any time during a period of snow emergency declared under 601 of this Part, a person shall drive a motor vehicle upon a snow emergency route, without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs. (Ord. 1988-1, 4/25/1988)

Part 7

Regulation of Pedalcycles

§701. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited. It shall be unlawful for any person to ride or to park a pedalcycle on the sidewalk along the following portions of the streets in the Township of Granville:

<u>Street</u>	<u>Side</u>	<u>Between</u>
---------------	-------------	----------------

(Reserved)

(Ord. 1988-1, 4/25/1988)

§702. Pedalcycles to be Licensed. It shall be unlawful for any person who resides in the Township of Granville to ride a pedalcycle upon any street in the Township or upon any path in the Township that is set aside for the exclusive use of pedalcycles unless that pedalcycle has been licensed as provided in this Part and unless a license plate for the current year is attached to the pedalcycle. (Ord. 1988-1, 4/25/1988)

§703. Application for License. Application for a pedalcycle license and license plate shall be made to the Police Department on a form provided by the Township of Granville. A license fee of one dollar (\$1.00) shall be paid to the Township before any license is issued or renewed. (Ord. 1988-1, 4/25/1988)

§704. Issuance of License.

1. Applications for licenses or for renewal of licenses shall be made on or after February 1 of each even-numbered year and the license shall be valid until April 1 of the next succeeding even-numbered year.

2. Before issuing a license, the Police Department shall inspect or cause to be inspected the pedalcycle for which the application is made, and it shall refuse to license any pedalcycle which is determined to be in unsafe mechanical condition or to lack required equipment in good working order.

3. Upon receipt of the license fee, which shall be for the use of the Township of Granville, and having ascertained by inspection that the pedalcycle is in safe mechanical condition and properly equipped, the Police Department shall issue the license, which shall be effective for the period provided in subsection 1 of this section.

4. The Police Department shall keep a record of the number of each license, the name and address of the person to whom the

license was issued, and the number on the frame of the pedalcycle for which the license was issued; and shall also keep a record of all pedalcycle license fees collected and turned over by the Department to the Township Treasurer. (Ord. 1988-1, 4/25/1988)

§705. License Plates.

1. The Police Department, upon issuing a pedalcycle license, shall also issue a license plate bearing the license number assigned to the pedalcycle, the name of the Township of Granville, and the expiration date of the license.

2. The Police Department shall cause the license plate to be firmly attached to the rear mudguard or the frame of the pedalcycle for which it was issued, in a position so as to be plainly visible from the rear.

3. It shall be unlawful for any person to remove a license plate from a pedalcycle at any time during the period for which the license was issued, except upon a transfer of ownership or when the pedalcycle is dismantled and no longer operated upon any street or pedalcycle path in the Township.
(Ord. 1988-1, 4/25/1988)

§706. Renewal of License. Upon the expiration of any pedalcycle license, the license shall be renewed by its holder upon following the same procedure and paying the same fee as prescribed in this Part in the case of the application and issuance of the original license. (Ord. 1988-1, 4/25/1988)

§707. Transfer of Ownership or Dismantling of Pedalcycle. Upon the sale or other transfer of ownership or the dismantling of a licensed pedalcycle, the holder of the license shall remove the license plate and surrender it to the Police Department. At the same time, if that license holder has acquired another pedalcycle, not previously licensed to him, that plate may be assigned by the Police Department to the replacement pedalcycle, without requirement for payment of an additional fee by the license holder.
(Ord. 1988-1, 4/25/1988)

§708. Rental Agencies. No rental agency, located in the Township of Granville, shall rent any pedalcycle or offer any pedalcycle for rent unless that pedalcycle has been registered and licensed for the current period as required by 702 through 706 of this Part. (Ord. 1988-1, 4/25/1988)

§709. Penalty for Violation.

1. Any person who violates any provision of 701 of this Part shall, upon conviction, be sentenced to pay a fine of ten dollars (\$10.00) and costs.

(15, §709, cont'd)

(15, §709, cont'd)

2. Any person who violates any provision of 702 through 708 of this Part shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.
(Ord. 1988-1, 4/25/1988)

CHAPTER 16

PARKS AND RECREATION

Part 1

- §101. Hours when Malta Park Recreation Area is Closed
- §101A. Fees for Reservation of Pavilions
- §102. Unlawful Activities Pertaining to Alcoholic Beverages
- §102A. Offsite Use or Consumption of Water Prohibited
- §103. Tampering with or Damaging or Destroying Certain Property
- §104. Restrictions on Use of Firearms, Air Rifles, Arrows and Slingshots
- §105. Use of Fire within the Malta Park Recreation Area
- §106. Scattering Rubbish or Littering
- §107. Power of the Township Supervisors
- §108. Penalties

Part 2

- §201. Hours when Veterans' Memorial Park is Closed
- §202. Unlawful Activities Pertaining to Alcoholic Beverages
- §203. Tampering with or Damaging or Destroying Certain Property
- §204. Restrictions on Use of Firearms, Air Rifles, Arrows and Slingshots
- §205. Use of Fire within the Veterans' Memorial Park
- §206. Scattering Rubbish or Littering
- §207. Power of the Township Supervisors
- §208. Penalties

§101. Hours when Malta Park Recreation Area is Closed. Except in cases where special permission has been granted by the Granville Township Supervisors and/or by the Chief of Police for a particular date, the Malta Park Recreation Area shall be closed daily during the following hours:

- a. Closing at 9 p.m. and opening at 7 a.m.

Except in cases where special permission has been granted by the Granville Township Supervisors and/or by the Chief of Police for a particular date, the Malta Park Recreation Area shall be closed completely during the winter months from December 1 to March 31. (1990-6, 6/25/90)

101A. Fees for Reservations of Pavilions. The following fees are established for reserving Malta Park pavilions.

<u>Size of Pavilion</u>	<u>Fee</u>
Large	\$50/day
Medium	\$25/day
Small	\$20/day
Entire Park	\$150/day

Fees must be paid one month prior to the date of the reservation. Fees are nonrefundable regardless of the reason for not using the pavilion.

Exemption from these fees will be considered on a case by case basis by the Board of Supervisors, by written request.

Changes to these fees can be made as needed by resolution of the Board of Supervisors.
(Ord. #2017-1, 2/6/17)

§102. Unlawful Activities Pertaining to Alcoholic Beverages. It shall be unlawful for any person, regardless of age, to possess, consume, transport or maintain any alcoholic beverage, malt, liquor or brewed beverage in any form on the property known as the Malta Park Recreation Area. (1990-6, 6/25/90)

§102A. Offsite Use or Consumption of Water Prohibited. No person shall draw water from the Malta Park water supply for off-site use or consumption.

§103. Tampering with or Damaging or Destroying Certain Property. It shall be unlawful for any person, without justification or legitimate purpose, to tamper with, change, alter, deface, vandalize, damage, destroy or remove:

(16, §103, cont'd.)

(16, §103, cont'd)

- (1) any property owned by, maintained by, or operated by the Township of Granville, its respective agencies, bureaus, boards or commissions; or
- (2) Any property owned by, maintained by, or operated by the Township of Granville and having been purchased, rented, leased, or otherwise maintained for the Malta Park Recreation Center.

(1990-6, 6/25/90)

§104. Restrictions on Use of Firearms, Air Rifles, Arrows and Slingshots. It shall be unlawful for any person to discharge or fire any gun, pistol or firearm of any description, or to fire or discharge any air rifle of any kind, or to shoot or discharge any arrow or slingshot of any kind, at any place located within the area known as the Malta Park Recreation Area. This shall not apply to the use of weapons by Law Enforcement officers in the discharge of their duties.

The Granville Township Supervisors shall have the authority to grant special permission for persons to conduct sporting events using Bow and Arrow, Air Rifles, or Slingshots having close supervision, and properly constructed safety ranges.
(1990-6, 6/25/90)

§105. Use of Fire Within the Malta Park Recreation Area. It shall be unlawful to employ any fire by any means within the Malta Park Recreation Area unless said fire is controlled by a pit, fireplace, drill or other safe means, authorized by the Granville Township Supervisors.

The Granville Township Supervisors shall have the authority to restrict all fires within the Malta Park Recreation Area during times of hazard due to drought, limited water access, or other hazards.
(1990-6, 6/25/90)

§106. Scattering Rubbish or Littering. It shall be unlawful for any person to throw any waste paper, sweepings, ashes, household waste, or any dangerous or detrimental substance into or onto any property known as or associated with the property of the Malta Park Recreation Area.

It shall be unlawful for any person to interfere with, scatter, or disturb the contents of any receptacle containing ashes, garbage, household waste or rubbish within the property known as the Malta Park Recreation Area.
(1990-6, 6/25/90)

§107. Power of the Township Supervisors. By enactment of this ordinance, power is hereby granted to the Granville Township Supervisors to:

(16, §107, cont'd)

(16, §108)

- (1) restrict any or all persons from remaining in the Recreation Area when there is believed to present danger from either natural causes or man made causes.
(Ord. 1997-3, 10/27/97; as amended by Ord. 2010-2,

2/1/10)

§108. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (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. ((1990-6, 6/25/90; as amended by Ord. 1997-3, 10/27/97)

Ordinance #2010-3

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR THE GRANVILLE TOWNSHIP VETERAN'S MEMORIAL PARK

§201. Hours when Veterans' Memorial Park is Closed. Except in cases where special permission has been granted by the Granville Township Supervisors and/or by the Chief of Police for a particular date, the Veterans' Memorial Park shall be closed daily during the following hours:

- a. Closing at 9 p.m. and opening at 7 a.m.

Except in cases where special permission has been granted by the Granville Township Supervisors and/or by the Chief of Police for a particular date, the Malta Park Recreation Area shall be closed completely during the winter months from December 1 to March 1. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

§202. Unlawful Activities Pertaining to Alcoholic Beverages. It shall be unlawful for any person, regardless of age, to possess, consume, transport or maintain any alcoholic beverage, malt, liquor or brewed beverage in any form on the property known as the Veterans' Memorial park. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

§203. Tampering with or Damaging or Destroying Certain Property. It shall be unlawful for any person, without justification or legitimate purpose, to tamper with, change, alter, deface, vandalize, damage, destroy or remove:

- (1) any property owned by, maintained by, or operated by the Township of Granville, its respective agencies, bureaus, boards or commissions; or
- (2) Any property owned by, maintained by, or operated by the Township of Granville and having been purchased, rented, leased, or otherwise maintained for the Malta Park Recreation Center. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

§204. Restrictions on Use of Firearms, Air Rifles, Arrows and Slingshots. It shall be unlawful for any person to discharge or fire any gun, pistol or firearm of any description, or to fire or discharge any air rifle of any kind, or to shoot or discharge any arrow or slingshot of any kind, at any place located within the area known as the Malta Park Recreation Area. This shall not apply to the use of weapons by Law Enforcement officers in the discharge of their duties. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

(16, §205)

(16, §207)

§205. Use of Fire within the Veterans' Memorial Park. It shall be unlawful to employ any fire by any means within the Veterans' Memorial Park unless said fire is controlled by a pit, fireplace, grill or other safe means, authorized by the Granville Township Supervisors.

The Granville Township Supervisors shall have the authority to restrict all fires within the Malta Park Recreation Area during times of hazard due to drought, limited water access, or other hazards. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

§206. Scattering Rubbish or Littering. It shall be unlawful for any person to throw any waste paper, sweepings, ashes, household waste, or any dangerous or detrimental substance into or onto any property known as or associated with the property of the Veterans' Memorial Park.

It shall be unlawful for any person to interfere with, scatter, or disturb the contents of any receptacle containing ashes, garbage, household waste or rubbish within the property known as the Veteran's Memorial Park. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

§207. Power of the Township Supervisors. By enactment of this ordinance, power is hereby granted to the Granville Township Supervisors to:

- (1) restrict any or all persons from remaining in the Park when there is believed to present danger from either natural causes or man made causes. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

(16, §208)

(16, 208)

§208. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1997-3; as amended by Ord. 2010-3, 2/1/10)

Ordained and enacted this 1st day of February, 2010.

CHAPTER 17

PLANNED RESIDENTIAL DEVELOPMENT

(Reserved to accommodate future ordinances)

CHAPTER 18
SEWERS AND SEWAGE DISPOSAL

Part 1

Holding Tanks

- §101. Purpose
- §102. Definitions
- §103. Right and Privileges Granted
- §104. Rules and Regulations
- §105. Rules and Regulations to be in Conformity with Applicable Law
- §106. Rates and Charges
- §107. Exclusiveness of Rights and Privileges
- §108. Duties of Improved Property Owner
- §109. Violations
- §110. Abatement of Nuisances
- §111. Repeal
- §112. Severability
- §113. Effective Date

Part 2

Use of Public Sewers

- §201. Definitions
- §202. Use of Public Sewers Required
- §203. Building Sewers and Connections
- §204. Rules and Regulations Governing Building Sewers and Connections to Sewers
- §205. Penalties
- §206. Severability
- §207. Declaration of Purpose
- §208. Repealer
- §209. Effective Date

Part 3

Sewer Tapping Permits

- §301. Unlawful to Connect without Obtaining Permit
- §302. Township Charges a Tapping Fee
- §303. Fee Amount
- §304. Time Period When Fee is Due
- §305. Fees Payable to Township Treasurer
- §306. Enforcement
- §307. Definitions

Part 4

Individual Sewage Disposal Systems

- §401. Unlawful to Construct without Permit
- §402. Application for Permits
- §403. Issuance of a Permit
- §404. Regulation on Applications
- §405. Fee Amount
- §406. Penalties

Part 5

Fixing and Charging Sewer Rates

- §501. Definitions
- §502. Sewer Rates and Other Charges
- §503. Billing
- §504. Liens for Sewer Rates; Filing and Collection of Liens
- §505. Rules and Regulations Governing Waste Discharges
- §506. Penalties
- §507. Adoption of Additional Rates and Charges, Classifications, Rules and Regulations

Part 6

Lease Rental Debt

- §601. Summary
- §602. Township Authorized Authority Financing
- §603. Useful Life of Sewer System
- §604. Definition of Debt
- §605. Amount of Debt
- §606. Guaranty Agreement
- §607. Form of Guaranty Agreement
- §608. Chairman or Vice Chairman Authorization
- §609. Execution and Delivery of Guaranty Agreement
- §610. Application for Approval
- §611. Guarantee of Full Payment
- §612. Sinking Fund
- §613. Appointment of Depository
- §614. Execution of Documentation

Part 7

Agreement

- §701. Approval of Agreement
- §702. Filing of Copy
- §703. Authorization to Execute and Deliver
- §704. Effective Date
- §705. Severability
- §706. Repealer

Part 8

Transfer of Sewer

- §801. Authorization
- §802. Authorization of Officers
- §803. Severability
- §804. Necessity of Enactment
- §805. Repealer

Part 9

Granting of Right of Way, Etc.

- §901. Granting to Authority
- §902. Duty of Authority
- §903. Effective Date
- §904. Severability
- §905. Repealer

Part 10

Privy Ordinance

- §1001. Purpose
- §1002. Definitions
- §1003. Rights and Privileges Granted
- §1004. Rules and Regulations
- §1005. Rules and Regulations to be in Conformity with Applicable Law
- §1006. Rates and Charges
- §1007. Condition of Privy Use
- §1008. Exclusiveness of Rights and Privileges
- §1009. Duties of Improved Property Owner
- §1010. Penalties
- §1011. Abatement of Nuisances
- §1012. Repeal
- §1013. Severability
- §1014. Effective Date

Part 11

Community On-Lot Sewage Disposal Systems (COLDS)

- §1101. Purposes
- §1102. Scope
- §1103. Definitions
- §1104. Rights, Privileges Granted
- §1105. Promulgation of Rules & Regulations
- §1106. Imposition of Rates and Charges
- §1107. Exclusive of Rights and Privileges
- §1108. Applicability
- §1109. Penalties
- §1110. Remedies
- §1111. Right of Entry and Inspections
- §1112. Other Ordinances and Resolutions
- §1113. Severability
- §1114. Effective Date

Part 12

Management of On-Lot Subsurface Sewage Disposal Facilities

- §1201. Purpose
- §1202. Definitions
- §1203. Applicability
- §1204. Permit Requirements
- §1205. Inspections
- §1206. Operation
- §1207. Maintenance
- §1208. System Rehabilitation
- §1209. Liens
- §1210. Disposal of Septage
- §1211. Administration
- §1212. Appeals
- §1213. Penalties: Enforcement as a summary offense
- §1214. Repealer
- §1215. Severability

Part 1

Holding Tanks

§101. Purpose. The purpose of this Ordinance 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. It is hereby declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this municipality. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§102. Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

A. “Agency” shall mean Board of Supervisors of Granville Township, Mifflin County, Pennsylvania.

B. “Holding Tank” shall mean 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.

C. “Improved Property” shall mean any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

D. “Owner” shall mean any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

E. “Person” shall mean any individual, partnership, company, association, corporation or other group or entity.

F. “Sewage” shall mean any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation or any substance which constitutes pollution under the Clean Stream Law (35 PS §§ 691.1001).

G. "Municipality" shall mean Granville Township, Mifflin County, Pennsylvania. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§103. Rights and Privileges Granted. That the Agency is hereby authorized and empowered to undertake within the Township the control and methods of holding tank use, sewage disposal and sewage collection and transportation thereof. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§104. Rules and Regulations. That the Agency is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§105. Rules and Regulations to be in Conformity with Applicable Law. All such rules and regulations adopted by the Agency shall be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§106. Rates and Charges. The Agency shall have the right and power to fix, alter, charge and collect rates, assessments, and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§107. Exclusiveness of Rights and Privileges.

A. The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Agency, 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.

B. The Agency will receive, review and retain pumping receipts from permitted holding tanks.

C. The Agency will complete and retain annual inspection reports for each permitted holding tank. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§108. Duties of Improved Property Owner. The owner of an improved property that utilizes a holding tank shall:

A. Maintain the holding tank in conformance with this or any ordinance of this Township, the provisions of any applicable law,

(18, §108, cont'd)

(18, §113)

and the rules and regulations of the Agency and any administrative agency of the Commonwealth of Pennsylvania.

B. Permit only the Agency or its agent to inspect holding tanks on an annual basis.

C. Permit only the Agency or its agent to collect, transport, and dispose of the contents there.

(1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§109. violations. Any person who violates any provisions of Section 8, shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than Five Hundred (\$500.00) dollars and not more than Five Thousand (\$5,000.00) dollars and no cents, and in default of said fine and costs of undergo imprisonment in the county prison for a period not in excess of ninety (90) days. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§110. Abatement of Nuisances. In addition to any other remedies provided in this ordinance, any violation of Section 8 above shall constitute a nuisance and shall be abated by the municipality or the Agency by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§101. Repeal. All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§112. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors of Granville Township that this ordinance would have been adopted had such constitutional, illegal or invalid sentence, clause, section or part thereof not been included therein. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

§113. Effective Date. This ordinance shall become effective five (5) days after its adoption. (1975, 4; as amended by Ord. 1997-3, 10/27/97; as amended by Ord. 2012-3, 6/4/12)

Part 2

Use of Public Sewers

The Board of Supervisors of the Township of Granville, Mifflin County, Pennsylvania, enacts and ordains as follows:

§201. Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Ordinance shall be as follows:

AUTHORITY means Granville Township Municipal Authority, Mifflin County, Pennsylvania, a Pennsylvania municipal authority.

BUILDING SEWER means the extension from the sewage drainage system of any structure to the Lateral of a Sewer.

IMPROVED PROPERTY means any property located within this Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT means any Improved Property located in this Township used wholly or in part for the manufacturing, processing, cleaning, laundering or assembly of any product, commodity or article, or any other Improved Property located in this Township from which wastes, in addition to or other than Sanitary Sewage, are discharged.

INDUSTRIAL WASTES means any and all wastes discharged from an Industrial Establishment, other than Sanitary Sewage.

LATERAL means that part of the Sewer System extending from a Sewer to the curb line or, if there shall be no curb line, extending to the property line or, if no such Lateral shall be provided, then LATERAL shall mean that portion of, or place in, a Sewer, which is provided for connection of any Building Sewer.

OWNER means any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

PERSON means any individual, partnership, company, association, society, corporation or other group or entity.

SANITARY SEWAGE means normal water-carried household and toilet wastes discharged from any Improved Property.

SEWER means any pipe or conduit constituting a part of the Sewer System used or usable for sewage collection purposes.

SEWER SYSTEM means all facilities, as of any particular time, for collecting, transporting, pumping, treating and/or disposing of Sanitary Sewage and/or Industrial wastes, situate in this Township, to be constructed, acquired, owned, maintained and operated by the Authority in, adjacent to and for certain portions of this Township.

TOWNSHIP means the Township of Granville, Mifflin County, Pennsylvania, acting by and through its Board of Supervisors, or, in appropriate cases, by and through its authorized representatives.

(Ord. 1983-4, 11/8/1983, Art., as amended by Ord. 1990-2, Art. I, 5/29/90)

§202. Use of Public Sewers Required.

1. The Owner of any Improved Property located in this Township and accessible to and whose principal building is within 150 feet from the Sewer System, shall connect such Improved Property to the Sewer System, in such manner as this Township and the Authority may require, within 60 days after notice to such Owner from this Township to make such connection, for the purpose of discharge of all Sanitary Sewage and Industrial Wastes from such Improved Property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township or the Authority, from time to time.

2. All Sanitary Sewage and Industrial Wastes from any Improved Property, after connection of such Improved Property with a Sewer shall be required under Section 202.1, shall be conducted into a Sewer, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township or the Authority from time to time.

3. No Person shall place or deposit or permit to be placed or deposited upon public or private property within this Township any Sanitary Sewage or Industrial Wastes in violation of Section 202.1.

No person shall discharge or permit to be discharged to any natural outlet within this Township any Sanitary Sewage or Industrial wastes in violation of Section 202.1, except where suitable treatment has been provided which is satisfactory to this Township.

4. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any Improved Property which has been connected to a Sewer or which shall be required under Section 202.1 to be connected to a Sewer.

Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Township, shall be cleansed and filled at the expense of the Owner of such Improved Property and under the direction and supervision of this Township; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Township, cleansed and filled, shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the Owner of such Improved Property.

5. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a Sewer.

6. The notice by this Township to make a connection to a Sewer, referred to in Section 202.1, shall consist of a copy of this Ordinance, including any amendments at the time in effect, or a brief summary of each section, thereof, and a written or printed document requiring such connection in accordance with the provisions of this Ordinance and specifying that such connection shall be made within 60 days from the date such notice is given. Such notice may be given at any time after a Sewer is in place, which can receive and convey Sanitary Sewage and Industrial wastes for treatment and disposal from the particular Improved property. Such notice shall be served upon the Owner either by personal service or by registered mail or by such other method as at the time may be provided by law.

(Ord. 1983-4, 11/8/1983, Art. II; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1990-2, 5/29/1990)

§203. Building Sewers and Connections.

1. No Person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any Sewer or the Sewer System without first making application for and securing a permit, in writing, from the Authority.

2. Except as otherwise provided in this Section 203.2, each Improved Property shall be connected separately and independently with a Sewer through a Building Sewer. Grouping of more than one Improved Property on one Building Sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of this Township and the Authority, in writing, shall have been secured.

3. All costs and expenses of construction of a Building Sewer and all costs and expenses of connection of a Building Sewer to a Lateral shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and save harmless this Township and the Authority from all loss or damage that may be

occasioned, directly or indirectly, as a result of construction of a Building Sewer or of connection of a Building Sewer to a Sewer.

4. A Building Sewer shall be connected to a Sewer at the place designated by the Authority and where the Lateral is provided.

The invert of a Building Sewer at the point of connection to a Lateral shall be at the same or a higher elevation than the invert of the Lateral. A smooth, neat joint shall be made and the connection of a Building Sewer to the Lateral shall be made secure and watertight.

5. If the Owner of any Improved Property located in this Township and accessible to and whose principal building is within 150 feet from the Sewer System, after 60 days' notice from this Township, in accordance with Section 202.1, shall fail to connect such Improved Property, as required, this Township may make such connection and may collect from such Owner the costs and expenses thereof. In such case, this Township shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the Owner of the Improved Property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the Owner of such Improved Property to pay said bill, this Township shall file a municipal lien for said construction within 6 months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens.
(Ord. 1983-4, 11/8/1983, Art. III, as amended by Ord. 1990-2, 5/29/90)

§204. Rules and Regulations Governing Building Sewers and Connections to Sewers.

1. Where an Improved Property, at the time connection to a Sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line, as a Building Sewer.

2. No Building Sewer shall be covered until it has been inspected and approved by this Township and the Authority. If any part of a Building Sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the Owner of the Improved Property to be connected to a Sewer.

3. Every Building Sewer of an Improved Property shall be maintained in a sanitary and safe operating condition by the Owner of such Improved Property.

4. Every excavation for a Building Sewer shall be guarded adequately with barricades and lights to protect all Persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation of a Building Sewer shall be restored, at the cost and expense of the Owner of the Improved Property being connected, in a manner satisfactory to this Township.

5. If any Person shall fail or refuse, upon receipt of a notice of this Township or the Authority, in writing, to remedy any unsatisfactory condition with respect to a Building Sewer, within 60 days of receipt of such notice, this Township or the Authority may refuse to permit such Person to discharge Sanitary Sewage and Industrial wastes into the Sewer System until such unsatisfactory condition shall have been remedied to the satisfaction of this Township and the Authority.

6. This Township reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a Sewer and the Sewer System, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Ordinance.

(Ord. 1983-4, 11/8/1983, Art. IV, as amended by Ord. 1990-2, 5/29/1990)

§205. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense.

(Ord. 1983-4, 11/8/1983, Art. V; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1990-2, 5/29/1990; as amended by Ord. 1997-3)

§206. Severability.

1. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section,

(18, §206, cont'd)

(18, §209)

sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.
(Ord. 1990-2, 5/29/1990)

§207. Declaration of Purpose.

1. It is declared that enactment of this Ordinance is necessary for the protection, benefit, and preservation of the health, safety and welfare of inhabitants of this Township.
(Ord. 1983-4, 11/8/1983, Art. VIII; as amended by Ord. 1990-2, 5/29/1990)

§208. Repealer.

1. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.
(Ord. 1990-2, 5/29/1990)

§209. Effective Date. This Ordinance shall become effective as provided by law.

Part 3

Sewer Tapping Permits

§301. Unlawful to Connect without Obtaining Permit. No person shall uncover, connect with, make any opening into or use in any manner any part of the Sewer System without first making application for and securing a permit, in writing, from this Township. Application shall be made on forms provided by this Township. (Ord. 1983-5, 11/8/1983, 1)

§302. Township Charges a Tapping Fee. This Township does levy, impose and charge a tapping fee, in the amount set forth in 303, against the owner of any property whenever such owner shall connect any such property to the Sewer System. Such tapping fee is charged for connection of each source of sewage to the Sewer System by the property owner. (Ord. 1983-5, 11/8/1983, 2)

§303. Fee Amount. The amount of the tapping fee for connection of each property to the Sewer System shall be five hundred (\$500.00) dollars. (Ord. 1983-5, 11/8/1983, 3; as amended by Ord. 1988-1, 4/25/1988)

§304. Time Period When Fee is Due. The tapping fee shall be due and payable at the time application is made to this Township to make any such connection to the Sewer System, as provided in 301, or upon the date when the Township shall connect or shall order connection, as appropriate, of any such property to the Sewer System, at the cost and expense of the owner, when such owner shall have failed to make such connection as required by the Township pursuant to the provisions of this Part 3 then in effect requiring such connection. (Ord. 1983-5, 11/8/1983, 4)

§305. Fees Payable to Township Treasurer. All tapping fees shall be payable to the Treasurer of this Township or to such other officer or representative of this Township as shall be authorized by resolution of the Township Supervisors from time to time, to accept payment thereof. (Ord. 1983-5, 11/8/1983, 5)

§306. Enforcement. Payment of tapping fees charged by this Township pursuant to this Part 3 shall be enforced by this Township in any manner allowed by law in effect at the time the fee becomes due. (Ord. 1983-5, 11/8/1983, 6)

§307. Definitions. As used herein, the following words and phrases shall have the following definitions:

SEWER SYSTEM-the network and combination of pipes, pumps, gates, valves, meters, mains, interceptors and all other physical parts pieces or units connected or, if not connected,

(18, §307, cont'd)

(18, §307, cont'd)

utilized by the system of appliances used to conduct sewage and other effluent and waste matter from lands and property within this Township and to collect such for delivery to a place or places of treatment and discharge.

SOURCE OF SEWAGE-each property subject to being served by the Sewer System as provided in other ordinances of this Township shall be deemed to be a single source of sewage. However, if any owner shall own two (2) or more contiguous properties, such shall be defined as a single source of sewage if such owner shall make one tap into the Sewer System, provided, further, that if any owner of one property or more, contiguous or not, shall require more than one tap into the Sewer System or if the Supervisors determine that the sewage delivered by any owner to a single tap exceeds the capacity of such tap, each such supply of sewage delivered to each single tap shall be deemed to be one source of sewage and each shall be separately chargeable with a tapping fee.

(Ord. 1983-5, 11/8/1983, 7)

Part 4

Individual Sewage Disposal Systems

§401. Unlawful to Construct without Permit. It shall be unlawful for any person, firm association or corporation to erect, construct, alter, or extend any sewage disposal system of any kind within the limits of Granville Township, aforesaid, unless a permit to do shall first be secured as provided herein. (Ord. 1968-5, 5/-/1968, 1)

§402. Application for Permits. All applications for permits shall be made to the Township Secretary, who shall refer such applications to the permit officer or enforcement official designated by the Board of Supervisors of the Township. (Ord. 1968-5, 5/-/1968, 2)

§403. Issuance of a Permit. The permit officer or enforcement officer shall issue a permit upon compliance by the applicant with the provisions of the "Pennsylvania Sewage Facilities Act", of January 24, 1966, P.L. 1535, as amended, and any regulations adopted thereunder, all of which are hereby incorporated and made a part of this Part 4; provided, however, that the provisions of said Act and the regulations adopted thereunder shall apply in every case regardless of the size lot or area to be served by the sewage system and notwithstanding any limitations to the contrary in said Act and any regulations adopted thereunder. (Ord. 1968-5, 5/-/1968, 3)

§404. Regulation on Applications. Applications for permits shall be in writing, shall be signed by the applicant, and shall be on the standard form adopted by or prescribed by the Department of Environmental Resources of the Commonwealth of Pennsylvania. (Ord. 1968-5, 5/-/1968, 4)

§405. Fee Amount. The fee charged for the application required herein shall be two hundred (\$200.00) dollars and shall be paid by the applicant to the Township Secretary at the time of filing of the application. The fee shall be used to defer in part the cost of processing the application and conducting the tests required for the granting of the permit, and shall not be refunded to the applicant in the event that a permit is not granted. (Ord. 1968-5, 5/-/1968, 5; as amended by Ord. 1989-3, 3/3/89; as amended by Ord. 1992-8, 9/28/1992; as amended by Ord. 1995-4, 3/13/95)

§406. Penalties. 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

(18, §406, cont'd)

(18, §406, cont'd)

offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1968-5, 5/-/1968, 6; as amended by Ord. 1988-1, 4/25/1988, as amended by Ord. 1997-3)

Part 5

Fixing and Charging Sewer Rates

§501. Definitions. Unless the context specifies and clearly indicates otherwise, the meaning of the terms and phrases used in this Part 5 shall be as follows:

B.O.D. (BIOCHEMICAL OXYGEN DEMAND)-the quantity of oxygen expressed in ppm, utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees Centigrade. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

BOROUGH-the Borough of Lewistown, Mifflin County, Pennsylvania, a Pennsylvania municipal subdivision.

DOMESTIC ESTABLISHMENT-any room, group of rooms, apartment, house trailer, building or other enclosure occupied or intended for occupancy as separate living quarters by a family or any other group of Persons living together or by a Person living alone.

INDUSTRIAL ESTABLISHMENT-any room, group of rooms, building or other enclosure used or intended for use in the operation of one business enterprise for manufacturing, processing, cleaning, laundering or assembling any product, commodity or article, or from which process waste, as distinct from Sanitary Sewage, shall be discharged.

IMPROVED PROPERTY-any property located within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial wastes shall be or may be discharged.

INDUSTRIAL WASTES-any and all wastes discharged from or by an Industrial Establishment having an average B.O.D. greater than 200 ppm and a Suspended Solids content greater than 200 ppm.

NON-DOMESTIC ESTABLISHMENT-any room, group of rooms, buildings or other enclosures connected, directly or indirectly, to the Sewer System, which do not or does not constitute a Domestic Establishment.

OWNER-any person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

PERSON-any individual, partnership, company, association, society, corporation or other group or entity.

PH-the logarithm of the reciprocal of the concentration of hydrogen's ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance.

PPH-parts per million by weight.

SANITARY SEWAGE-normal water-carried household and toilet wastes from any Improved Property.

SEWER-any pipe and conduit constituting a part of the Sewer System used or usable for sewage collection purposes.

SEWER SYSTEM-any facilities as of any particular time, for collecting, pumping, transporting and/or disposing of Sanitary Sewage, and/or Industrial wastes, from time to time owned by the Township.

SUSPENDED SOLIDS-Suspended Solids as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

TOWNSHIP-means the Township of Granville, Mifflin County, Pennsylvania, acting by and through its Board of Supervisors or, in appropriate cases, by and through its authorized representatives.

TREATMENT PLANT-the wastewater treatment facility owned by the Borough of Lewistown or any other wastewater treatment facility receiving all or any part of the discharge from the Sewer System for treatment.

WATER COMPANY-any private or public water company or any other municipality, municipal authority, political subdivision or other political agency providing water service to sewered areas of the Township.

WATER SYSTEM-the facilities owned by any Person and used for the supply of water to Improved Properties located within the Township. (Ord. 1983-6, 11/8/1983, Art. I)

§502. Sewer Rates and Other Charges.

1. Sewer rates and other charges are imposed upon and shall be collected from the Owner of each improved Property which shall be connected to the Sewer System, for use of the Sewer System, whether such use shall be direct or indirect, and for services rendered by this Township in connection therewith, which shall commence and shall be effective as of the ninety-first (91st) day

after receipt of Notice to Connect to the Sewer System from the Township, or in the case of a property which is served by the Sewer System, but which is not subject to the mandatory connection ordinance of the Township, from the date of connection of such property, and shall be payable as provided herein, in accordance with the following schedule of rates and classifications:

A. Residential. Each Domestic Establishment . . . one hundred eighty (\$180.00) dollars per annum, payable at the rate of forty-five (\$45.00) dollars per quarterly period. Each Domestic Establishment in a double house, in a row of connecting houses or in an apartment shall be billed as a separate entity.

B. Non-Domestic Establishments.

All Owners of Non-Domestic Establishments shall pay sewer rates and charges at the applicable per quarter annum rate in accordance with the following schedule:

<u>Non-Domestic Establishment Schedule</u>	<u>Rate per Quarter</u>
(1) Retail Store	\$ 95.00
(2) Business, Professional or Industrial office:	
(a) Five or less employees	95.00
(b) Each additional five employees over five or fraction thereof	95.00
(3) Business or industrial providing showers for employees:	
(a) Eight or less employees	190.00
(b) Each additional four employees over eight or fraction thereof	95.00
(4) Hotel or motel (in addition to restaurant facilities) per rental room	95.00
(5) Restaurant, club or tavern	380.00
(6) Church	95.00

<u>Non-Domestic Establishment Schedule</u>	<u>Rate per Quarter</u>
(7) Service station or automobile repair garage:	
(a) Three bays or less (without car wash facilities)	190.00
(b) Three bays or less (with car wash facilities)	380.00
(c) Each additional bay over three	60.00
(8) School, per twelve pupils or operating personnel or fraction thereof	285.00
(9) Laundromat, per five washers or fraction thereof	380.00
(10) Car washing establishment, per bay	190.00
(11) Bowling alley (in addition to restaurant facilities) per six lanes or fraction thereof	190.00
(12) Barber Shop:	
(a) Two chairs or less	190.00
(b) Each additional chair	95.00
(13) Beauty Shop:	
(a) One Chair	190.00
(b) Each additional chair	95.00
(14) Retail store with meat and/or vegetable preparation facilities	285.00

Sewer service charges for schools payable under this subsection B shall be computed on the basis of the average number of pupils enrolled during the school term preceding the date of the quarterly billing. Teachers and employees shall be included as pupils for purposes of such computation.

Sewer service charges for businesses or industrial units payable under this subsection B shall be computed on the basis of the average number of employees (including individual owners and employers) for the calendar quarter preceding the date of the quarterly billing.

If two (2) or more stores, offices, industrial units, etc., are connected to the Sewer System through a single lateral or if two (2) or more types of use are made of the same Improved Property, the sewer service charge payable hereunder shall be computed as though each such store, office, industrial unit, etc., and each such type of use were a separate user with a separate connection to a Sewer.

(1) The schedule of rates for Non-Domestic Establishments set forth above shall be effective October 1, 1986, and to the extent, if any, that rates and charges have been requested of Owners of non-domestic establishments different from those set forth above, the Township Secretary is authorized to give credit therefor and for the first quarter of 1987.

C. Metered Rates for Non-Domestic Establishments. Sewer rates and charges for Sanitary Sewage and Industrial wastes discharged from any Improved Property constituting a Non-Domestic Establishment, at the option of this Township, may be based upon: (a) volume of water usage, adjusted, if appropriate, as provided in this Part 5, where the volume of water usage shall be metered in connection with the Water System or otherwise; or (b) actual metered volume of discharge, as permitted by this Part 5. In either of the foregoing cases, such sewer rates and charges shall be computed in accordance with the metered charge per quarter annum.

Metered Rate Schedule

<u>Volume of Water Usage</u> <u>Per Quarter</u>	<u>Rate per</u> <u>Quarter Annum</u>
0 to 15,000 gallons	\$ 45.00
each next 1,000 gallons	3.00

D. Changes in Flat Rate Classifications. If the use or classification of any Improved Property shall change during any quarter annum period, the sewer rental or charge shall be adjusted by this Township, by proration on a monthly basis to the nearest calendar month, with a credit or charge, as shall be appropriate under the circumstances, being made on the statement for the next succeeding quarter annum period.

E. Additional Flat Rate Classifications and Modifications of Flat Rate Classifications. This Township reserves the right, from time to time, to establish additional flat rate classifications and to establish quarter annum rates therefor; and this Township further reserves the right, from time to time, to alter, modify, revise and/or amend flat rate classifications and the quarter annum rates applicable thereto.

F. Special Agreements. Notwithstanding any provision in this Part 5 to the contrary, this Township shall have the right, based upon good reasons and circumstances existing, to enter into special agreements with the Owner of any Improved Property, which Improved Property shall constitute an Industrial Establishment, with respect to terms and conditions upon which Sanitary Sewage and/or Industrial wastes may be discharged into the Sewer System and with respect to payments to be made to this Township in connection therewith. In such event, such service and payments with respect thereto shall be governed by terms and conditions of such special agreement.

2. If the Owner of any Improved Property shall fail to provide information requested by this Township required to compute the flat rate sewer service charge to such Improved Property, this Township may estimate a reasonable applicable sewer service charge for such Improved Property and such estimated sewer service charge shall be the actual sewer service charge payable until the required information is filed. No rebate will be paid by this Township if the information filed reveals a lower indicated sewer service charge than that estimated by this Township.

3. For the Purpose of determining the amount of sewer rates and other charges payable under both the metered and flat rate schedules set forth above, or of determining the character of discharges of Sanitary Sewage and/or Industrial Wastes to the Sewer System of determining compliance with this Part 5, this Township shall be permitted access at all reasonable times to the Improved Properties using the Sewer System and any meters used for establishing or determining water consumption.

4. An additional surcharge may be made to the applicable volume of Industrial wastes discharged to the Sewer System, as from time to time determined by this Township.

The strength of the Industrial wastes to be used for establishing the amount of surcharge shall be determined at least quarterly either by suitable sampling and analyses of the wastewater for the period of maximum flow or, in lieu of receipt of

such analyses, by this Township from estimates made by this Township of known relationship of the waste produced to strength of waste. (Ord. 1983-6, 11/8/1983, Art. II; as amended by Ord. 1984-1, 2/-/1984; as amended by Ord. 1986-4, 12/22/86; and by Ord. 1988-1, 4/25/1988)

§503. Billing. Billings for unmetered Improved Properties shall be rendered quarterly on the first days of January, April, July and October of each year. Billings for metered Improved Properties served by a water Company shall be made as close to quarterly as is possible when applicable meter readings shall become available to this Township or as soon thereafter as practicable and shall cover the period since the date of the preceding meter readings which were used as a basis for computing the immediately preceding billing. Owners of property connected to the Sewer System for only a portion of a billing quarter shall pay a prorated sewer rental for the period of time actually connected during the quarter. All sewer rental billings shall constitute a net bill and shall be due and payable upon presentation and, if not paid within thirty (30) calendar days from the date of billing, a penalty in the additional sum of ten (10%) percent shall be added for each quarter annum period or portion of quarter annum period thereafter, which net bill plus such additional sum or sums shall constitute the gross bill. Payments made by 3:45 p.m. on or before the last day of such thirty (30) calendar day period shall constitute payment within such period. If the end of such thirty (30) calendar day period shall fall on a legal holiday or a Sunday, payment made by 3:45 p.m. on the next succeeding business day, which is not a legal holiday, shall constitute payment within such period. (Amended by Ord. #2018-3, 8/6/2018)

2. Every Owner of Improved Property, which is connected to the Sewer System initially, shall provide this Township with and thereafter shall keep this Township advised of their correct address. Every such Owner shall advise this Township in writing of any change of ownership or tenancy of the Improved Property. Unless such Owner notifies this Township of an ownership or tenancy change, the Owner shall continue to be liable for sewer service charges imposed on the Improved Property. The failure of any Person to receive bills for sewer service charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which the net bill shall be payable.

(Ord. 1983-6, 11/8/1983, Art. III)

§504. Liens for Sewer Rates; Filing and Collection of Liens. Sewer rates and other charges imposed by this Part 5 shall be a lien on the Improved Property connected to and served by the Sewer System; and any such sewer rates and other charges which are delinquent shall be filed as a lien against the Improved Property

so connected to and served by the Sewer System, which lien shall be filed in the office of the Prothonotary of Mifflin County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collecting of municipal claims. (Ord. 1983-6, -/-/1983, Art. IV)

§505. Rules and Regulations Governing Waste Discharges.

1. This Township reserves the right to refuse permission to connect to the Sewer System, to compel discontinuance of use of the Sewer System, or to compel pretreatment of Industrial Wastes, in order to prevent discharges deemed harmful or to have a deleterious effect upon any Sewer, the Sewer System or the Treatment Plant.

2. No Sanitary Sewage or Industrial wastes shall be discharged to the Sewer System which shall:

A. Be harmful or deleterious to the Sewer System or adversely affect the treatment process at the Treatment Plant;

B. Contain any gasoline, benzene, naphtha, fuel oil, automotive or industrial oil or other inflammable, corrosive, poisonous or explosive liquids, solids, gases or substances which could obstruct or damage a Sewer, the Sewer System or the Treatment Plant or the sewage treatment process or injure personnel.

C. Carry fats, oils or greases in excess of 100 ppm by weight;

D. Have a temperature in excess of one hundred fifty (150) degrees F;

E. Be in batches of such volume as to exceed the capacity of the Sewer System or adversely affect the treatment process at the Treatment Plant;

F. Be of such color or other characteristic as to require special treatment to render the resulting effluent of the Treatment Plant acceptable for discharge to the receiving stream;

G. Contain food wastes, garbage (unless treated in an approved manner), vegetable or fruit rinds, or paunch manure, feathers, bones, rags, ashes, cinders, earth, silt, rubbish, tar or any other solid, fibrous or viscous inorganic or organic substance which the Sewer System or Treatment Plant is not intended to receive;

(18, §505, cont'd)

(18, §505, cont'd)

H. Be of such character, concentration, volume or combination thereof as to exceed the capability of the Treatment Plant to treat such discharge;

I. Include synthetic organic detergents or similar compounds in such volume as to interfere with the treatment process or the satisfactory operation of the Treatment Plant;

J. Include any liquids having a pH exceeding a minimum value of 6.0, or a maximum value of 9.0, or found to be excessively corrosive;

K. Include any waters or wastes with a B.O.D. in excess of 1,000 ppm by weight;

L. Include any waters or wastes with a Suspended Solids content in excess of 1,000 ppm by weight, or containing Suspended Solids of such character and/or quantity that unusual attention or expense is required to handle and/or treat such materials;

M. Include any waters or wastes containing any toxic, poisonous or any other material in sufficient quantity to cause a hazard in the operation of the Sewer System or the Treatment Plant, which may result in an effluent discharge from the Treatment Plant unacceptable to any governmental body having jurisdiction; and

N. Include any substances or have any characteristics which are prohibited by Borough of Lewistown under any rule, regulation, ordinance or resolution, from time to time in effect, to be discharged into the Treatment Plant.

3. Owners, prior to making any discharge to the Sewer System, shall install suitable pretreatment facilities in order to comply with 505(2), as necessary. Plans, specifications and any other pertinent information relating to proposed facilities for pretreatment and handling of wastes shall be submitted for approval of this Township, and no construction of any such facility shall be commenced until approval thereof first shall have been obtained, in writing, from this Township and from any other governmental body having jurisdiction. Whenever facilities for pretreatment and handling wastes shall have been provided by any Owner, such facilities continuously shall be maintained, at the expense of such Owner, in satisfactory operating condition, and this Township shall have access to such facilities at reasonable times for purposes of inspection and testing.

4. Owners desiring to discharge Industrial wastes to the Sewer System shall obtain a permit to do so. Application for such permit shall be accompanied by all information as may be requested by this Township or the Borough, including estimated quantity of flow, characteristics and constituents, with respect to Industrial wastes proposed to be discharged to the Sewer System. The cost of obtaining all such information shall be borne by the Person desiring to make or use a connection to the Sewer System.

Owners discharging Industrial wastes to the Sewer System and contemplating a change in the method of operation which will alter the characteristics and/or volumes of wastes at the time being discharged to the Sewer System shall notify this Township, in writing, at least ten (10) days prior to such change.

5. When directed by this Township, any Person who desires to discharge Industrial wastes to the Sewer System shall construct and thereafter properly maintain, at his own expense, a suitable control manhole and other interceptor devices as may be approved by this Township to facilitate observation, measurement, or sampling of flow. Any such control manhole shall be constructed at an accessible, safe, suitable and satisfactory location in accordance with plans approved by this Township prior to commencement of construction.

6. Any Person discharging Industrial wastes to the Sewer System shall submit to this Township a quarterly report containing, inter alia, an analyses of the discharge made by an analytical method in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

7. This Township reserved the right to require an Owner of Improved Property having large variations in rates of wastewater discharge to install suitable regulating devices for equalizing wastewater flows to the Sewer System.

8. No person shall discharge or cause to be discharged any storm water, surface water, spring water, ground water, roof runoff, subsurface drainage, building foundation drainage, cellar drainage, drainage from roof leader connections and overflow or drainage from cesspools into any Sewer.

9. Nothing contained herein shall be construed as prohibiting any special agreement or arrangement between this Township and any Person regarding the discharge of Industrial wastes to the Sewer.

10. An authorized representative of this Township shall be permitted, at reasonable times, to enter upon any Improved Property served by the Sewer System

(18, §505, cont'd)

(18, §507)

as shall be required for purposes of inspection, measurement, sampling and testing and for performance of other functions relating to service rendered by this Township through the Sewer System.

(Ord. 1983-6, -/-/1983, Art. V)

§506. Penalties. Any person, firm or corporation who shall violate any provision of 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1985-5, 12/9/1985; as amended by Ord. 1988-1, 4/25/1988; as amended by Ord. 1997-3)

§507. Adoption of Additional Rates and Charges, Classifications, Rules and Regulations. This Township reserved the right to impose, from time to time, such additional rates and charges, or to change, add to or delete classifications, rules and/or regulations set forth herein as it shall deem necessary and proper by ordinance or resolution in connection with use and operation of the Sewer System, which additional or modified rates and charges, classifications, rules and/or regulations shall be, shall become and shall be construed as part of this Part 5. (Ord. 1983-6, -/-/1983, Art. IV); (Ord. 2007-4), 07/02/07

Part 6

Lease Rental Debt

§601. Summary. An ordinance of the Board of Supervisors of the Township of Granville, Mifflin County, Pennsylvania, determining to incur lease rental debt pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania, Act No. 52, approved July 28, 1989, as amended and supplemented, known as the Local Government Unit Debt Act, in the principal amount of \$300,000 in connection with financing of a portion of certain costs of acquisition and construction of additions, extensions, alterations and improvements to an existing sanitary sewage collection and treatment system by Granville Township Municipal Authority; determining that such debt shall be incurred as lease rental debt to be evidenced by a note to be authorized and to be issued by said authority; briefly describing the project in connection with which such debt is to be incurred and specifying the estimated useful life of said project; authorizing and directing appropriate officers of this Township to prepare, execute, verify and file, as appropriate, the debt statement, the borrowing base certificate to be appended to the debt statement, the application for exclusion of self-liquidating debt and other appropriate documents required by the aforesaid Local Government Unit Debt Act; authorizing appropriate officers of this Township to execute, attest and deliver, as applicable and appropriate, a Guaranty Agreement with respect to said note of said Authority; approving the form of said Guaranty Agreement; guaranteeing payment of the principal of and interest on said note of said Authority and making certain covenants with respect thereto; setting forth the Debt Service to which said Guaranty is applicable; establishing a Sinking Fund and appointing a Sinking Fund Depository with respect to said Guaranty; and providing for proper officers of this Township to take all other required, necessary or desirable related action in connection with said refunding and said Guaranty Agreement.

1. This Township is existing under laws of the Commonwealth of Pennsylvania (the "Commonwealth") and is a "local government unit", as such term is defined under the Act of the General Assembly of the Commonwealth, approved April 28, 1978, Act No. 52, as amended and supplemented, known as the Local Government Unit Debt Act (the "Act"); and

2. Granville Township Municipal Authority (the "Authority") is a municipal authority existing under Pennsylvania laws, has been incorporated pursuant to appropriate action of the governing body of this Township and is existing under provisions of the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented; and

(18, §601, cont'd)

(18, §604)

3. The Authority, pursuant to powers vested in it by law and with the approval of this Township, has determined, inter alia, to construct and acquire additions, extensions, alterations and improvements to the existing sanitary sewage collection and treatment system to serve certain portions of this Township (the "Project"), which facilities, together with the existing sanitary sewage collection and treatment system and all appurtenant facilities and properties which the Authority has acquired or hereafter shall acquire in connection therewith, including all property, real, personal and mixed, rights, powers, licenses, easements, rights of way, privileges, franchises and other property or interests in property of whatsoever nature used or useful in connection with such facilities and together with all further additions, extensions, alterations and improvements thereto which may be made or acquired, from time to time, are referred to as the "Sewer System"; and

4. The Board of Supervisors of this township and the Board of the Authority have obtained realistic cost estimates of the Project through professional estimates from persons qualified by experience; and

5. The Authority, in order to obtain a portion of the funds required to pay costs and expenses of construction of a portion of the Project, has determined to issue its Note (the "Note"), in the principal amount of \$300,000, with Kishacoquillas Valley National Bank (the "Bank"); and

6. This Township, in order to assist in the issuance of the Note, has agreed to guarantee the full payment of the principal of and interest on the Note pursuant to power and authority set forth in the Act.
(Ord. 1989-7, 7/24/1989)

§602. Township Authorized Authority Financing. The Board of Supervisors of this Township authorizes and requests the Authority to undertake the financing, to the extent required, of costs and expenses of the Project. (Ord. 1989-7, 7/24/1989)

§603. Useful Life of Sewer System. The Board of Supervisors of this Township hereby determines that the realistic estimated useful life of the Sewer System, is not less than 40 years. (Ord. 1989-7, 7/24/1989)

§604. Definition of Debt. The Board of Supervisors of this Township hereby determines to incur "debt", as such term is defined in the Act, as "lease rental debt", as such phrase is defined in the Act, in connection with the financing of a portion of the cost of construction of the Project. (Ord. 1989-7, 7/24/1989)

(18, §605)

(18, §610)

§605. Amount of Debt. The debt to be incurred, as lease rental debt, as set forth in 605 hereof, shall be in the principal amount of \$300,000 and shall be evidenced by the Authority's Note. The Note shall be secured by, inter alia, a Guaranty Agreement, dated as of the date of delivery thereof which shall be on or before September 1, 1989, (the "Guaranty Agreement"), to be executed by this Township and delivered to the Bank. (Ord. 1989-7, 7/24/1989)

§606. Guaranty Agreement. This Township shall enter into the Guaranty Agreement, substantially in the form referred to in 607 hereof, with respect to the Note. (Ord. 1989-7, 7/24/1989)

§607. Form of Guaranty Agreement. The Guaranty Agreement shall be substantially in the form presented to this meeting, which form is approved; and a copy of the Guaranty Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township for inspection, at reasonable times, by interested persons requesting such inspection. (Ord. 1989-7, 7/24/1989)

§608. Chairman or Vice Chairman Authorization. The Chairman or Vice Chairman of the Board of Supervisors and the Secretary of this Township are authorized and directed: (a) to prepare, certify and file with the Pennsylvania Department of Community Affairs (the "Department"), a debt statement as required by Section 410 of the Act; (b) to prepare and execute a borrowing base certificate required by the Act to be appended to the debt statement of this Township referred to in subsection (a) of this Paragraph; and (c) to prepare, execute and file originally and thereafter, as required and as applicable, with the Department, an application and appropriate reports and statements required by Section 206 of the Act which are necessary to qualify all or a portion of lease rental debt of this Township which is subject to exclusion from the appropriate debt limit of this Township as self-liquidating debt. (Ord. 1989-7, 7/24/1989)

§609. Execution and Delivery of Guaranty Agreement. The Chairman or Vice Chairman of the Board of Supervisors and Secretary of this Township are authorized and directed to execute and deliver the Guaranty Agreement, as applicable, in behalf of this Township, in substantially the form approved in 606 hereof, or with such changes as such officers shall approve, their execution to constitute conclusive evidence of such approval; Provided, however, that such execution and delivery of the Guaranty Agreement shall be subject to compliance by this Township with applicable provisions of the Act. This Township authorized delivery of the Guaranty Agreement to the Bank, for purposes set forth in the Guaranty Agreement. (Ord. 1989-7, 7/24/1989)

§610. Application for Approval. The Chairman or Vice Chairman of the Board of Supervisors of this Township and Secretary

of this Township are authorized and directed to make application

(18, §610, cont'd)

(18, §612)

for approval with respect to the Guaranty Agreement, as required by Section 411(b) of the Act, and to pay or cause to be paid to the Department all proper filing fees required by the Act and to take all other required and appropriate action. (Ord. 1989-7, 7/24/1989)

§611. Guarantee of Full Payment. This Township hereby guarantees the full payment of the principal of and interest on the Note of the Authority and in furtherance thereof covenants and agrees with the Bank that if the Authority shall fail to pay the full amount of the principal of and interest on the outstanding Note when the same becomes due and payable, at the times and place, under the terms and conditions, and in the manner prescribed in the Note this Township will pay the full amount of such principal and interest to the Bank.

This Township covenants and agrees with the Bank that this Township shall include the amount of debt service on the Note for each fiscal year of this Township in which such sums are payable in its budget for that fiscal year, and that this Township, in the event the Authority shall fail to pay the full amount of the principal of and interest on the Note when due and payable, at the times and place, under terms and conditions and in the manner prescribed in the Note, shall appropriate from its general revenues and duly and punctually pay or cause to be paid from its sinking fund or any other of its funds or revenues the full amount of such principal and interest on the dates and at the place and in the manner stated in the Note according to the true intent and meaning hereof. For such budgeting, appropriation and payment this Township hereby does pledge its full faith, credit and taxing power and hereby does agree that this covenant shall be specifically enforceable.

The Township agrees that the maximum debt service in each fiscal year with respect to the Note to which the foregoing guarantee shall apply is as follows:

Note

<u>Fiscal Year</u> <u>Ending December 31</u>	<u>Debt Service</u>
1989	\$ - 0 -
1990	\$ 24,250
1991	\$ 24,250
1992	\$324,250

(Ord. 1989-7, 7/24/1989)

§611. Sinking Fund. There is created a sinking fund of this Township for the guarantee of the Township related to the Note, to

be known as "Sinking Fund - Granville Township Municipal Authority Guaranteed Note - Series of 1989". Said sinking fund shall be (18, §612, cont'd) (18, §613)

administered in the manner provided by the Act for administration of sinking funds created pursuant to the Act.

This Township covenants and agrees to pay into the aforesaid sinking fund all moneys, if any, required to be paid to the Bank pursuant to provisions of the Guaranty Agreement on or before the dates required for such payment pursuant to terms of the Guaranty Agreement. Moneys so deposited shall be paid to the Bank by the sinking fund depository appointed in 612 hereof, in behalf of this Township, pursuant to terms of the Guaranty Agreement on the dates and in the manner required by terms of the Guaranty Agreement. (Ord. 1989-7, 7/24/1989)

§612. Appointment of Depository. This Township appoints Kishacoquillas Valley National Bank, having its principal office in the Borough of Belleville, Mifflin County, Pennsylvania, as the sinking fund depository with respect to the sinking fund created pursuant to 611 hereof. (Ord. 1989-7, 7/24/1989)

§613. Execution of Documentation. Proper officers of this Township are authorized and directed to execute all documents and to take such other action as may be necessary to carry out the intent and purposes of this Ordinance and the undertakings of this Township under the Guaranty Agreement. (Ord. 1989-7, 7/24/1989)

Part 7
Agreement

§701. Approval of Agreement. This Township shall enter into an Agreement with the Authority, substantial in the form as presented to this meeting, which form is hereby approved, where this Township covenants, inter alia, (i) to enact an ordinance granting the Authority certain rights and privileges in, along, over and under streets, roads, lanes, public courts, public squares, alleys, highways and other properties of this Township for use in connection with the Sewer System; (ii) to enact an ordinance requiring certain owners of certain improved property to connect to the Sewer System; and (iii) to neither construct nor permit or join in construction of a duplicating, competing sewer system. Ord. 1990-3, 5/29/1990)

§702. Filing of Copy. A copy of the Agreement, in the form presented to this Township at this meeting and so approved, shall be filed with the Secretary of the Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection. Ord. 1990-3, 5/29/1990)

§703. Authorization To Execute and Deliver. The Chairman or Vice Chairman of the Board of Supervisors and Secretary or Assistant Secretary of this Township are authorized and directed, along with appropriate Authority officials, to execute and deliver said Agreement, in behalf of this Township, substantially in the form approved in Section 701 hereof. Ord. 1990-3, 5/29/1990)

§704. Effective Date. This Ordinance shall become effective as provided by law. Ord. 1990-3, 5/29/1990)

§705. Severability. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not effect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect. Ord. 1990-3, 5/29/1990)

§706. Repealer. All Ordinances or parts of ordinances inconsistent herewith expressly are repealed.

(Ord. 1990-3, 5/29/1990)

Part 8

Transfer of Sewer

§801. Authorization. This Township hereby authorizes the assignment, transfer and conveyance, as appropriate, to the Authority of the Township's right, title and interest in and to the Existing Sewer System, including moneys, funds and property, real, personal and mixed, rights, grants, powers, licenses, easements, rights of way, privileges, franchises, contracts and other property or interests in property related thereto. (Ord. 1990-4, 5/29/1990)

§802. Authorization of Officers. Proper officers of this Township are authorized and directed to execute, to attest, to acknowledge and to deliver, as applicable, all documents and instruments and to do all other acts as may be necessary and proper to carry out this Ordinance and the undertakings of the Township hereunder. (Ord. 1990-4, 5/29/1990)

§803. Severability. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect. (Ord. 1990-4, 5/29/1990)

§804. Necessity of Enactment. It is declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township. (Ord. 1990-4, 5/29/1990)

§805. Repealer. All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed. (Ord. 1990-4, 5/29/1990)

Part 9

Granting of Right of Way, Etc.

§901. Granting to Authority. This Township grants to the Authority, its successors and assigns, all easements, rights of way and other rights and privileges necessary and desirable in, along, over and under streets, roads, lanes, courts, public squares, alleys, highways and other properties of this Township, together with free ingress, egress and regress therein and thereto, along with other persons having interests, rights or privileges therein, for use in connection with constructing, replacing, repairing, altering, maintaining and operating the Sewer System, as the same shall exist, from time to time. (Ord. 1990-5, -/-/1990)

§902. Duty of Authority. The rights and privileges granted to the Authority under Section 901 shall be exercised by the Authority under and subject to such reasonable rules, regulations and conditions as shall be adopted and specified, from time to time, by this Township; and this Township reserves the right to adopt and specify, from time to time, such reasonable rules, regulations and conditions in connection with exercise by the Authority of such rights and privileges. (Ord. 1990-5, -/-/1990)

§903. Effective Date. This Ordinance shall become effective as provided by law. (Ord. 1990-5, -/-/1990)

§904. Severability. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect. (Ord. 1990-5, -/-/1990)

§905. Repealer. All ordinances or parts of ordinances inconsistent herewith expressly are repealed. (Ord. 1990-5, -/-/1990)

Part 10

Privy Ordinance

§1001. Purpose. The purpose of this Ordinance is to establish procedures for the use and maintenance of existing and new privies designed to receive and retain sewage whether from residential or commercial uses and it is hereby declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this municipality. (Ord. 1991-1, 5/13/91)

§1002. Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of the terms used in this Ordinance shall be as follows:

A. "Authority" shall mean the Supervisors of Granville Township, Mifflin County, Pennsylvania.

B. "Privy" means a watertight receptacle, whether permanent or temporary, which receives and retains sewage where water under pressure or piped waste water is not available and is designed and constructed to facilitate the ultimate disposal of the sewage at another site.

C. "Improved Property" shall mean any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

D. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

E. "Person" shall mean any individual, partnership, company, association, corporation or other group or entity.

F. "Sewage" shall mean any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation or any substance which constitutes pollution under the Clean Streams Law (35 PS 691.1-691.1001).

G. "Municipality" shall mean the Township of Granville, Mifflin County, Pennsylvania.
(Ord. 1991-1, 5/13/91)

§1003. Right and Privileges Granted. That the Authority is hereby authorized and empowered to undertake within the Township the control and methods of privy use, sewage disposal and sewage collection and transportation thereof. (Ord. 1991-1, 5/13/91)

§1004. Rules and Regulations. That the Authority is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein. (Ord. 1991-1, 5/13/91)

§1005. Rules and Regulations to be in Conformity with Applicable Law. All such rules and regulations adopted by the Authority shall be in conformity with the provisions herein, all other Ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania. (Ord. 1991-1, 5/13/91)

§1006. Rates and Charges. The Authority shall have the right and power to fix, charge and collect rates, assessments, and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law. (Ord. 1991-1, 5/13/91)

§1007. Condition of Privy Use.

- A. The property owner must show that site and soil suitability testing of the lot has been conducted by the Sewage Enforcement Officer and that the site meets the Title 25, Chapter 73 (Standards for Sewage Disposal Facilities) requirements for the ultimate sewage disposal by an approved on-lot system if water under pressure or piped waste water becomes available to the lot.
- B. At such time that water under pressure becomes available, the property owner must remove the privy and replace the privy with an approved on-lot system.
- C. The conditions of use described in A. above do not apply:
 1. To a privy to be used on an isolated lot which is one acre or larger and is not, nor will not be, served by water under pressure in the future.
 2. To temporary use of portable retention tanks where their use is proposed at construction sites or at the site of public gatherings and entertainment.
- D. Specific conditions for use of privies shall be incorporated in the permit application and permit for the proposed use of a privy.

(18, §1007, cont'd)

(18, §1011)

E. The authority is provided the opportunity to inspect the privy for proper operation, maintenance and content disposal. (Ord. 1991-1, 5/13/91)

§1008. Exclusiveness of Rights and Privileges. The collection and transportation of all sewage from any improved property utilizing a privy shall be done solely by or under the direction and control of the Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania. (Ord. 1991-1, 5/13/91)

§1009. Duties of Improved Property Owner. The owner of an improved property that utilizes a privy shall:

- A. Maintain the privy in conformance with this or any ordinance of this Township, the provisions of any applicable law, and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.
- B. Permit only the Authority or its agent to collect, transport, and dispose of the contents therein.
- C. Abandon the privy consistent with applicable public health and environmental standards and obtain a permit for and install an approved on-lot system meeting Chapter 73 standards in the event that water under pressure or piped waste water becomes available to the property.
- D. Permit the Authority to enter upon lands to inspect the privy for proper operation, maintenance and contents disposal.

(Ord. 1991-1, 5/13/91)

§1010. Penalties. Any person, firm or corporation who shall violate any provision of Section 1007, 1008, or 1009, 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1991-1, 5/13/91; as amended by Ord. 1997-3, 10/27/17)

1011. §Abatement of Nuisances. In addition to any other remedies provided in this Ordinance, any violation of Section 1009 above shall constitute a nuisance and shall be abated by the

municipality or the Authority by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction. (Ord. 1991-1, 5/13/91)

§1012. Repeal. All Ordinances or resolutions or parts of Ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed. (Ord. 1991-1, 5/13/91)

§1013. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein. (Ord. 1991-1, 5/13/91)

§1014. Effective Date. This Ordinance this 13th day of May, 1991, by the Supervisors of the Township of Granville, Mifflin County, in lawful session duly assembled. (Ord. 1991-1, 5/13/91)

Part 11

Community On-Lot Sewage Disposal Systems
(COLDS)§1101. Purposes.

The purpose of this Ordinance is to establish procedures for the design, installation, use and maintenance of community on-lot sewage disposal systems (COLDS) designed to receive, treat, and dispose of sewage from sanitary sources. It is hereby declared that the enactment of the Ordinance is necessary for the protection, benefit, and preservation of the health, safety, and welfare of the inhabitants of this Township.

This Ordinance is intended to provide a method of sewage treatment and disposal under circumstances where the Township does not have the capability to convey, treat, and/or dispose of sewage via a Township or Township authorized agency's publicly held conveyance, treatment, and/or disposal system, and where the construction, use, and maintenance that are or may be associated with individual sewage disposal systems pose or may present potential health risks. (Ord. 1993-1, 5/24/93)

§1102. Scope.

As part of any zoning and subdivision approval proposing the use of a COLDS, compliance with these rules and regulations shall be a condition of any such approval, including the condition that the system shall be subject to a continuing offer of dedication to the Township. All COLDS, as herein defined to be constructed, shall have as the official permittee the Township of Granville as required by the Township's Act 537. No COLDS shall be accepted for dedication except in accordance with these rules and regulations. The provisions set forth in this scope shall be memorialized in appropriate textual notes prominently set forth on the approved final subdivision and land development plan. (Ord. 1993-1, 5/24/93)

§1103. Definitions.

As used herein, the following terms shall have the meanings herein described unless otherwise provided.

- A. Authority: Granville Township Municipal Authority (G.T.M.A.)
- B. Board: The Board of Supervisors of Granville Township.

- C. D.E.R.: The bureau or office of the Department of Environmental Resources of the Commonwealth of Pennsylvania administering the issuance of permits and enforcing regulations promulgated by the Environmental Quality Board governing the issuance of permits for COLDS.
- D. Capital Reserve Fund: An interest-bearing revolving fund, established for or by the Authority with monies contributed by each COLDS developer, for the purpose of financing major equipment and facility repair, replacement, or upgrade. A separate capital reserve fund shall be established for each COLDS.
- E. M.C.H.D.: The office of the Mifflin County Health Department administering the issuance of permits and promulgating regulations governing COLDS in the various municipalities of Mifflin County, as authorized under Chapter 72, Section 72.25, excluding on-lot systems greater than 10,000 GPD, any industrial waste disposal system or any on-lot system requiring a Clean Streams Law Permit.
- F. Design Standards: Design standards for COLDS as established by D.E.R. (25 PA Code Chapter 73) and/or MCHD as well as all relevant installation and locational standards established by such regulations, and specifications for the design, installation, and use of COLDS as set forth in "Granville Township's Rules and Regulation" are incorporated herein by reference as though set forth at length.
- G. Community On-Lot Sewage Disposal Systems (COLDS): Any sanitary sewage treatment and disposal system which treats and disposes of sewage utilizing subsurface absorption or land application and serving more than one dwelling unit. This definition specifically excludes any treatment or disposal system that serves only one dwelling unit.
- H. Improved Property: Any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage shall or may be discharged.
- I. Person: Any individual, partnership, company, association, corporation or other group or entity.

- J. Sanitary Sewage: Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation. Specifically excludes wastewaters or industrial origin.
- K. S.E.O. The Mifflin County Sewage Enforcement Officer having jurisdiction in Granville Township and responsible for the issuance of permits and promulgation or enforcement of regulations concerning COLDS, with respect to the Mifflin County Health Department.
- L. Township: Granville Township, Mifflin County, Pennsylvania.
- M. Engineer: The Township's or Authority's duly appointed engineer or engineering firm which provides the Board with technical and engineering consultation. (Ord. 1993-1, 5/24/93)

§1104. Rights, Privileges Granted.

A. The Board hereby authorizes and empowers the Authority to undertake within the Township the control of methods of COLDS design, installation and operation.

B. The Board hereby authorizes and empowers the Authority to enter into or acquire escrow agreements, construction and performance bonds, and engineering services to ensure COLDS are designed, constructed, and operated in accordance with any applicable rules and regulations of the Board.

C. The Board is empowered to take ownership of all operating COLDS within the Township. Method and manner of possession of COLDS will be as dictated by the Board's rules and regulations, and the laws of the Commonwealth of Pennsylvania.

D. The Board hereby authorizes and empowers the Authority to operate, maintain, improve, and/or abandon any COLDS owned by the Board. (Ord. 1993-1, 5/24/93)

§1105. Promulgation of Rules and Regulations.

A. The Authority is hereby authorized and empowered to adopt such rules and regulations concerning COLDS, which it may deem necessary from time to time to effect the purposes herein.

B. All such rules and regulations adopted by the Authority shall be in conformance with the provisions herein, all other ordinances of the Township, and all applicable laws and rules and regulations of the Commonwealth of Pennsylvania. (Ord. 1993-1, 5/24/93)

§1106. Imposition of Rates and Charges.

The Authority shall have the right and power to fix, alter, charge and collect rates, assessments and other charges at reasonable and uniform rates as authorized by applicable law. (Ord. 1993-1, 5/24/93)

§1107. Exclusive off Rights and Privileges.

The collection, treatment, and disposal of all sewage from any improved property utilizing a COLDS shall be done solely by the Authority of its authorized representative. (Ord. 1993-1, 5/24/93)

§1108. Applicability.

A. Any person who is the owner of any existing or proposed COLDS serving as means of sewage disposal within the Township is subject to all requirements of this Ordinance.

B. The Owner of any proposed COLDS shall be responsible for obtaining all required permits from the Township, the Authority, D.E.R., MCHD, and any other agencies requiring permits for such an installation. The Owner of any proposed COLDS shall be responsible for its construction and start up in accordance with the requirements of this Ordinance. (Ord. 1993-1, 5/24/93)

§1109. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1993-1, 5/24/93; as amended by Ord. 1997-3)

§1110. Remedies. In addition to the penalties provided in Section 1109, the Authority is authorized to file appropriate actions at law or in equity in the Court of Common Pleas in and for Mifflin County or before any other body having jurisdiction over the persons and activities herein regulated to abate any violations and remove any COLDS not owned, operated, maintained, or constructed in

(18, §1110, cont'd)

(18, §1114)

accordance with the provisions of this Ordinance. Violations of this Ordinance are declared to be public nuisances, abatable as such.

(Ord. 1993-1, 5/24/93)

§1111. Right of Entry and Inspections.

The Township and its agents and employees shall have the right of access to and may enter any building, property, lands, premises or place as may be necessary to carry out the provisions of this Ordinance and the rules and regulations promulgated hereunder. In connection with such inspection or investigation, samples may be taken of any solid, semi-solid, liquid or contained gaseous material for analysis. (Ord. 1993-1, 5/24/93)

§1112. Other Ordinances and Resolutions.

For all Ordinances or resolutions or parts of Ordinances or resolutions, insofar as they are inconsistent herewith, the more stringent Ordinance or resolution shall apply. (Ord. 1993-1, 5/24/93)

§1113. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Granville Township, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein. (Ord. 1993-1, 5/24/93)

§1114. Effective Date.

This Ordinance shall become effective five (5) days after its adoption. (Ord. 1993-1, 5/24/93)

Part 12

Management of On-Lot Subsurface Sewage Disposal Facilities

§1201. Purpose

A. Short Title: 2007 On Lot Sewage Ordinance of Granville Township.

B. In accordance with municipal codes, and Clean Streams Law (Act of June 27, 1937, P.L. 1987, No. 394 as amended, 35 P.S. §§691.1 to 691.10010, and the Pennsylvania Sewage Facilities Act (Act of January 24, 1966, P.L. 1535 as amended, 35 P.S. §750.01 et seq. known as Act 537), it is the power and the duty of Granville Township to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The Act 537 Sewage Facilities Plan for Granville Township indicates that it is necessary to formulate and implement a sewage management program to effectively prevent and abate water pollution and hazards to the public health caused by improper treatment and disposal of sewage.

C. The purpose of this ordinance is to provide for the regulation, inspection, maintenance and rehabilitation of on lot sewage disposal systems; to further permit intervention in situations which may constitute a public nuisance or hazard to the public health; and to establish penalties and appeal procedures necessary for the proper administration of a sewage management program. (Ord. 2007-6, 11/05/07)

§1202. Definitions

A. "Authorized Agent" shall mean a sewage enforcement officer, employee of the Township, professional engineer, plumbing inspector, or any other qualified or licensed person who is authorized to function within specified limits as an agent of the Township to administer or enforce the provisions of this ordinance.

B. "Board" shall mean the Board of Supervisors, Granville Township, Mifflin County, Pennsylvania.

C. "Community Sewage System" shall mean any system, whether publicly or privately owned, for the collection of sewage from two or more lots, and the treatment and/or disposal of the sewage on one or more lots or at any other site.

D. "Department" shall mean the Department of Environmental Protection of the Commonwealth of Pennsylvania (DEP).

E. "Individual Sewage System" shall mean a system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of this Commonwealth.

F. "Malfunction" shall mean a condition which occurs when an on lot sewage disposal system discharges untreated sewage onto the surface of the ground, into ground waters of this Commonwealth, into surface waters of this Commonwealth, backs up into a building connected to the system or in any manner causes a nuisance or hazard to the public health or pollution of ground or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any condition noted above occurs for any length of time during any period of the year.

G. "Official Sewage Facilities Plan" shall mean a comprehensive plan for the provisions of adequate sewage disposal systems, adopted by the Board and approved by the Pennsylvania Department of Environmental Protection, pursuant to the Pennsylvania Sewage Facilities Act.

H. "On lot Sewage Disposal System" shall mean any system for disposal of domestic sewage into a subsurface soil absorption area or retaining tank; this term includes both individual sewage systems and community sewage systems, and outhouses.

I. "Person" shall mean any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term person shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

J. "Rehabilitation" shall mean work done to modify, alter, repair, enlarge or replace an existing on lot sewage disposal system.

K. "Sewage" shall mean any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law," as amended.

L. "Sewage Enforcement Officer (SEO)" shall mean a person certified by DEP who is employed by the Township, such person is authorized to conduct investigations and inspections, review permit applications, issue or deny permits and do all other activities as may be provided for such person in the Sewage Facilities Act, the rules and regulations promulgated thereunder and this or any other ordinance adopted by the Township.

(18, §1202)

(18, §1204)

M. "Sewage Management District" shall mean any area or areas of the Township designated in the Official Sewage Facilities Plan adopted by the Board as an area for which a Sewage Management program is to be implemented.

N. "Sewage Management Program" shall mean a comprehensive set of legal and administrative requirements encompassing the requirements of this ordinance, the Sewage Facilities Act, the Clean Streams Law, the regulations promulgated thereunder and such other requirements adopted by the Board to effectively enforce and administer this ordinance.

O. "Subdivision" shall mean the division or redivision of a lot, tract or other parcel of land into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

P. "Township" shall mean the Township of Granville, Mifflin County, Pennsylvania.

Q. "Qualified pumper/hauler" shall mean those persons licensed by the Township to pump and haul sewage within the Township, and otherwise qualified by the Commonwealth of Pennsylvania.

R. For the purposes of this ordinance, any term which is not defined herein shall have that meaning attributed to it under the Sewage Facilities Act and Regulations promulgated thereto.

S. Granville Township on lot sewage management inspection and maintenance zones are designated on a map prepared by Taptich Engineers approved and adopted November 5, 2007, and adopted as part of this ordinance by reference and containing the date and signatures of the appropriate Township officials. (Ord. 2007-6, 11/05/07)

§1203. Applicability

From the effective date of this ordinance, its provisions shall apply in any portion of this Township identified in the Official Sewage Facilities Plan as a sewage management district. Within such area or areas, the provisions of this ordinance shall apply to all persons owning any property serviced by an on lot sewage disposal system and to all persons installing or rehabilitating an on lot sewage disposal systems. (2007-6, 11/05/07)

§1204. Permit Requirements

A. No person shall install construct or request bid proposals for construction, or alter an individual sewage system or community sewage system or construct or request bid proposals for construction or install or occupy any building or structure for

(18, §1204)

(18, §1205)

which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the sewage enforcement officer which permit shall indicate that the site and the plans and specifications of such system are in compliance with the provisions of the Clean Streams Law (35 P.S. §§691.1-691.1001) and the Pennsylvania Sewage Facilities Act (35 P.S. 750.1 et seq.) and the regulations adopted pursuant to those Acts.

B. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by a sewage enforcement officer. If 72 hours have elapsed, excepting Sundays and Holidays, since the sewage enforcement officer issuing the permit received notification of completion of construction, the applicant may cover said system or structure unless permission has been specifically refused by the sewage enforcement officer.

C. Applicants for sewage permits may be required to notify the sewage enforcement officer of the schedule for construction of the permitted on lot sewage disposal system so that inspection(s) in addition to the final inspection required by the Sewage Facilities Act may be scheduled and performed by a sewage enforcement officer.

D. No building or occupancy permit shall be issued for a new building which will contain sewage generating facilities until a valid sewage permit has been obtained from a sewage enforcement officer.

E. No building or occupancy permit shall issued and no work shall begin on any alteration or conversion of any existing structure, if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure, until either the structure's owner receives a permit for alteration or replacement of the existing sewage disposal system or until the structure's owner and the appropriate official of the Township receive written notification from sewage enforcement officer that such a permit will not be required. The sewage enforcement officer shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows.

F. Sewage permits may be issued only by a sewage enforcement officer employed by the Township. DEP shall be notified as to the identity of each sewage enforcement officer employed by the Township. (Ord. 2007-6, 11/05/07)

§1205. Inspections

A. Any on lot sewage disposal system may be inspected by an authorized agent at any reasonable time as of the effective date of this ordinance.

B. Such inspection may include a physical tour of the property, the taking samples from surface water, wells, other

groundwater sources, the sampling of the contents of the sewage disposal system itself and/or the introduction of a traceable substance into the interior plumbing of the structure served to ascertain the path and ultimate destination of wastewater generated in the structure.

C. An authorized agent shall have the right to enter upon land for the purposes of inspections described in this section.

D. An initial inspection shall be conducted by an authorized agent within one year of the effective date of this ordinance for the purpose of determining the type and functional status of each sewage disposal system in the sewage management district. A written report shall be furnished to the owner of each property inspected and a copy of said report shall be maintained in the Township records.

E. A schedule of routine inspections may be established to assure the proper functioning of the sewage systems in the sewage management district.

F. An authorized agent shall inspect systems known to be, or alleged to be, malfunctioning. Should said inspections reveal that the system is indeed malfunctioning, the authorized agent shall order action to be taken to correct the malfunction. If total correction cannot be done in accordance with the regulations of DEP including, but not limited to, those outlined in Chapter 73 of Title 25 of Pennsylvania Code or, is not technically or financially feasible in the opinion of the authorized agent and a representative of DEP, then action by the property owner to mitigate the malfunction shall be required.

G. If there arises a geographic area where numerous on lot sewage disposal systems are malfunctioning, a resolution of these area wide problems may necessitate detailed planning and a revision to the portion of the Sewage Facilities Plan pertaining to areas affected by such malfunctions. If a DEP authorized Official Sewage Facilities Plan Revision has been undertaken, repair or replacement of individual malfunctioning sewage disposal systems within the area affected by the revision may be delayed, pending the outcome of the plan revision process. However, immediate corrective action will be compelled whenever a malfunction, as determined by Township officials and/or DEP, represents a serious public health or environmental threat. (Ord. 2007-6, 11/05/07)

§1206. Operation

Only normal domestic wastes shall be discharged into any on lot sewage disposal system. The following shall not be discharged in the system.

1. Industrial waste.
2. Automobile oil and other non-domestic oil.

3. Toxic or hazardous substances or chemical, including but
4. not limited to, pesticides, disinfectants (excluding household cleaners), acids, paints, paint thinners, herbicides, gasoline and other solvents.
5. Clean surface or groundwater, including water from roof or cellar drains, springs, basement sump pumps and French drains. (Ord. 2007-6, 11/05/07)

§1207. Maintenance

A. Each person owning a building served by an on lot sewage disposal system which contains a septic tank shall have the septic tank pumped by a qualified pumper/hauler per the schedule set forth below. Thereafter that person shall have the tank pumped at least once every five (5) years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of 1/3 of the liquid depth of the tank. Receipts from the pumper/hauler shall be submitted to the Township within the prescribed pumper periods. The Township is divided into five (5) districts as shown on the map prepared by Taptich Engineers approved and adopted November 5, 2007 and adopted as part of this ordinance. Inspections will be by districts as set forth on the map in accordance with the following schedule:

- Zone 1 by December 1, 2008 and every five (5) years thereafter
- Zone 2 by December 1, 2009 and every five (5) years thereafter
- Zone 3 by December 1, 2010 and every five (5) years thereafter
- Zone 4 by December 1, 2011 and every five (5) years thereafter
- Zone 5 by December 1, 2012 and every five (5) years thereafter

B. The required pumping frequency may be increased at the discretion of an authorized agent if the septic tank is undersized, if solids build up in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions or for other good cause shown. If any person can prove that such person's septic tank had been pumped within five (5) years of the effective date of this ordinance, then that person's initial required pumping may be delayed to conform to the general five (5) year frequency requirement except where an inspection reveals a need for more frequent pumping frequencies.

C. Any person owning a property served by a septic tank shall submit, with each required pumping receipt, a written statement, from the pumper/hauler or from any other qualified individual acceptable to the Township, that the baffles in the septic tank have been inspected and found to be in good working order. Any person whose septic tank baffles are determined to require repair or replacement shall first contact a sewage enforcement officer for approval of the necessary repair.

D. Any person owning or building served by an on lot sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the

equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the township within six months of the effective date of this ordinance. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.

E. Additional maintenance activity may be required as needed including, but not necessarily limited to, cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of obstructing roots or trees, the diversion of surface water away from the disposal area, etc.

F. Only those persons licensed by the Township and the Commonwealth of Pennsylvania may pump or haul sewage within the Township. Pumper/hauler shall submit a signed receipt to the Township, within seven (7) days of pumping. This receipt shall contain the following information:

- Date of pumping;
- Name and address of system owner;
- Address of tank's location, if different from owner's;
- Description and diagram of the location of the tank, including the location of any markers, risers, and access hatches;
- Size of tank;
- Age of the system;
- Last date of pump out;
- List of other maintenance performed;
- Any indications of system malfunction observed;
- Amount of septage or other solid or semi-solid material removed;
- Cost of pumping services;
- Waste hauler's state license number permitting it to collect and haul septage in the State of Pennsylvania; and
- List of recommendations

The receipt shall be signed by the pumper/hauler certifying that the septage does not contain any of the prohibited substances listed in Section VI.

The receipt shall be submitted to the Township office to serve as proof of compliance with the pump out requirements of Section VI. A copy shall be retained by the system owner and a copy shall be submitted to the site or facility accepting the septage for disposal. (Ord. 2007-6, 11/05/07; as amended by Ord. 2008-5, 11/03/08)

§1208. System Rehabilitation

A. No person shall operate or maintain an on lot sewage disposal system in such a manner that it malfunctions. All liquid wastes, including kitchen and laundry wastes and water softener backwash, shall be discharged to a treatment tank. No sewage system shall discharge untreated or partially treated sewage to the surface of the ground or into the water of the commonwealth unless a permit for such discharge has been obtained from DEP.

B. A written notice of violation shall be issued to any person who is the owner of any property which is found to be served by a malfunctioning on lot sewage disposal system or which is discharging sewage without a permit.

C. Within thirty (30) days of notification by the Township that a malfunction has been identified, the property owner shall make application to the sewage enforcement officer for a permit to repair or replace the malfunctioning system. Within thirty (30) days of receiving the said permit, construction of the permitted repair or replacement shall commence. Within sixty (60) days of the start of construction, the construction shall be completed unless seasonal or unique conditions mandate a longer period, in which case the township shall set an extended completion date.

D. A sewage enforcement officer shall have the authority to require the repair of any malfunction by the following methods: Cleaning, repair or replacement of components of the existing system's treatment tank, expanding the existing disposal areas, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, replacing the system with a holding tank, or any other alternative appropriate for the specific site.

E. In lieu of, or in combination with, the remedies described in Subsection D above, a sewage enforcement officer may require the installation of water conservation equipment and the institution of water conservation practices in structures served. Water using devices and appliances in the structure may be required to be retrofitted with water saving appurtenances or they may be required to be replaced by water conserving devices.

F. In the event that the rehabilitation measures in Subsections A through E are not feasible or effective, the owner may be required to apply for a permit to install an individual spray irrigation treatment system or the DEP for a single residence treatment and discharge system. Upon receipt of said permit the owner shall complete construction of the system within thirty (30) days.

G. Should none of the remedies described in this section be totally effective in elimination of the malfunction of an existing

on lot sewage disposal system, the property owner is not absolved of responsibility for that malfunction. The Township may require whatever action is necessary to lessen or mitigate the malfunction to the extent necessary. (Ord. 2007-6, 11/05/07)

§1209. Liens

The township, upon written notice from a sewage enforcement officer that an imminent health, hazard exists due to failure of property owner to maintain, repair or replace an on lot sewage disposal system as provided under the terms of this ordinance, shall have the authority to perform, or contract to have performed, the work required by the sewage enforcement officer. The owner shall be charged for the work performed and, if necessary, a lien shall be entered therefore in accordance with law. (Ord. 2007-6, 11/05/07)

§1210. Disposal of Septage

A. All septage originating within the sewage management district shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§6018.101 et seq.) and all other applicable laws and at sites or facilities approved by DEP. Approved sites or facilities shall include the following: septage treatment facilities, wastewater treatment plants, composting sites, and approved farm lands.

B. Pumper/haulers of septage operating within the sewage management district shall operate in a manner consistent with the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101, 6018.1003) and all other applicable laws. (Ord. 2007-6, 11/05/07)

§1211. Administration

A. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this ordinance.

B. The Township shall employ qualified individuals to carry out the provisions of this ordinance. Those employees shall include a sewage enforcement officer and may include an administrator and such other person as may be necessary. The Township may also contract with private qualified persons or firms as necessary to carry out the provisions of this ordinance.

C. All permits, records, reports, files and other written materials relating to the installation, operation and maintenance and malfunction of on lot sewage disposal systems in the sewage management district shall become property of, and be maintained by, the Township. Existing and future records shall be available for public inspection during regular business hours at the official office of the Township. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the

(18, §1211 cont'd)

(18, §1215)

sewage management program shall be made available, upon request, for inspection by representatives of DEP.

D. The Township Board shall establish all administrative procedures necessary to properly carry out the provisions of this ordinance.

E. The Township Board may establish a fee schedule, and authorize the collection of fees, to cover the cost to Township of administering this program by resolutions. (Ord. 2007-6, 11/05/07)

§1212. Appeals

A. Appeals from final decisions of the Township or any of its authorized agents under this ordinance shall be made to the Board of Supervisors in writing within thirty (30) days from the date of written notification of the decision in question.

B. The appellant shall be entitled to a hearing before the Board of Supervisors at its next regularly scheduled meeting, if a written appeal is received at least fourteen (14) days of the next regularly scheduled meeting. If the appeal is received within fourteen (14) days of the next regularly scheduled meeting, the appeal shall be heard at the next regularly scheduled meeting. The municipality shall thereafter affirm, modify or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Township. Additional evidence may be introduced at the hearing provided that it is submitted with the written notice of appeal. A decision shall be rendered in writing within thirty (30) days of the date of the hearing. (Ord. 2007-6, 11/05/07)

§1213. Penalties: Enforcement as a summary offense

Any person failing to comply with any provision of this ordinance shall be subject to a fine of not less than Five-Hundred dollars (\$500) and costs, and not more than One-Thousand dollars (\$1,000) and costs, or in default thereof shall be confined in the county jail for a period to the extent allowed by law. Each day of noncompliance shall constitute a separate offense. Enforcement shall be by action brought before a district justice in the same manner provided for summary offenses with the Pennsylvania Rules of Criminal Procedure. (Ord. 2007-6, 11/05/07)

§1214. Repealer

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency. (Ord. 2007-6, 11/05/07)

§1215. Severability

If any section or clause of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provision which shall be deemed severable therefrom. (Ord. 2007-6, 11/05/07)

CHAPTER 19

SIGNS AND BILLBOARDS

(Reserved to accommodate future ordinances)

CHAPTER 20

SOLID WASTE

Part 1

Storage, Collection and Disposal

- §101. Short Title
- §102. Statutory Authority
- §103. Purpose
- §104. Definitions
- §105. Duties and Responsibilities of Owners and Occupiers for Municipal Waste
- §106. Authorization and Regulation of Collectors
- §107. Disposal of Municipal Waste
- §108. Exclusions
- §109. Penalties and Remedies

Part 1

Storage, Collection and Disposal

§101. Short Title. This Part 1 shall be known as the Granville Township Solid Waste Control Ordinance of 1986. (Ord. 1986-2, 10/27/1986, 1)

§102. Statutory Authority. This Part 1 is enacted pursuant to and in satisfaction of the Solid Waste Management Act, 202, and pursuant to the Second Class Township Code, all as amended, as the same relates to the subject matter hereof and the adoption of this Part 1. (Ord. 1986-2, 10/27/1986, 2)

§103. Purpose. All domestic, commercial and industrial refuse, excluding agricultural refuse produced in an agricultural business and confined to the area of the agricultural enterprise, accumulated or stored upon any real property within the Township of Granville, Mifflin County, Pennsylvania, shall be collected and removed by a collector licensed by the Township and shall be disposed of in an area authorized by and approved by an appropriate governing body in accord with all state regulations. (Ord. 1986-2, 10/27/1986, 3)

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

APPLICANT - a person desirous to being authorized as a collector.

ASHES - residue from burning of coal, coke or other combustible material.

COLLECTOR - person authorized to collect, transport and dispose of municipal waste in and from the territory of the Township of Granville.

COMMERCIAL ESTABLISHMENT - any establishment engaged in a non-manufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, shopping centers, and theatres, but including restaurants, taverns and other eating places, even though a certain amount of processing may be ordinarily performed there.

DISPOSAL - the incineration, disposition, injection, dumping, spilling, leaking or placing of municipal waste into or on the land or water areas of Township in a manner that the

waste or a constituent thereof enters the environment, is emitted into the air, or is discharged into the waters of the Commonwealth of Pennsylvania.

DISPOSAL SITE - any location, facility, site, area or premises used for the disposal of municipal waste.

DWELLING - a place of residence within the Township of Granville of one or more persons where refuse is generated through normal living habits; however, this shall not include apartments or buildings devoted to multiple family occupancy.

GARBAGE - all animal and vegetable wastes, or any combination thereof, resulting from handling, preparation, cooking or consumption of food.

INDUSTRIAL ESTABLISHMENT - means any establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries and the like.

INSTITUTIONAL ESTABLISHMENT - any establishment engaged in service to person, including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

MANAGEMENT - the entire process, or any part thereof, of storage, collection, transportation, processing, treatment and/or disposal of municipal waste by any person engaging in such process.

MUNICIPAL WASTE - any garbage, refuse, industrial lunch room or office waste and other material including solid, liquid, semi-solid or contained gaseous material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or industrial water supply treatment plant, wastewater treatment plant, or air pollution control facility, and any waste made the subject matter of the Solid Waste Management Act of the Commonwealth of Pennsylvania, 180 P.L. 380, No. 97, as amended.

OCCUPANT - any person generally in possession and control of any dwelling.

PERSON - any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and

agency, or any other legal entity whatsoever which is recognized by law as being subject to the rights and duties of a person.

PROCESSING - any technology used for the purpose of reducing the volume or bulk of municipal waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facility shall include, but not be limited to, transfer facilities, composting facilities, incinerators, recycling facilities and resource recovery facilities.

REGULAR - occurring at least three (3) or more times per month.

REFUSE - shall be treated as a collective term applying to all garbage, rubbish, ashes, leaves and grass trimmings from residential, municipal, commercial or institutional premises. The use of the word refuse shall include rubbish; however, the opposite shall not necessarily apply.

RUBBISH - shall include glass, metal, paper, plant growth, wood, or nonputrescible solid waste.

SOLID WASTE - includes any waste, including, but not limited to, municipal, residual, or hazardous waste, and including solidified liquids, semi-solids, or materials containing gaseous substances, and this term shall embrace all terms referred to as such in the Act of Assembly known as the Solid Waste Management Act cited above.

STORAGE - the containment of any municipal waste on a temporary basis in such a manner as to constitute disposal of such waste, and it shall be presumed that the containment of any municipal waste in excess of one (1) year constitutes a disposal.

TOWNSHIP - the Township of Granville, when referred to in an active sense shall include the Board of Supervisors of the Township of Granville, all such references relating to Mifflin County, Pennsylvania.

TRANSPORTATION - the off-site removal of any municipal waste generated or present at any time from the Township of Granville.

In the interpretation of this Part 1, use of the singular shall include the plural, and use of the plural shall include the singular; and the use of the masculine shall include the feminine and neuter. (Ord. 1986-2, 10/27/1986, 4)

§105. Duties and Responsibilities of Owners and Occupiers for Municipal Waste.

1. General Duties. It shall be the duty of every owner of property and every person occupying any dwelling unit, premises or place of business within the Township where municipal waste is produced and is accumulated, by his own expense and cost, to provide and keep at all times, a sufficient number of containers to hold all municipal waste which may accumulate during intervals between collection of such municipal waste by an authorized collector.

2. Storage on Residential Properties.

A. Containers. All municipal waste accumulated by owners of each residential property and/or the occupants of residential properties shall be placed in containers for collection by an authorized collector. The containers shall be durable, water tight, and made of metal or plastic. Securely tied plastic bags may be used in cases where such bags can be used without being torn open by domestic or wild animals. The size of each such container shall not exceed a thirty-two (32) gallon capacity.

However, large containers designed for use with special hoisting equipment may be used if the collector serving the residence uses collection vehicles with such special hoisting equipment.

B. Location of Containers. Each municipal waste container shall be located or shall be placed on the day of collection so as to be accessible to the collector at ground level and at a point on the curb line of the street, or within no less than ten (10) feet of the public street, alley or driveway from which collection from a vehicle can be made pursuant to a previously announced route of collection, notification of which has been given by collector. Failure to place containers at such locations may result in discontinuance of service.

3. Storage on Commercial, Institutional and Industrial Properties.

A. Containers. Storage of municipal waste on commercial, institutional and industrial properties shall be done in the same type of containers as are required for residential properties except that containers larger than thirty-two (32) gallons may be used, where needed, to accommodate larger volumes of municipal wastes. Such containers shall be kept in good working order.

B. Location of Containers. Containers for collection at commercial, institutional and industrial properties shall be located on such premises at a place which shall not interfere with public or private sidewalks, driveways, roads, streets highways or entrances and exits of public or private buildings.

(Ord. 1986-2, 10/27/1986, 5)

§106. Authorization and Regulation of Collectors.

1. Unauthorized Collection and Transportation. It shall be unlawful for any person, other than such persons as are duly authorized by the Township of Granville, to collect and transport solid waste of any nature as a regular hauling business within or from the Township. Authorization shall be given only as set forth below.

2. Licensing Procedure. Authorization to collect, transport, and dispose of municipal waste for persons other than oneself may be given only by the Township through the issuance of a license. All applications for licensing shall be approved in accordance with the following:

A. Eligible Persons. Municipal solid waste collection Licenses may be issued to only those persons capable of providing the necessary services and can comply with the provisions and intent of this Part 1. The Township reserves the right to disapprove any application for license.

B. Application Procedure. Applicant for a Municipal Solid waste Collection License must furnish the following information:

(1) The make, model, license plate number, and size of each vehicle to be used for collection and transportation;

(2) The location, address, and telephone number of the business office of the applicant;

(3) A certificate of the applicant's workmen's' Compensation Insurance as required by law;

(4) A certificate of insurance coverage providing complete third party comprehensive, bodily injury and property damage, liability insurance, the limits of which shall not be less than one hundred thousand/three hundred thousand (\$100,000.00/\$300,000.00) dollars for bodily injury and fifty thousand (\$50,000.00) dollars for property damage; and

(5) Any other information which the Township may request and deem necessary prior to the issuance of a license and which shall be adopted by Resolution of the Board of Supervisors.

C. Issuance. Licenses shall be issued on a calendar year basis but may be revoked at any time by the Township for failure to comply with the provisions of this Part 1.

D. Fees. Fees for licenses shall be set by Resolution of the Board of Supervisors of the Township, and the amount thereof shall be provided to any applicant or other person upon request. The said license fee shall not be divisible or prorated for a fraction of a year or refundable for any reason.

E. License and Capacity. Each vehicle must prominently display the name and number of the license and the cubic yard capacity of the vehicle's body.

3. Rates. Collectors shall only levy such charges and rates for collection as approved by the Board of Supervisors of Granville Township subject to the following:

A. Collector shall notify Township in writing by certified mail of any proposed rate changes and shall submit therewith its proposed amended schedule of rates.

B. Within thirty (30) days of receipt of said certified mail notice, collector shall be available at a meeting arranged by Township, between Township and collector, to discuss said rate changes.

C. Township shall in its sole discretion, approve in whole or in part, or disapprove in whole or in part, said suggested rate changes within thirty (30) days of said meeting.

D. Notice of said decision by Township and of the reason therefor shall be given by Township to collector in writing by certified mail within thirty (30) days of the aforesaid meeting.

4. Municipal Collection System. The said licensee shall be granted subject to the right of the Township at any time that it may so determine, to establish a municipality operated collection system, and said license shall terminate without refund upon the effective date of institution of such a municipality operated collection system.

5. Limitations upon Collection. It shall be unlawful to permit any unlicensed collector or unlicensed person to collect or remove garbage from any household.

6. Prevention of Spilling. Any person transporting solid waste within the Township shall prevent or remedy any spillage from vehicles or containers used in the transport of any such solid waste. (Ord. 1986-2, 10/27/1986, 6)

§107. Disposal of Municipal Waste.

1. Designated Facilities. All municipal waste produced, collected and transported from within the jurisdictional limits of the Township shall be to the extent permitted by law, disposed of at the disposal facilities designated in the Solid Waste Management Plan for Mifflin County, as adopted by Mifflin County, and by the Mifflin County Solid Waste Authority. In the absence of such designated facilities, or until such facilities become operational in compliance with applicable state permits, and/or in the absence of such currently effective Solid Waste Management Plan, then all municipal waste from the Township must be disposed of at a State-permitted facility.

2. State Police Basis. The provisions aforesaid in this 107(1), "Designated Facilities", have been adopted pursuant to the clearly articulated and affirmatively expressed policy of the Commonwealth of Pennsylvania, stated in the Solid Waste Management Act, Act 97 of 1980, 202 (35 P.S. 6018.202)

3. Notice to Collectors. If the Township designates the disposal facilities as provided for above, all authorized collectors and other interested persons shall be informed of the location and other information pertaining to the designated disposal facilities to be used for the disposal of municipal waste collected, transported, removed and disposed. (Ord. 1986-2, 10/27/1986, 7)

§108. Exclusions. The following persons and activities are excluded from the provisions of this Part 1:

1. Individuals Not Engaged in Collection. Nothing contained herein shall be deemed to prohibit any residential property occupant not regularly engaged in the business of collecting municipal waste from hauling his own municipal waste on an irregular and unscheduled basis to a State-permitted disposal facility.

2. Farming Activities. Nothing contained herein shall prohibit a farmer from carrying out the normal activities of his farming operation, including composting and spreading of manure or other farm-produced agricultural waste.

3. Hazardous and Residual Waste. The provisions of this Part 1 do not apply to anything but the storage, collection, transportation and disposal of municipal waste and do not apply, therefore, to hazardous or residual waste as defined by the Pennsylvania Solid Waste Management Act. (Ord. 1986-2, 10/27/1986, 8)

§109. Penalties and Remedies. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (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. Additional Remedies. In addition to the foregoing penalty, the Township may require the owner or occupant of a property to remove any accumulation of solid waste and should said person fail to remove such solid waste after ten (10) days following written notice, it shall constitute a public nuisance and the township may cause the solid waste to be collected and disposed of with the costs and expense for such actions to be charged to the owner and/or occupant of the property and collected therefrom in a manner provided by law including, but not limited to, the entering of a municipal claim or lien against the land affected as provided by law.

3. Abatement. The imposition of the penalties herein prescribed shall not preclude the Township from instituting appropriate actions or proceedings in equity or otherwise to prevent the violation of this Part 1, to restrain, correct or abate any such violation, or to prevent any act, conduct, business or activity constituting a violation. (Ord. 1986-2, 10/27/1986, 9; as amended by Ord. 1988-1, 4/25/1988, as amended by Ord. 1997-3)

CHAPTER 21

STREETS AND SIDEWALKS
Part 1
Street Excavation Permits

- §1. Definitions
- §2. Driveways
- §3-§10. Reserved for future ordinances
- §11. Permit Required
- §12. Conditions of Grant
- §13. Special Conditions
- §14. Acceptance of Permit
- §15. Expiration of Permit
- §16. Revocation of Permits
- §17. Township's Right to Complete Restoration
- §18.-§30. Reserved for future ordinances
- §31. Application
- §32. Fee and Deposit
- §33. Insurance
- §34. Inspection
- §35. Federal and State Regulations
- §36.-§40. (Reserved for future ordinances)
- §41. General
- §42. Special
- §43. Pavement Cuts, Excavation, Backfill and Shoulder
- §44. Restoration of Bituminous Macadam Pavement
- §45. Restoration of Other Surfaces
- §46. Special Restoration Requirements
- §47. Future Maintenance
- §48.-§60. Reserved for futures ordinances
- §61. Computation of Deposit
- §62. Form of Deposit
- §63. Refund of Insufficiency
- §64. Final Completion Certificate
- §65.-§70. Reserved for future ordinances
- §71. Insurance Requirements
- §72.-§80. Reserved for future ordinances
- §81. Penalties
- §82. Validity
- §83.-§90. Reserved for future ordinances

Part 2

Responsibility for Snow and Ice Removal from Sidewalks

- §201. Definitions
- §202. Responsibility for Removal of Snow and Ice from Sidewalks
- §203. Depositing of Snow and Ice Restricted
- §204. Penalties
- §205. Repealer
- §206. Severability
- 207. §Effective Date

Part 3

Construction and Repair of Sidewalks

- §301. Construction & Repair Required
- §302. Supports Under Sidewalks and Curbs
- §303. Conformity to Line & Grade
- §304. Notice To Do Work
- §305. Inspection
- §306. Municipality May Do Work and Collect Costs
- §307. Emergency Repairs
- §308. Construction & Repair Done on Owner's Initiative
Without Notice
- §309. Repealer
- §310. Severability
- §311. Effective Date

Part 1

Street Excavations and Openings

§1. Definitions. The following words, when used in this ordinance, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

(a) "Applicant" shall mean any person who makes application for a permit.

(b) "Township" shall mean the Township of Granville, County of Mifflin, Commonwealth of Pennsylvania.

(c) "Engineer" shall mean the Township Engineer of the Township of Granville or his authorized deputy, representative, or inspector.

(d) "Emergency" shall mean any unforeseen circumstance, which calls for immediate action.

(e) "Permittee" shall mean any person who has been issued a permit and has agreed to fulfill all the terms of this ordinance.

(f) "Person" shall mean and include any natural person, partnership, firm, association, utility, or corporation.

(g) "Street" shall mean and include the entire right of way of a public street, public highway, public alley, public way, public road or public easement within the Township.

(h) "Street opening" shall mean any ditch, excavation, tunnel or opening in or under the surface of any street, or within any street right of way, excepting, however, work performed by any property owner or his agent or contractor within that portion of the street right of way abutting his property and lying between the curb line and the property line, or a line 12 inches beyond the curb line in the case of construction or repair of curbs. (Ord. 74, 5/23/1974, 1; amended and repealed by Ord. 1995-1, 2/13/95)

§2. Driveways-All persons who desire to construct a driveway with access to any township road must comply with Title 67 of the Pennsylvania Code Chapter 441.7.

§3.- §10. Reserved for future ordinances.

§11. Permit Required. It shall be unlawful for any person to make any street opening without first securing a permit therefor from the Township of Granville. Provided, however, any person maintaining pipes, lines, or underground conduits, in or under the surface of any street by virtue of any law, ordinance or franchise, may proceed with an excavation or opening without a permit when

(21, §11, cont'd)

(21, §17, cont'd)

emergency circumstances demand the work be done immediately for the preservation of the public health, safety or welfare, provided the permit could not reasonably and practically have been obtained beforehand. Such person, however, shall thereafter apply for a permit on the first regular business day on which the office of the Township is open for business and said permit shall be retroactive to the date when work was begun. (Ord. 1995-1)

§12. Conditions of Grant. The granting of any street opening permit shall confer a right upon the permittee, subject to the terms and conditions of the permit, to temporarily occupy and use the street surface during the course of construction work covered by the permit, and to thereafter occupy the space within which the work is to be located, subject in every case to the specific right of the Township to require temporary or permanent relocation or removal of any of the facilities entirely at the permittee's expense in the event said facilities are in conflict with the Township's interest or the public interest in the use of the street. (Ord. 1995-1)

§13. Special Conditions. In granting any permit, the Township may attach such special conditions thereto as may be reasonably necessary to protect the public and private property. (Ord. 1995-1)

§14. Acceptance of Permit. By accepting the permit, the applicant agrees to perform the work in accordance with the terms and conditions of the permit, and of any special conditions which may be attached thereto and to save the Township, its officers, employees and agents from any costs, damages and liabilities which may accrue by reason of the work. (Ord. 1995-1)

§15. Expiration of Permit. Every permit issued hereunder shall expire at the end of the period of time specified in the permit. If the permittee shall be unable to complete the work within the specified time, he shall, prior to expiration of the permit, present in writing to the Township a request for an extension of time, setting forth therein the reason for the requested extension. If in the opinion of the Township such an extension is necessary, the permittee may be granted additional time for the completion of the work. (Ord. 1995-1)

§16. Revocation of Permits. Any permit issued hereunder may be revoked by the Township after notice for violation of any condition of the permit or of any ordinance of the Township. (Ord. 1995-1)

§17. Township's Right to Complete Restoration. Whenever final paving repairs are not completed to the satisfaction of the Township, the Township reserves the right, after notice of the permittee, to complete final paving repairs, including the removal

of substandard work, and the permittee agrees to reimburse the Township the actual cost thereof, plus 15%. The decision of the Township to exercise its right to have final paving repairs completed shall not revoke the permit, and all other responsibilities of the permittee shall remain in full force and effect. (Ord. 1995-1)

§18.- §30. Reserved for future ordinances.

§31. Application. Any person intending to make a street opening shall make written application therefore to the Township on a form provided for that purpose. No work shall be commenced until the Township has approved the application and issued a permit, excepting emergency work, as provided under Section 11 hereof. Each application shall be accompanied by an accurate drawing clearly showing the extent of the proposed street opening and the location and depth of the subsurface facilities to be installed, and, when required by the Township, the location and depth of all other subsurface facilities in the vicinity of the work. (Ord. 1995-1)

§32. Fee and Deposit. The applicant shall pay a fee or fees, and may be required to make a deposit, at the time of the issuance of the street opening permit, as follows:

(a) Basic Fee: A basic fee will be charged as per the fee schedule in effect at the time of application.

(b) Penalty Fee: A penalty fee amounting to \$1 for each lineal foot of the street opening may be charged in every case when application is made to open a Township street which has been constructed, reconstructed, or re-surfaced within three (3) years prior to the date of application.

(c) Deposit: The Township may require the filing of a deposit, in an amount computed according to Section 61 herein, and in form according to Section 62 herein, to cover the estimated costs of inspection or other work performed by the Township, including permanent paving repairs.

(d) Inspection Fee: For any openings exceeding 100 feet an inspection fee shall be charged based on the Township's reasonable expenses and shall be set on a case by case basis. (Ord. 1995-1)

§33. Insurance. The applicant shall furnish certificates of insurance as required under Article VI. (Ord. 1995-1)

(21, §34)

(21, §42)

§34. Inspection. The work shall be subject at all times to inspection by the Township or its agents, and the permittee shall pay the costs of such inspection as the Township may require. (Ord. 1995-1)

§35. Federal and State Regulations. Applicant shall comply with all Federal and State Regulations. (Ord. 1995-1)

§36.- §40. Reserved for future ordinances.

§41. General.

(a) Unless specifically permitted by the Township:

1. No street opening shall extend across more than one-half of the cartway at one time, except that in cases involving unusual circumstances, a street or road may be closed entirely for not more than two (2) hours.
2. Two-way traffic shall be maintained, where possible.
3. Access to driveways and/or buildings abutting the street shall be maintained, where possible.
4. Not more than 100 lineal feet of any street shall be opened at any one time.

(Ord. 1995-1)

§42. Special. The permittee shall locate in advance of excavation all surface and subsurface utility lines and structures, and shall take all precautions necessary to avoid damage to other utility lines and to public and private property. In the event damage does occur to property of others the permittee shall promptly and satisfactorily repair all damage and restore the property to a satisfactory condition.

(a) Provisions shall be made to accommodate the flow of storm drainage, and no excavated material or trench shall be permitted to interfere with the normal flow of surface water.

(b) Traffic control shall be maintained in accordance with Pennsylvania Department of Transportation Publication 203 and any amendments or supplements thereto, and the permittee shall furnish and maintain upon the work such signs, barricades, lights and flagmen as may be necessary to properly protect the public.

(c) If blasting is performed, such operations shall be in charge of experienced, licensed persons only, and shall be carried out in strict accordance with Federal, State, County or Municipal laws or regulations governing the same.

(d) The permittee shall be responsible to notify the Township Fire and Police Departments and other public utility companies of the proposed work, stating the nature and location of the work to be done, and shall keep all said parties informed of the progress of the work. When access to abutting properties is to be denied, the permittee shall notify the affected parties in advance.

(e) All joints shall be sealed with AC-20 or equal.
(Ord. 1995-1)

§43. Pavement Cuts, Excavation, Backfill and Shoulder.

(a) Cuts through bituminous wearing surfaces shall be scored on a neat, straight line to the full trench width, using either a pneumatic spade or a concrete saw. Cuts through portland cement concrete shall be sawed to a sufficient depth to enable removal of concrete with a clean, straight break.

(b) Excavated material shall be laid compactly alongside the trench and kept trimmed up to cause as little inconvenience as possible to public travel. Pedestrian crosswalks shall be kept clean and free of obstructions, and, where necessary, temporary bridging or plank walkways shall be provided. Excavated material shall be immediately loaded into trucks and removed as excavation is in progress. Construction materials shall not be stored in the public street except immediately in advance of installation. Loose earth and stone shall be promptly cleaned from the streets and sidewalks, and dust shall be regularly swept up and removed. Sidewalls of trenches shall be kept as nearly vertical as possible, and shall be properly shored and braced.

(c) Through rock, utility lines and facilities shall be cushioned by not less than six (6) inches of clean sand completely around and beneath the work, so that a cushion completely surrounds the work to afford protection in the event of future excavation in close proximity thereto.

(d) Backfilling shall follow immediately after installation of the facilities, and only 2RC or comparable material approved by the Township shall be used. Backfill shall be compacted by vibrating or mechanical tampers only, and in layers of proper depth to ensure 95% compaction. No rolling or puddling will be acceptable as a means of compaction. Excess material shall be promptly removed, and the street surface hand-swept prior to paving repairs.

(e) Lifts shall not exceed one foot.

(f) cuts within three (3) feet of the cartway shall also comply with this chapter but need not be paved.

(Ord. 1995-1)

§44. Restoration of Bituminous Macadam Pavement.

(a) Temporary pavement repairs shall consist of not less than eight (8) inches of crusher waste laid on the properly compacted and evenly graded trench, mounded over the center of trench two (2) inches, and thoroughly compacted by rolling or vibrating. The Township may require as a special condition the placing of a 1 1/2 inch thick bituminous concrete wearing surface over temporary paving. In all cases, the permittee is responsible to maintain temporary pavement repairs in good condition, free of chuck-holes and soft spots, and to clean the street surface of any crusher waste or earth, which may be carried over the street.

(b) Final pavement restoration shall be made only when weather conditions are suitable, and shall be carried out as follows:

1. All temporary paving, crusher waste and earth shall be removed to a depth ten and one-half (10 1/2) inches below finished street paving grade. Any soft or spongy spots shall be removed to firm bearing, and replaced with crusher waste and thoroughly compacted. Edges of original paving shall be cut back on a straight line so that not less than one (1) foot of undisturbed subgrade is exposed, forming a shoulder or ledge along either side of the trench. Edges of existing paving shall be neatly cut to expose a sound, vertical face, and the shoulder area shall be fully excavated to the required ten and one-half (10 1/2) inch depth, regardless of the depth of existing street paving. The entire width of trench and cutback shoulder area shall be fine-graded and rolled or vibrated to an even grade 10 inches below the adjacent street surface.

(c) Final Pavement repair shall consist of one of the two following types, the choice as to which type to be made by the Township:

1. An eight (8) inch thick plain portland cement concrete base course and two and one-half (2 1/2) inch thick ID 2 bituminous concrete wearing surface.

(21, §44, cont'd)

(21, §61)

2. A four (4) inch thick crusher waste sub-base course, five (5) inch thick bituminous concrete base course and one and one-half (1 1/2) inch thick ID 2 bituminous concrete wearing surface.

(Ord. 1995-1)

§45. Restoration of Other Surfaces. Requirements for permanent repairs to surfaces other than bituminous macadam will be determined by the Township in each specific case. In general, final restoration shall be equal to the original surface. (Ord. 1995-1)

§46. Special Restoration Requirements. Wherever unusual conditions exist, or arise during construction, the Township may change the permanent restoration requirements from those given herein. In all cases, marks of construction beyond the area of actual trench shall be satisfactorily restored. In cases where a substantial portion of the original street paving is removed or damaged, the Township may require the permittee to resurface the entire street area, in addition to constructing the final paving repairs over trench areas. The Township may also elect to accept payment from the permittee to the Township for final paving repairs, in a sum to be determined by the Township based upon then current costs for such work plus 15%, and to apply the sum so paid toward the cost of reconstruction of the entire street. (Ord. 1995-1)

§47. Future Maintenance. The permittee shall be responsible to correct any trench settlement or deterioration in the final paving work. Such responsibility is without limitation during the first two (2) years after the date of the final completion certificate (see Sec. 5.04.) Thereafter, settlement of the trench area shall remain the general responsibility of the permittee to repair, unless a specific release is given by the Township. (Ord. 1995-1)

§48.- §60. Reserved for future ordinances.

E. Administration

§61. Computation of Deposit. The Township shall determine the amount of the deposit to be made by the permittee, basing the amount upon the current prices for similar street repaving work to which amount shall be added the cost of any additional work which might be necessary to restore the street to acceptable condition, plus the estimated costs of inspection and the estimated costs of any other services which the Township might have to perform during the course of the work. (Ord. 1995-1)

(21, §62)

(21, §71)

§62. Form of Deposit. The deposit may be in the form of cash, certified treasurer's or cashier's check or surety bond, made payable to the Township. The surety bond must be written by a reputable surety company licensed to do business in the Commonwealth of Pennsylvania, and the bond shall be conditioned upon the payment of all charges required by this ordinance. Such bond must be approved by the Township Solicitor as to form. (Ord. 1995-1)

§63. Refund of Insufficiency. Upon completion and final inspection of the work, the Township shall make an accounting to the permittee of all costs incurred by the Township in connection with the permit, to which the Township may add any reasonable sum to cover anticipated costs of future maintenance. The Township shall thereupon refund to the permittee any amount of deposit in excess of that computed as aforesaid, or if the deposit is found to be insufficient, the permittee shall immediately pay to the Township an amount equal to the deficiency. If the permittee fails or refuses to pay such deficiency upon demand, the Township may recover the same by action in any court of competent jurisdiction. Until such deficiency is paid in full, additional permits may be denied such permittee. (Ord. 1995-1)

§64. Final Completion Certificate. After final inspection and acceptance of the work, and after payment of any refund or collection of any insufficiency due, the Township shall issue a final completion certificate. The date of such final completion certificate shall fix the two-year time period during which the permittee absolutely is responsible for maintenance of permanent pavement repairs and trenches. (Ord. 1995-1)

§65.- §70. Reserved for future ordinances.

F. Liability Insurance.

§71. Insurance Requirements. The certificate of insurance required of the applicant under Section 33 of this ordinance shall indicate that he is insured against claims for damages for personal injury as well as against claims for property damages which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall include protection against liability arising from completed operations. Such insurance shall provide complete third-party coverage for the Township of Granville. The amount of such insurance shall be prescribed by the Engineer in accordance with the nature of the risks involved; provided, however, that the liability insurance for bodily injury in effect shall be in an amount not less than \$100,000 for each person and \$300,000 for each accident and for property damages an amount not less than \$50,000.

Failure of applicant to file such certificate shall be grounds for denying a permit. (Ord. 1995-1)

§72.-§80. Reserved for Future Ordinances.

F. Penalties; Validity

§81. Penalties. 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 a 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of such fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1995-1; as amended by Ord. 1997-3)

§82. Validity. The provisions of this ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this ordinance. It is hereby declared to be the intent of the board of Supervisors that this ordinance would have been adopted, if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein. (Ord. 1995-1)

§83.- §90. Reserved for Future Ordinances.

Part 2

Responsibility for Snow and Ice Removal from Sidewalks

§201. Definitions. As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

BUSINESS DAY - any day not a Sunday or national holiday.

BUSINESS HOURS - hours between 9:00 a.m. and 5:00 p.m. on any business day.

CARTWAY - portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

CORPORATION - natural person, partnership, corporation, association, or any other legal entity.

SIDEWALK - portion of a street between the curb lines, or the lateral lines of a cartway, and the adjacent property lines, intended for use by pedestrians.

STREET or HIGHWAY - the entire width between the boundary lines of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (Ord. 1989-8, 10/9/89)

§202. Responsibility for Removal of Snow and Ice from Sidewalks. Every person in charge or control of any building or lot of land fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, shall remove and clear away or cause to be removed or cleared away, snow and/or ice from a path of at least thirty inches (30") in width from so much of said sidewalk as is in front of or abuts on said building or lot of land.

1. Except as provided in subsection 2 hereof, snow and ice shall be removed from sidewalks within twelve (12) hours after the cessation of any fall of snow, sleet or freezing rain.

1. In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person charged with its removal shall, within the time mentioned in subsection 1 hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel reasonably safe;

and shall, as soon thereafter as weather permits, cause to be cleared a path in said sidewalk of at least thirty inches (30") in width. (Ord. 1989-8, 10/9/89)

§203. Depositing of Snow and Ice Restricted. No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant or on any sidewalk, roadway, or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the Township of Granville on public cartway incident to the cleaning thereof or mounded on curbs incident to the clearing of sidewalks in business districts. (Ord. 1989-8, 10/9/89)

§204. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1989-8, 10/9/89; as amended by Ord. 1997-3)

§205. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. The following ordinances or parts thereof are specifically repealed: (Ord. 1989-8, 10/9/89)

§206. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Granville Township Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ord. 1989-8, 10/9/89)

§207. Effective Date. This ordinance shall become effective on October 14, 1989. (Ord. 1989-8, 10/9/89)

Part 3

Construction & Repair of Sidewalks

§301. Construction & Repair Required. The Township of Granville requires owners of property abutting on any street, including state highways, to construct, pave, repave and keep in good repair the sidewalk, curb and gutter along such property, at such grades and under such regulations as may be prescribed by this and other ordinance. (Ord. 2000-4, 11/13/00)

§302. Supports Under Sidewalks and Curbs. where sidewalks or curbs are to be constructed, paved, repaved or repaired over coal cellars or other excavations, such sidewalks shall be supported by iron or steel beams, girders, stone or concrete arches. Any support of wood or perishable material shall be prohibited. (Ord. 2000-4, 11/13/00)

§303. Conformity to Line & Grade. All sidewalks, curbs and gutters shall be constructed, paved, repaved or repaired upon the line and grade obtained by the property owner for the Granville Township Engineer. (Ord. 2000-4, 11/13/00)

§304. Notice to Do Work. Notice to construct, pave, repave and repair sidewalks, curbs or gutters shall be given by registered or certified mail to abutting property owners, and such owners shall have sixty (60) days to comply with said notice in conformity with any construction specifications prescribed by this and other ordinance. (Ord. 2000-4, 11/13/00)

§305. Inspection. At any time during the performance of the required work, the Granville Township Engineer may inspect the work to determine whether construction specifications are being observed. (Ord. 2000-4, 11/13/00)

§306. Municipality May Do Work and Collect Costs. Upon the failure of any property owner to construct, pave, repave or maintain any sidewalk, curb or gutter in compliance with notice to do so, the Township of Granville may do the same or cause the same to be done, and may levy the cost of its work on such owner as a property lien to be collected in the manner provided by law. (Ord. 2000-4, 11/13/00)

§307. Emergency Repairs. Where in the opinion of the Granville Township Road Foreman a dangerous condition exists that can be repaired by an expenditure of \$150.00 the Township of Granville shall send such property owner notice by registered or certified mail stating emergency repairs are required. Upon failure of such owner to comply with the notice within forty-eight (48) hours after receiving it, the Township of Granville may make emergency repairs, and levy the cost on such owner as a property lien to be collected in the manner provided by law. (Ord. 2000-4, 11/13/00)

(21, §308)

(21, §311)

§308. Construction & Repair Done on Owner's Initiative without Notice. Any property owner not required by notice to construct, pave, repave or keep in repair sidewalks, curbs or gutters, may construct, pave, repave or repair the sidewalk, curb and gutter abutting his property; provided, such owner shall make application to the Granville Township Engineer before commencing work, shall conform to the provisions of this ordinance and other regulations as to specifications for construction and repair work and shall notify the Engineer within two (2) days after completion of his work. (Ord. 2000-4, 11/13/00)

§309. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. The following ordinances or parts thereof are specifically repealed. (Ord. 2000-4, 11/13/00)

§310. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared s the intent of the Township of Granville that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ord. 2000-4, 11/13/00)

§311. Effective Date. This ordinance shall become effective on November 13, 2000. (Ord. 2000-4, 11/13/00)

CHAPTER 22
SUBDIVISION AND LAND DEVELOPMENT

(See Separate Book)

CHAPTER 23
SWIMMING POOLS

Part 1

Standards for the Construction, Maintenance and Use
of Private Swimming Pools

- §101. Definition
- §102. Applicability
- §103. Construction Permit and Approval
- §104. Enclosure
- §105. Location on the Property
- §106. Design and Construction Requirements
- §107. Portable Pools
- §108. Property Rights
- §109. Shielding Lights
- §110. Unnecessary Noise
- §111. Electrical Connections
- §112. Penalties
- §113. Repealer
- §114. Severability
- §115. Effective Date

Part 1

Standards for the Construction, Maintenance and Use
of Private Swimming Pools

§101. Definition. As used in this Ordinance, SWIMMING POOL or POOL is hereby defined as an outdoor swimming pool used or intended to be used solely by the owner of a residential property, his family or lessee thereof and his family, and by guests invited to use it without the payment of any fee. (Ord. 1989-5, 5/8/89)

1§02. Applicability. This ordinance shall apply to all new outdoor swimming pools hereinafter constructed, as well as existing swimming pools whether aboveground or in the ground, and having a depth of eighteen (18") inches or more at any one point. (Ord. 1989-5, 5/8/89)

§103. Construction Permit and Approval. Before any work is commenced on the construction of a swimming pool or on any alteration, addition, remodeling or other improvement to a swimming pool, an application for a permit for construction, together with plans and specifications pertinent to the construction, as well as explanatory data, shall be submitted to the Township. No part of the work shall be commenced until approval has been granted the applicant by a written permit. The permit fee for such permit shall be the same as is defined in §104 of Part 1 of the Building Permits ordinance.

The plot plan shall show the location of all buildings and the proposed pool on the property, distances to all property lines in the immediate vicinity of the swimming pool and dwelling, and the location of wells, sewage disposal systems and proposed enclosure or fence around the pool.

Standard pools, properly designed by established swimming pool companies shall be acceptable when accompanied by suitable plans and specifications, including information as stated herein. (Ord. 1989-5, 5/8/89)

1§04. Enclosure. Every swimming pool shall be completely surrounded by a fence, wall or similar enclosure not less than four (4') feet in height, which shall be so constructed as to have no openings, holes or gaps larger than two and one half (2 1/2") inches in any dimension. If the fence or wall is a picket fence, the horizontal dimensions maintained shall not exceed four (4") inches. A dwelling or accessory building may be used as part of such enclosure.

All gates or door openings through such enclosure shall be equipped with a self-closing, self-latching device on the pool side

for keeping the gate or door securely closed at all times when not in use, except that the door of any dwelling or accessory building which forms a part of an enclosure need not be so equipped. The fence shall surround the pool and the deck area. Fences shall be erected around all existing swimming pools no later than April 30, 1990. (Ord. 1989-5, 5/8/89, as amended by 6/26/89)

§105. Location on the Property. A swimming pool shall be located at the rear of a dwelling or along the side of the dwelling where practical.

There shall be a minimum of three (3') feet of concrete, stone, brick or block sidewalk or other all weather surface around all pools, except portable aboveground pools.

No swimming pool or appurtenances including decks and shelters shall be erected nearer to any property line than a building could be erected which shall be no closer than five (5') feet.

No swimming pool shall be so located as to interfere with the operation of a well or on site septic system, or to be located where there is potential danger of a septic system discharging into the pool or onto the adjacent area around the pool. (Ord. 1989-5, 5/8/89)

§106. Design and Construction Requirements. No permit to construct new swimming pools (existing pools are excluded from this section) shall be issued unless and until the following design and construction requirements are observed.

1. Material: The material used for lining a swimming pool shall be light in color, impervious and shall provide a tight tank with easily cleaned surfaces. Sand or dirt bottoms are prohibited if uncovered.

2. Walls and Bottom: All pool walls and bottoms shall be designed to withstand water pressure from within and to resist the pressure of earth or ground water when the pool is empty.

3. Steps, Ladders, Handholds: One or more steps, ladders, stepholes or handholds shall be provided for all pools. The coping of the swimming pool, if not higher than eight (8") inches above the water surface, shall be considered a handhold.

4. Make-Up Water: Pools shall be equipped with suitable facilities for adding make-up water as required. There shall be no physical connection between the water supply line and the pool system. When make-up water is added to the pool, the inlet shall be at least six (6") inches above the pool water surface.

5. Drainage Outlet: No pool water shall be drained at the curb, along the gutter line of any street or on the surface of any street. (A pool drainage system may be connected to the public sanitary sewer system upon written approval of the Township.)

6. Recirculation: Provision shall be made for complete circulation of water throughout the pool. The system shall be designed and constructed so that a turnaround at least once every twelve (12) hour period shall be provided. Recirculation systems shall consist of pumping equipment, hair-and-lint catcher, filters, together with all necessary pipe connections to the pool inlets and outlets, facilities and pipe connections necessary for backwashing or cleaning filters.

7. Safety Equipment: Life preservers, ropes and poles shall be readily available at the pool site. (Ord. 1985-5, 5/8/1989)

§107. Portable Pools. Aboveground pools are not subject to the fee schedules nor the design and requirements as set forth herein. However, all such pools having walls less than four (4') feet shall be enclosed in accordance with the provisions of this ordinance.

Portable aboveground pools having walls four (4') feet or greater in height may be excluded from the fencing requirement provided such pools are equipped with access ladders which may be raised and locked in a near vertical position when the pool is unattended. An aboveground pool as described in this paragraph, which is served by a ladder, or steps, which cannot be raised and locked so as to prevent access by small children, shall be enclosed in accordance with 103. (Ord. 1989-5, 5/8/1989)

§108. Property Rights. No swimming pool shall be so located or maintained as to interfere unduly with the enjoyment of the property rights of others. (Ord. 1989-5, 5/8/1989)

§109. Shielding Lights. Lights used to illuminate any swimming pool shall be so arranged as to reflect light away from adjoining premises. (Ord. 1989-5, 5/8/1989)

§110. Unnecessary Noise. It shall be unlawful for any person to make, continue or cause to be made or continued at any swimming pool, any loud, unnecessary or unusual noise which disturbs, injures or endangers the comfort, health, peace or safety of others. The use or operation of any radio, musical instrument, phonograph, recording equipment, or other machine or device for the producing or reproducing of sound in such a manner as to disturb

the peace, quiet and comfort of neighboring inhabitants or at any time with volume louder than is necessary for convenient hearing of persons at the swimming pool site shall be unlawful. (Ord. 1989-5, 5/8/1989)

§111. Electrical Connections. All electrical installations shall conform to the specifications of the National Electrical Code. No electric wires or conductors shall cross, either overhead or underground, on any part of a swimming pool, nor shall any electric wiring be installed parallel to any pool wall closer than five (5') feet, if underground, unless enclosed in a rigid conduit, or within five (5') feet, if overhead.

All underwater lights must be watertight, self-contained units with ground connections running from a waterproof junction box to a proper grounding facility or medium. All underground electric wires supplying current to said lights within a distance of five (5') feet of the pool wall or walls shall be enclosed in rigid conduits.

All metal fences, enclosures or railings, near or adjacent to a swimming pool, which might become electrically charged as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded. (Ord. 1989-5, 5/8/1989)

§112. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1989-5, 5/8/1989; as amended by Ord. 1997-3)

§113. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. The following ordinances or parts thereof are specifically repealed: (Ord. 1989-5, 5/8/1989)

§114. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Granville

(23, §114, cont'd)

(23, §115)

Township Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause section or part thereof not been included herein. (Ord. 1989-5, 5/8/1989)

§115. Effective Date. This ordinance shall become effective on May 13, 1989. (Ord. 1989-5, 5/8/1989)

CHAPTER 24
TAXATION, SPECIAL

Part 1

Per Capita Tax

- §101. Authority for Enactment
- §102. "Resident" Defined
- §103. Imposition of Tax
- §104. Collection

Part 2

Realty Transfer Tax

- §201. Imposition of Tax
- §202. Administration
- §203. Interest
- §204. Repeal
- §205. Effective Date

Part 3

Earned Income Tax

- §301. Incorporation of Statute
- §302. Imposition of Tax
- §303. Declarations, Returns and Payment of Tax
- §304. Collection at Source
- §305. Administration
- §306. Interest and Penalties for Late Payment
- §307. Fines and Penalties for Violations

Part 4

Local Services Tax

- §401. Title
- §402. Authority of Enactment
- §403. Definitions
- §404. Imposition of Tax
- §404A. Exemptions from Payment
- §405. Collection Through Employers
- §406. Direct Payment By Taxpayers
- §407. Nonresident Taxpayers
- §408. Administration and Enforcement
- §409. Collection
- §410. Enforcement and Remedies
- §411. Effective Date

Part 1
Per Capita Tax

§101. Authority for Enactment. 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. (1982) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. (Ord. 4/-/1959, 4/-/1959; as revised by Ord. 1988-1, 4/25/1988)

§102. "Resident" Defined. The word "resident" as used in this Part shall mean every adult eighteen (18) years or older who lives within the Township of Granville. (Ord. 4/-/1959, 4/-/1959; as revised by Ord. 1988-1, 4/25/1988)

§103. Imposition of Tax. Every resident shall pay five dollars (\$5.00) for the present calendar year and each year hereafter; provided, the tax hereby imposed shall not be levied upon any resident whose total income during the taxable year is any figure less than or equal to \$5,000.00. (Ord. 4/-/1959, 4/-/1959; as revised by Ord. 1988-1, 4/25/1988)

§104. Collection. All taxes, interests, costs and penalties imposed by this Part shall be collected by the Township tax collector. (Ord. 4/-/1959, 4/-/1959; as revised by Ord. 1988-1, 4/25/1988)

Part 2

Realty Transfer Tax

An Ordinance by Granville Township enacting a realty transfer tax and other tax related provisions pursuant to Article XI-D of the Tax Reform Code of 1971, and authorizing the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties.

§201. Imposition of Tax.

Granville Township adopts the provisions of Article XI-D of the Tax Reform Code of 1971 and imposes a realty transfer tax as authorized under that Article subject to the rate limitations therein. The tax imposed under this Section shall be at the rate of One Percent (1%). (Ord. 1987-3, 8/24/87; as amended by Ord. 2007-8, 12/3/07)

§202. Administration.

The tax imposed under Section 1 and all applicable interest and penalties shall be administered, collected and enforced under the Act of December 31, 1965 (P.L. 1257, No. 511, as amended, known as "The Local Tax Enabling Act"; provided, that if the correct amount of the tax is not paid by the last date prescribed for timely payment, Granville Township, pursuant to Section 1102-D of the Tax Reform Code of 1971 (72 P.S. § 8102-D), authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties. (Ord. 1987-3, 8/24/87; as amended by Ord. 2007-8, 12/3/07)

§203. Interest.

Any tax imposed under Section 1 that is not paid by the date the tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1963 (P.L. 207, No. 153) (53 P.S. §§ 7101, et seq.), as amended, known as the "The Municipal Claims and Tax Liens Act". The interest rate shall be the lesser of the interest rate imposed upon delinquent Commonwealth taxes as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176) (72 P.S. § 806), as amended, known as "The Fiscal Code", or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims. (Ord. 1987-3, 8/24/87; as amended by Ord. 2007-8, 12/3/07)

(24, §204)

(24, §205)

§204. Repeal.

(a) This ordinance repeals all prior ordinances concerning realty transfer taxes.

(b) The repealed ordinances or parts thereof enumerated in subsection (a) remain effective for documents that became subject to tax prior to the effective date of this ordinance.
(Ord. 1987-3, 8/24/87; as amended by Ord. 2007-8, 12/3/07)

§205. Effective Date.

The provisions of this ordinance shall become effective on and be applicable to any document made, executed, delivered, accepted or presented for recording on or after January 1, 2008.
(Ord. 1987-3, 8/24/87; as amended by Ord. 2007-8, 12/3/07)

Part 3

Earned Income Tax

§301. Title. This Ordinance shall be referred to as the “Earned Income and Net Profits Tax Ordinance of the Township of Granville.” (Ord. 1988-1, 4/25/1988, as restated and amended by Ord. 2011-9, 8/1/2011)

§302. Definitions. All terms defined in The Local Tax Enabling Act, as amended, and as it may be amended in the future, shall have the meanings set forth therein, which definitions are incorporated herein by reference. The following terms shall have the meanings set forth herein:

- (a) “Effective Date.” January 1, 2012.
- (b) “Local Tax Enabling Act.” The Local Tax Enabling Act, Act of December 31, 1965, P.L. 1257, § 1 et seq. (53 P.S. § 6901 et seq.), as amended and, specifically, as amended by Act 32 of 2008, Act of July 2, 2008, P.L. 197, No. 32, and as amended and renumbered by said Act 32 of 2008 (53 P.S. §6924.101, et seq.) and as it may be amended in the future.
- (c) “School District.” Mifflin County School District, Mifflin County, Pennsylvania.
- (d) “Tax.” The Earned Income and Net Profits Tax.
- (e) “Tax Collection Committee.” The Tax Collection Committee established to govern and oversee collection of earned income and net profits taxes within the Tax Collection District established pursuant to The Local Tax Enabling Act, as amended, and any regulations thereunder.
- (f) “Tax Collection District.” The Tax Collection District to which the Township is assigned pursuant to The Local Tax Enabling Act, as amended, and any regulations thereunder.
- (g) “Tax collector.” The Tax Officer appointed per The Local Tax Enabling Act, as amended, to collect the Tax.
- (h) “Tax officer.” That person or entity appointed pursuant to The Local Tax Enabling Act, as amended, to collect and to receive and administer earned income and net profit taxes. Effective as of January 1, 2012, it shall be that person or entity appointed by the Mifflin County Tax Collection Committee or successor agency.

(24, §302)

(24, §303)

(i) "Tax Return." That form prescribed for reporting the amount of earned income or net profits and the amount of Tax or other amount owed, required to be withheld, remitted, or reported per The Local Tax Enabling Act and this Ordinance.

(j) "Tax Year." The period from January 1 through December 31 of each year.

(k) "Taxing Authority." The Township of Granville, Mifflin County, Pennsylvania.

(l) "Township." The Township of Granville, Mifflin County, Pennsylvania.

(Ord. 1988-1, 4/25/1988, as restated and amended by Ord. 2011-9, 8/1/2011)

§303. Imposition and Levy of Earned Income and Net Profits Tax.

(a) General Purpose Resident Tax. The Taxing Authority hereby levies, imposes and assesses a tax for general revenue purposes at the rate of 1.0% on earned income received and net profits earned by individual residents of the Tax Authority.

(b) General Purpose Nonresident Tax. The Taxing Authority also hereby levies, imposes and assesses a tax for general revenue purposes at the rate of 1.0% on earned income received and net profits derived by an individual who is not a resident of the Taxing Authority from any work, business, profession or activity of any kind engaged in within the Taxing Authority's boundaries.

(c) Combined Tax Rate to Residents. Currently, the total rate applicable to residents of the Taxing Authority, including the tax imposed by the School District together with the Taxing Authority, is 1.35%.

(d) Combined Tax Rate to Nonresidents. Currently, the total tax rate applicable to nonresidents working within the Taxing Authority's boundaries is a nonresident tax rate of 1.0%.

(e) Intent. It is the intent of this Ordinance that the Local Tax Enabling Act and all provisions thereof that relate to a tax on earned income and net profits are incorporated herein, together with any regulations thereunder, all as such are amended or may be amended in the future. To the extent allowed by law, it is the intent hereof that any future amendments to the Local Tax Enabling Act and any regulations thereunder shall automatically become a part hereof upon the effective date of the amendment without further amendment of this Ordinance. Further, it is the intent hereof that the tax shall be collected and administered in accordance with all applicable laws and regulations including policies and procedures adopted by the Tax Collection Committee or successor agency and/or Tax Officer, all as such are amended or may be amended in the future.

(24, §303)

(24, §309)

(f) Continuation of Tax Rate. The tax imposed and levied by this Ordinance shall continue at this rate thereafter, during the calendar year 2012 and during each year thereafter, without annual reenactment, until this Ordinance is repealed or the rate of tax is changed. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§304. Returns and Payments by Individual Taxpayers. Every Individual receiving earned income or earning net profits in any Tax Year shall file Tax Returns and pay Tax in accordance with The Local Tax Enabling Act, as amended, and as it may be amended from time to time, and the applicable regulations thereunder. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§305. Employer withholding, Remittance, and Tax Returns. Every employer shall register, withhold and remit Tax and file the applicable Tax Returns in accordance with The Local Tax Enabling Act, as amended, and as it may be amended from time to time, and the applicable regulations thereunder. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§306. Tax Officer. The Tax shall be collected from individuals and employers by the Tax Officer and in accordance with the provisions of The Local Tax Enabling Act, as amended, and as it may be amended from time to time, and the applicable regulations thereunder. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§307. Interest, Penalties, Costs and Fines. Individuals and employers are subject to interest, penalties, costs, and fines in accordance with The Local Tax Enabling Act, as it may be amended from time to time, and the applicable regulations thereunder, together with and including costs imposed by the Tax officer in accordance with The Local Tax Enabling Act, as amended, and as it may be amended in the future from time to time. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§308. Deductions, Credits, Losses, Exemptions. Credits, deductions and losses, shall only be permitted under circumstances which may from time to time be set forth in The Local Tax Enabling Act, as amended, and in the applicable regulations thereunder. Except as may be provided from time to time as set forth in The Local Tax Enabling Act, as amended, and in the applicable regulations thereunder, there shall be no exemptions from tax based on age, income or other factors. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§309. Non-applicability. This Ordinance shall not apply to any person or property as to whom or which it is beyond the legal power of Granville Township, Mifflin County, Pennsylvania to impose any tax or duty hereinbefore provided. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

(24, §310)

(24, §314)

§310. Severability. If any section, clause, sentence, or part of this Ordinance is for any reason judicially determined to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining sections, clauses, sentences or parts hereof, and it is declared to be the intent of the Board of Supervisors of the Township of Granville that this Ordinance would have been adopted even if such unconstitutional, illegal or invalid portion had not been included. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§311. Repeal of Prior Earned Income and Net Profits Tax Ordinances and Savings Provisions. Any prior enactment or Ordinance conflicting with this Ordinance is repealed to the extent of any inconsistency or conflict with this Ordinance. Otherwise, the provisions of this Ordinance are intended as a continuation of such enactment or Ordinance and not as a new enactment. In the event that this Ordinance is declared invalid, any prior Ordinance of the Township of Granville levying an earned income and net profits tax shall remain in full force and effect and shall not be affected in any manner by enactment of this Ordinance. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any Ordinance in effect prior to the enactment of this Ordinance. Accordingly, subject to the foregoing provisions of this Section, effective January 1, 2012, this Ordinance shall supersede the Ordinance levying an earned income and net profits tax which is in force immediately prior to the effective date of this Ordinance. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§312. Purpose. The purpose of this Ordinance is to conform the earned income and net profits tax currently imposed by the Township of Granville pursuant to The Local Tax Enabling Act and the Ordinance imposing and levying the same to the provisions of The Local Tax Enabling Act, as amended and restated by Act 32 of 2008, Act of July 2, 2008, P.L. 197, No. 32 (53 P.S. §6924.101 et seq.) and to do so within the time frame as may be required by said Act 32 of 2008. In all cases, subject to the foregoing, the provisions of this Ordinance are intended to amend and restate on the Effective Date any Ordinance duly enacted levying a tax on earned income and net profits which is in force immediately prior to the Effective Date. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§313. Applicable Law. This Ordinance shall be interpreted according to the laws of the Commonwealth of Pennsylvania. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

§314. Effective Date. This Ordinance shall become effective January 1, 2012. (Ord. 1988-1, 4/25/1988, as restated an amended by Ord. 2011-9, 8/1/2011)

Part 4

Local Services Tax

§401. Title. The Emergency and Municipal Services Tax shall henceforth be known as the Local Services Tax. (Ord. 2007-7, 12/03/2007)

§402. Authority of Enactment. 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. (1982) and as per Act 7 of 2007 as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. (Ord. 2007-7, 12/03/2007)

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

COMPENSATION - salaries, wages, commissions, tips, bonuses, fees, gross receipts, or any other earned income.

EMPLOYER - any person, partnership, limited partnership, unincorporated association, institution, trust, corporation, governmental agency, or any other body engaged in business or situated in the Township of Granville, employing one or more employees engaged in any occupation other than domestic servants.

OCCUPATION - any livelihood, job, trade, profession, business or enterprise of any kind, including services, domestic or other, for which monetary compensation is received or charged.

TAX COLLECTOR - tax collector of the Township of Granville.

TAXPAYER - any natural person liable for the tax levied by this Part. (Ord. 2007-7, 12/03/2007)

§404. Imposition of Tax. A tax for police, fire and/or emergency services; road construction and maintenance; or reduction of property taxes, in the amount of Fifty-two dollars (\$52.00), is hereby imposed upon the privilege of engaging in an occupation within the Township of Granville in the year and in each following calendar year. Each natural person who exercises such privilege for any length of time in any calendar year beginning with the year 2008, after the effective date of this Part, shall pay the tax in accordance with the provisions hereof. (Ord. 2007-7, 12/03/07; as amended by Ord. 2009-2, 11/19/2009)

§404A. EXEMPTIONS FROM PAYMENT.

A. Any person who has served in any war or armed conflict in which the United States was engaged and is honorably discharged or released under honorable circumstances from active service if, as a result of military service, the person is blind, paraplegic or a double or quadruple amputee or has a service connected disability declared by the United States Veterans Administration or its successor to be a total one hundred percent permanent disability.

- i. Any person who serves as a member of a reserve component of the armed forces and is called to active duty at any time during the taxable year.
- ii. For purposes of this subsection, "reserve component of the armed forces" shall mean the United States Army Reserve, United States Navy Reserve, United States Marine Corps Reserve, United States Coast Guard Reserve, United States Air Force Reserve, the Pennsylvania Army National Guard or the Pennsylvania Air National Guard.

B. Any person whose total earned income and net profits from all sources within the political subdivision is less than twelve thousand dollars (\$12,000) for the calendar year in which the local services tax is levied.

C. A person seeking to claim an exemption from the local services tax may annually file an exemption certificate with the Township and with the person's employer affirming that the person reasonably expects to receive earned income and net profits from all sources within the political subdivision of less than twelve thousand dollars (\$12,000) in the calendar year for which the exemption certificate is filed. The exemption certificate shall have attached to it a copy of all the employee's last pay stubs or W-2 forms from employment within the political subdivision for the year prior to the fiscal year for which the employee is requesting to be exempted from the local services tax. Upon receipt of the exemption certificate and until otherwise instructed by the political subdivision levying the tax or except as required by clause (2), the employer shall not withhold the tax from the person during the calendar year or the remainder of the calendar year for which the exemption certificate applies. Employers shall ensure that the exemption certificate forms are readily available to employees at all times and shall furnish each new employee with a form at the time of hiring.

With respect to a person who claimed an exemption for a given calendar year from the local services tax, upon notification to an employer by the person or by the Township that the person has received earned income and net profits from all sources within that political subdivision equal to or in excess of twelve thousand

dollars (\$12,000) in that calendar year or that the person is otherwise ineligible for the tax exemption for that calendar year, or upon an employer's payment to the person of earned

- D. income within that political subdivision in an amount equal to or in excess of twelve thousand dollars (\$12,000) in that calendar year, an employer shall withhold the local services tax from the person under clause (3).
- E. If a person who claimed an exemption for a given calendar year from the local services tax becomes subject to the tax for the calendar year under clause (2), the employer shall withhold the tax for the remainder of that calendar year. The employer shall withhold from the person, for the first payroll period after receipt for the notification under clause (2), a lump sum equal to the amount of tax that was not withheld from the person due to the exemption claimed the person under this subsection, plus the per payroll amount due for that first payroll period. The amount of tax withheld per payroll period for the remaining payroll periods in that calendar year shall be the same amount withheld for other employees. In the event the employment of the person subject to withholding of the tax under this clause is subsequently served in that calendar year, the person shall be liable for any outstanding balance of tax due, and the Township tax may pursue collection under this act.
- F. Except as provided in clause (2), it is the intent of this subsection that employers shall not be responsible for investigating exemption certificates, monitoring tax exemption eligibility or exempting any employee from a local service tax. (ord. 2007-7, 12/03/2007)

§405. Collection Through Employers.

Each employer shall register with the tax collector the employer's name, address and other information the tax collector may require within fifteen (15) days after the effective date of this Part or within fifteen (15) days after first becoming an employer.

1. For each taxpayer employed for any length of time after the effective date of this Part and on or before March 31 of the current tax year, each employer shall deduct the tax from compensation payable to the taxpayer, file a return on a form prescribed by the tax collector the full amount of who is employed after the effective date of this Part and in any of the three (3) month periods ending June 30, September 30, and December 31, of the current tax year, file a return on a form prescribed by the tax collector, and pay said collector the full amount of all taxes deducted, on or before July 31 or October 31 of the current tax year, or January 31 of the following year, respectively.

2. Taxes shall be collected on a pro rate basis as follows: The Pro rate share of the tax assessed on the person for a payroll

period shall be determined by dividing the combined rate of the local services tax levied for the calendar year by the number of payroll periods established by the employer for the calendar year. For purposes of determining the pro rate share, an employer shall round down the amount of the tax collected each payroll period to the nearest one hundredth of a dollar. Collection of the local services tax levied under this sub clause shall be made on a payroll period basis for each payroll period in which the person is engaging in an occupation.

3. Any employer who discontinues business or ceases operation before December 31 of any year during which this tax is in effect, shall file the return hereinabove required and pay the tax to the tax collector, within fifteen (15) days after discontinuing business or ceasing operations.

4. The failure of any employer to deduct the tax shall not relieve the employee from the duty to file a return and pay the tax. Any employer who fails to deduct the tax as required by this section, or who fails to pay such tax to the tax collector, shall be liable for such tax in full, without deduction of the commission hereinafter provided, as though the tax had originally been levied against such employer.

5. As to employees who present official receipts evidencing prior payment of the tax imposed hereby either directly or by collection through employers, the employer shall not deduct the tax but shall maintain adequate records concerning such employees. (Ord. 2007-7, 12/03/2007)

§406. Direct Payment by Taxpayers. Every taxpayer who is self-employed or whose tax for any other reason is not collected under 404 of this Part shall file a return on a form prescribed by the tax collector and shall pay the tax directly to said collector. Each such taxpayer who first becomes subject to the tax after the effective date of this Part, and on or before March 31 of the current tax year, shall file the return and pay the tax on or before April 30 of the current tax year, and each such taxpayer who first becomes subject to the tax after March 31 of the current tax year, shall file the return and pay the tax on or before July 31 or October 31 of the current tax year, or January 31 of the following year, whichever of such payment dates first occurs at least thirty (30) days after the taxpayer becomes subject to the tax. (Ord. 2007-7, 12/03/2007)

§407. Nonresident Taxpayers. Both residents and nonresident taxpayers shall, by virtue of engaging in an occupation within the Township of Granville, be subject to the tax and the provisions of this Part. (Ord. 2007-7, 12/03/2007)

§408. Administration and Enforcement. The tax collector shall collect and receive the taxes, interests, fines and penalties imposed by this Part, and shall maintain records showing the amounts received and the date such amounts were received. The tax

collector shall prescribe and issue all forms necessary for the administration of the tax and may adopt and enforce regulations relating to any matter pertaining to the administration of this Part. The tax collectors and agents designated by him may examine the records of any employer and/or supposed employer or of any taxpayer in order to ascertain the tax due or verify the accuracy of any return. Every employer or supposed employer and every taxpayer or supposed taxpayer shall give the tax collector and any agent designated by him all means, facilities and opportunity for the examinations hereby authorized. (Ord. 2007-1, 12/03/2007)

§409. Collection. The tax collector shall collect by suit or otherwise, all taxes, interests, costs, fines and penalties due under this Part and unpaid. If for any reason, any tax is not paid when due, interest at the rate of six percent (6%) per year on the amount of unpaid taxes and an additional penalty of one-half of one percent (1/2 of 1%) of the amount of the unpaid tax, for each month or fraction of month during which the tax remains unpaid shall be added and collected. Whenever suit is brought for the recovery of unpaid tax, the taxpayer shall, in addition, be liable for the costs of collection as well as for interest and penalties. The tax collector may accept payment under protest of the tax claimed by the Township of Granville in any case where any person disputes the Township's claim for the tax. If a court of competent jurisdiction thereafter decides that there has been overpayment to the tax collector, the tax collector shall refund the amount of the overpayment to the person who paid under protest. Any action instituted for such judicial determination shall be instituted within two (2) years of the last day of the period for which the tax is disputed or claim made. All refunds shall be made in conformity with the procedure prescribed by the Board of Supervisors. (Ord. 2007-7, 12/03/2007)

§410. Enforcement and Remedies.

1. Enforcement Notice.

- A. If it appears to the Township that a violation of this Part has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
- B. The enforcement notice shall be sent to the violator and, if applicable, the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.

C. An enforcement notice shall state at least the following:

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

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

(3) The specific violation with a description of the requirements that 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 ten (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.

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 six hundred dollars (\$600.00) 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.

B. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

C. District justices shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 2007-7, 12/03/2007; as amended by Ord. 1997-3)

(24, §411)

(24, §411)

§411. Effective Date. This Ordinance shall be effective
January 1, 2008. (Ord. 2007-7, 12/03/2007)

CHAPTER 25

TREES

(Reserved to accommodate future ordinances)

CHAPTER 26

WATER

Part 1

- §101. Definitions.
- §102. Use of Public Water System Required
- §103. Building Mains and Connections
- §104. Regulations Governing Building Mains and Connections to Mains
- §105. Appeals; Hardship
- §106. Penalties
- §107. Repealer
- §108. Severability
- §109. Effective Date

Part 2

- §201. Granting of Rights and Privileges to Authority
- §202. Rules and Regulations
- §203. Effective Date
- §204. Severability
- §205. Repealer

Part 3

- §301. Enactment
- §302. Mandatory Connection to Municipal Authority of the Borough of Lewistown Water Line
- §303. Industries and Farm Use of Private Supply
- §304. Failure to Connect
- §305. Enforcement
- §306. Severability
- §307. Effective Date

Part 4

- §401. Statement of Findings
- §402. Purpose
- §403. Statutory Authority
- §404. Applicability
- §405. Exemptions
- §406. Repealer
- §407. Severability
- §408. Compatibility with Other Ordinance Requirements
- §409. General Requirements
- §410. Water Requirements
- §411. Groundwater Recharge Requirements
- §412. Storm Water Management Districts

- §413. Storm Water Management District Implementation Provisions (Performance Standards)
- §414. Design Criteria for Storm Water Management Facilities
- §415. Calculation Methodology
- §416. Erosion and Sedimentation Requirements
- §417. General Requirements
- §418. Drainage Plan Contents
- §419. Plan Submission
- §420. Drainage Plan Review
- §421. Modification of Plans
- §422. Resubmission of Disapproved Drainage Plans
- §423. Schedule of Inspections
- §424. General
- §425. Municipality Drainage Plan Review Fee
- §426. Expenses Covered by Fees
- §427. Additional Costs
- §428. Performance Guarantee
- §429. Maintenance Responsibilities
- §430. Maintenance Agreement for Privately Owned Storm Water Facilities
- §431. Municipal Storm Water Maintenance Fund
- §432. Post-Construction Maintenance Inspections
- §433. Right-of-Entry
- §434. Notification
- §435. Enforcement
- §436. Public Nuisance
- §437. Enforcement Remedies
- §438. Appeals
- §439. Effective Date
- §440. Appendix A-Storm Water Management Design Criteria
- §441. Appendix B-Sample Drainage Plan Application and Fee Schedule
- §442. Appendix C-Standard Storm Water Maintenance and Monitoring Agreement
- §443. Appendix D-Watershed Release Rate Map

Part 1

An ordinance of the Township of Granville requiring and regulating connections to the water system.

The Township of Granville hereby ordains:

§101. Definitions. As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

AUTHORITY - Granville Township Municipal Authority

BUILDING MAIN - extension from the water system of any structure to the lateral of a main.

IMPROVED PROPERTY - any property within the Township of Granville upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals.

INDUSTRIAL ESTABLISHMENT - any improved property located within the Township and used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article.

LATERAL -

1. part of the water system extending from a main to the curb line or, if there shall be no curb line, extending to the property line or;

2. if no such lateral shall be provided, lateral shall mean that portion of, or place in, a main that is provided for connection of any building main.

MAIN - any pipe or conduit constituting a part of the water system used or usable for water distribution purposes.

OWNER - any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PERSON - any individual, partnership, company, association, society, trust, corporation, municipality, municipal authority or other group or entity.

WATER SYSTEM - all facilities, as of any particular time, for production, transmission, storage and distribution of water in the Township of Granville whether owned by the Township or the Authority.

(Ord. 1992-8, 9/28/92)

§102. Use of Public Water System Required.

1. The owner of any improved property within 150 feet water system, except any improved property which shall constitute an industrial establishment or a farm which has its own supply of water for uses other than human consumption, shall connect such improved property with and shall use such water system in such manner as the Township of Granville may require, within ninety (90) days after notice to such owner from the Township to make such connection; subject to such limitations and restrictions as shall be established herein or otherwise shall be established by the Township of Granville.

2. The notice by the Township of Granville to make connection to a main referred to in section 102, subsection 1 shall consist of a copy of this ordinance, including any amendments and/or supplements at the time in effect, or a summary of each section thereof, and a written or printed document requiring the connection in accordance with the provisions of this ordinance and specifying that such connection shall be made within ninety (90) days after the date such notice is given or served. Such notice may be given or served at any time after a main is in place that can deliver water to the particular improved property. Such notice shall be given or served upon the owner in accordance with law.
(Ord. 1992-8, 9/28/1992)

§103. Building Mains and Connections.

1. No person shall uncover, connect with, make any opening into, use, alter or disturb, in any manner, any main or any part of the water system without first obtaining a permit in writing from the Township of Granville.

2. Application for a permit required under subsection 1 of this section shall be made by the owner of the improved property served or to be served with notice as provided in section 102 (1), or by the duly authorized agent of such owner.

3. No person shall make or shall cause to be made a connection of any improved property to a main until such person fulfills each of the following conditions:

A. notify the Township of Granville of the desire and intention to connect such improved property to a main;

B. apply for and obtain a permit as required by subsection 1 of this section;

C. give the Township of Granville at least twenty-four (24) hours notice before such connection will be made in order that the Township of Granville may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing; and

D. if applicable, furnish satisfactory evidence to the Township of Granville that any tapping (or connection) fee which may be charged and imposed by the Township against the owner of each improved property who connects such improved property to a main has been paid.

4. Except as otherwise provided in this subsection 4, each improved property shall be connected separately and independently with a main through a building main. Grouping of more than one improved property on one building main shall not be permitted, except under special circumstances and for good cause shown, but then only after special permission of the Township of Granville, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Township of Granville.

5. All costs and expenses of construction of a building main and all costs and expenses of connection of a building main to a main shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and shall save harmless the Township of Granville from all loss or damage that may be occasioned directly or indirectly, as a result of construction of a building main or of connection of a building main to a main.

6. A building main shall be connected to a main at the place designated by the Township and where, if applicable, the lateral is provided. A smooth, neat joint shall be made and the connection of a building main to the lateral shall be made secure and watertight.

7. If the owner of any improved property located within the Township of Granville and abutting upon the water system, subject to the exception provided for in Section 102(1), after ninety (90) days' notice from the Township, in accordance with Section 102(1), shall fail to connect such improved property, the Township of Granville may construct such connection and collect from such owner the costs and expenses thereof in any manner permitted by law.
(Ord. 1992-8, 9/28/1992)

§104. Regulations Governing Building Mains and Connections to Mains.

1. No building main shall be covered until it has been inspected and approved by the Township of Granville. If any part of a building main is covered before so being inspected and approved, it shall be uncovered for inspection, at the cost and expense of the owner of the improved property to be connected to a main.

2. Every building main of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

3. Every excavation for a building main shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk or other public property disturbed in the course of installation of a building main shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to the Township of Granville.

4. If any person shall fail or shall refuse, upon receipt of a notice in writing to the Township of Granville to remedy any unsatisfactory condition with respect to a building main within sixty (60) days of receipt of such notice, the Township may refuse to permit such person to be served by the water system until such unsatisfactory condition shall have been remedied to the satisfaction of the Township of Granville.

5. The Township of Granville reserves the right to adopt, from time to time, additional rules and regulations it shall deem necessary and proper relating to connections with a main and with the water system which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this ordinance.

(Ord. 1992-8, 9/28/1992)

§105. Appeals; Hardship. In the event any person shall deem the requirement to connect as provided in this ordinance a hardship, such person may appeal to the Township of Granville for relief from such connection requirement which appeal shall be heard in accordance with provisions of the Pennsylvania Local Agency Law. (Ord.1992-8, 9/28/1992)

§106. Penalties. 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 one thousand dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to

exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part, which shall be found to have been violated, shall constitute a separate offense. (Ord. 1992-8, 9/28/1992 as amended by Ord. 1997-3)

§107. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. (Ord. 1992-8, 9/28/1992)

§108. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Granville Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ord. 1992-8, 9/28/1992)

109. Effective Date. This ordinance shall become effective upon its adoption. (Ord. 1992-8, 9/28/1992)

Part 2

§201. Granting of Rights and Privileges to Authority. This Township grants to the Authority, its successors and assigns, all easements, rights of way and other rights and privileges necessary and desirable in, along, over and under streets, roads, lanes, courts, public squares, alleys, highways and other properties of this Township, together with free ingress, egress and regress therein and thereto, along with other persons having interests, rights or privileges therein, for use in connection with constructing, replacing, repairing, altering, maintaining and operating the water system, as the same shall exist, from time to time. (Ord. 1992-10, 11/23/92)

§202. Rules and Regulations. The rights and privileges granted to the Authority under Section 201 shall be exercised by the Authority under and subject to such reasonable rules, regulations and conditions as shall be adopted and specified, from time to time, by this Township; this Township reserves the right to adopt and specify, from time to time, such reasonable rules, regulations and conditions in connection with exercise by the Authority of such rights and privileges. (Ord. 1992-10, 11/23/92)

§203. Effective Date. This Ordinance shall become effective as provided by law. (Ord. 1992-10, 11/23/92)

§204. Severability. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect. (Ord. 1992-10, 11/23/92)

§205. Repealer. All ordinances or parts of ordinances inconsistent herewith expressly are repealed. (Ord. 1992-10, 11/23/92)

Part 3

§301. Enactment. It is declared that enactment of this ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of the Township. (Ord. 2000-3, 6-12-00)

§302. Mandatory Connection to Municipal Authority of the Borough of Lewistown Water Line. Every owner of property in the Township whose property abuts a water line of the Municipal Authority of the Borough of Lewistown (hereafter "Authority") which the Authority has installed in accordance with a certain agreement between Granville Township Board of Supervisors and the Authority dated May 10, 1999, shall connect to such water line, at such owner's cost, all buildings and other structures located thereon which are within one hundred fifty (150) feet of said water line and use the Authority's water system. Where an Authority water line is located in a public street or highway right-of-way, property on either side of such street or highway shall be deemed to abut such water line. (Ord. 2000-3, 6-12-00)

§303. Industries and Farm Use of Private Supply. Industries and farms, which have their own supply of water for uses other than human consumption, may continue to use their own water for that purpose but are required to use the Authority's water system to provide water for human consumption. (Ord. 2000-3, 6-12-00)

§304. Failure to Connect. If any owner of property abutting the Authority's water system fails to connect with and to use such system within ninety days after notice to do so has been served by the Board of Supervisors, the Board of Supervisors or their agent, including the Authority, may enter the property and construct the connection. The Board of Supervisors shall send an itemized bill of the cost of construction of the connection to the owner of the property to which connection has been made, which bill shall be payable immediately, or the Board of Supervisors may authorize the payment of the cost of construction of connection in equal installments as provided by law. Payment and lien on the property may be made as authorized by law. (Ord. 2000-3, 6-12-00)

§305. Enforcement. The enforcement of this Ordinance shall be by action brought before a District Justice in the same manner provided for the enforcement of summary offense under the Pennsylvania Rules of Criminal Procedure. Any person, individual, partnership, company, limited liability company, association, society, corporation or other groups or entity who shall violate this ordinance shall be liable, upon summary conviction for each offense, to a fine of not less than three hundred (\$300.00) dollars nor more than one thousand (\$1,000.00) dollars, together with costs of prosecution in each case. Each day that a violation shall continue shall be deemed and shall be taken to be a separate offense and shall be punishable as such.

(26, §306)

(26, §307)

§306. Severability. If any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect nor impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent that such remainder shall remain in full force and effect. All ordinances or parts of ordinances inconsistent with this ordinance shall be and the same expressly are repealed. (Ord. 2000-3, 6-12-00)

§307. Effective Date. This ordinance shall become effective immediately. (Ord. 2000-3, 6-12-00)

Part 4

Storm Water Management Ordinance
Implementing the Requirements of the
Kishacoquillas Creek Watershed Storm Water Management Plan

ARTICLE 1-GENERAL PROVISIONS

§401. Statement of Findings. The governing body of the Municipality finds that:

A. Inadequate management of accelerated storm water runoff resulting from development throughout a watershed increases flood flows and velocities, contributes to erosion and sedimentation, overtakes the carrying capacity of existing streams and storm sewers, greatly increases the cost of public facilities to convey and manage storm water, undermines floodplain management and flood reduction efforts in upstream and downstream communities, reduces groundwater recharge, and threatens public health and safety.

B. A comprehensive program of storm water management, including reasonable regulation of development and activities causing accelerated erosion, is fundamental to the public health, safety, welfare, and the protection of the people of the Municipality and all the people of the Commonwealth, their resources, and the environment.

(Ord. 2004-7, 7/26/04)

§402. Purpose. The purpose of this Ordinance is to promote health, safety, and welfare within the Kishacoquillas Creek Watershed by minimizing the damages described in Section 101.A of this Ordinance through provisions designed to:

- B. Manage accelerated runoff and erosion and sedimentation problems at their source by regulating activities that cause these problems.
- C. Utilize and preserve the existing natural drainage systems.
- D. Encourage recharge of groundwater where appropriate and prevent degradation of groundwater quality.
- E. Maintain existing flows and quality of streams and watercourses in the municipality and the Commonwealth.
- F. Preserve and restore the flood-carrying capacity of streams.
- G. Provide proper maintenance of all permanent storm water management facilities that are constructed in the Municipality.

H. Provide performance standards and design criteria for watershed-wide storm water management and planning.
(Ord. 2004-7, 7/26/04)

§403. Statutory Authority. The Municipality is empowered to regulate land use activities that affect runoff by the authority of the Act of October 4, 1978 32 P.S., P.L. 864 (Act 167) Section 680.1 et seq., as amended, the "Storm water management Act", {and the applicable Municipal Code}. (Ord. 2004-7, 7/26/04)

§404. Applicability. This Ordinance shall apply to those areas of the Municipality that are located within the Kishacoquillas Creek watershed, as delineated in Appendix D which is hereby adopted as part of this Ordinance.

This Ordinance is intended to control storm water related quantity and quality during and after construction as part of any of the Regulated Activities listed in this Section. Storm water management and erosion and sedimentation control during construction activities shall be regulated by both this Ordinance and under existing laws and ordinances related to erosion and sediment control.

This ordinance contains only the storm water management performance standards and design criteria that are necessary or desirable from a watershed-wide perspective. Local storm water management design criteria (e.g. inlet spacing, inlet type, collection system design and details, outlet structure design, etc.) shall continue to be regulated by the applicable Municipal Ordinances or at the municipal engineer's discretion.

The following activities are defined as "Regulated Activities" and shall be regulated by this Ordinance:

- A. Land development
- B. Subdivision
- C. Construction of new or additional impervious or semi-pervious surfaces (driveways, parking lots, etc.).
- D. Construction of new buildings or additions to existing buildings
- E. Diversion or piping of any natural or man-made stream channel.
- F. Installation of storm water management facilities or appurtenances thereto.
- G. Placement of fill material.

(Ord. 2004-7, 7/26/04)

§405. Exemptions.

- I. Any Regulated Activity that meets the following criteria shall not be required to implement the storm water controls prescribed in Sections 301, 304 and 305 of this Ordinance. These criteria shall apply to the total development even if development is to take place in phases. The date of the Municipal Ordinance adoption shall be the starting point from which to consider tracts as “parent tracts” in which future subdivisions and respective impervious area computations shall be cumulatively considered. Exemption shall not relieve the applicant from implementing such measures as are necessary to protect health, safety, and property. Developers that seek relief under this exemption criteria are responsible for any damages to downstream properties caused by the failure to install sufficient controls to protect said properties from an increase in the volume or rate of runoff from the developed property and may be required to install additional controls at their own expense if damage to downstream property does occur.

**Storm Water Management Exemption Criteria
Impervious Area Exemption**

- Proposed impervious area must be less than 20 percent of total parcel area and less than 5,000 square feet.

“Proposed impervious area” as used in the above exemption criteria is defined as the total impervious area added to the parcel since the adoption of this ordinance.

- J. Any regulated activity that meets the above stated criteria must satisfy water quality and groundwater recharge criteria. However, they can meet the criteria of Sections 302 and 303 of this Ordinance if it can be shown that all new impervious surfaces are disconnected from direct conveyance into curb/gutter, storm sewer, or open channel systems and said impervious surfaces are constructed to allow for the filtration, either naturally or mechanically, of runoff to address water quality concerns and potentially to improve infiltration. Examples include but are not limited to:

- Controlling runoff through a “sheet flow” system of vegetative or similar buffers having a minimum flow length equal to or greater than 25 feet, or the average width of impervious area is equal to or greater than 50 percent of the new impervious area;
- Disconnecting roof downspouts from direct

- discharge to curb/gutter or storm sewer systems and allowing the downspout discharge to flow over plant, lawn or woodland areas in such a manner as to avoid rill or gully erosion;
- Passing concentrated runoff through grease and oil separators before discharge to storm sewers or open channels;
- Using infiltration basins or trenches to promote infiltration and filtration of runoff from impervious surfaces;
- Use of cisterns or French drains to promote infiltration of runoff from impervious areas; and
- Discharge of concentrated runoff to constructed wetlands that are designed to filter pollutants from the runoff.

Other Best Management Practice approaches (bioinfiltration swale, bioretention basin, etc.) can also be used. The Municipal Engineer shall have authority to review, approve, reject, or recommend alternative methods for meeting the requirements of Sections 302 and 303.

- K. No exemption shall be provided for Regulated Activities as defined in Section 104.E and 104.F of this Ordinance.

(Ord. 2004-7, 7/26/04)

§406. Repealer. Any ordinance or ordinance provision of the Municipality inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only. (Ord. 2004-7, 7/26/04)

§407. Severability. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. (Ord. 2004-7, 7/26/04)

§408. Compatibility with Other Ordinance Requirements. Approvals issued pursuant to this Ordinance do not relieve the Applicant of the responsibility to comply with or to secure required permits or approvals for activities regulated by any other applicable codes, rules, statutes, or ordinances. (Ord. 2004-7, 7/26/04)

Article II-Definitions

For the purposes of this chapter, certain terms and words used herein shall be interpreted as follows:

- A. words used in the present tense include the future tense;

the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.

- B. The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
- C. The word “person” includes an individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.
- D. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.
- E. The words “used or occupied” include the words “intended, designed, maintained, or arranged to be used, occupied or maintained”.

Accelerated Erosion—The removal of the surface of the land through the combined action of man’s activity and the natural processes of a rate greater than would occur because of the natural process alone.

Accessory Structure—A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

Agricultural Activities—The work of producing crops and raising livestock including tillage, plowing, disking, harrowing, pasturing and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

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

Applicant—A landowner or developer who has submitted a drainage plan or filed an application for approval to engage in any Regulated Activities as defined in Section 104 of this Ordinance.

As-built Drawings—A set of engineering or site drawings that delineate the specific permitted storm water management facility as actually constructed.

BMP (Best Management Practice)—Storm water structures, facilities and techniques to maintain or improve the water quality of surface runoff. *Pennsylvania Handbook of Best*

Management Practices for Developing Areas, Spring, 1998.

Buffer-See Stream Buffer.

Channel Erosion-The widening, deepening, and headward cutting of small channels and waterways, due to erosion caused by moderate to large floods.

Cistern-An underground reservoir or tank for storing rainwater.

Conservation District-The Mifflin County Conservation District.

Culvert-A structure with appurtenant works that carries a stream under or through an embankment or fill.

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

Deed Restriction-See Restrictive Covenant.

Design Storm-The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g. a 5-year storm) and duration (e.g. 24-hours), used in the design and evaluation of storm water management systems.

Designee-The agent of the Mifflin County Planning Commission and/or agent of the municipality involved with the administration, review or enforcement of any provisions of this ordinance by contract or memorandum of understanding.

Detention Basin-An impoundment structure designed to manage storm water 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-A person, partnership, association, corporation, or other entity, or any responsible person therein or agent thereof, that undertakes any Regulated Activity of this Ordinance.

Development-See Land Development.

Development Site-The specific tract of land for which a Regulated Activity is proposed.

Discharge Easement-The grant of a property right to allow runoff in excess of the previous quantity and/or rate of flow.

Down slope 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 Storm Water Management Facility designed to transmit storm water 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 storm water management purposes.

Drainage Permit-A permit issued by the municipality 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 storm water management system, if any, to be used for a given development site, the contents of which are established in Section 403.

Earth Disturbance-Any activity including, but not limited to, construction, mining, timber harvesting and grubbing which alters, disturbs, and exposes the existing land surface.

Easement-A right-of-way granted for limited use of private land for a public or quasi-public purpose (e.g., utility lines, discharge easement, drainage easement), and within which the owner of the property shall not erect any permanent structures.

Ephemeral Streams (also ephemeral flow)-Streams that carry only surface runoff and are dry except during precipitation events. The groundwater table is generally located below the bottom of ephemeral streams.

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 that is designed to minimize accelerated erosion and sedimentation. Said plan must be submitted to and approved by the Mifflin County Conservation District before construction can proceed.

Existing Conditions-The initial condition of a project site prior to the proposed construction. If the initial condition of the site is undeveloped land, the land use shall be considered as "meadow" on "B" soils unless the natural land cover is proven to generate lower curve numbers or Rational "C" value, such as forested lands.

Flood-A general but temporary condition of partial or complete inundation of normally dry land areas from the overflow of streams, rivers, and other waters of this Commonwealth.

Floodplain-Any land area susceptible to inundation by water from any natural sources or delineated by applicable Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary-Mapped as being a special flood hazard area. Also included are areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania Department of Environmental Protection (PADEP) Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by PADEP).

Floodway-The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed-absent evidence to the contrary-that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

Forest Management/Timber Operations-Planning and activities necessary for the management of forest land. These include timber inventory and preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation and reforestation.

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

Grade-A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein.
(To) Grade-to finish the surface of a roadbed, top of embankment or bottom of excavation.

Grassed Waterway-A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from cropland.

Groundwater Recharge-Replenishment of existing natural underground water supplies.

Impervious Surface-A surface that has been compacted or covered with material to the extent that it is highly resistant to infiltration by water, including, but not limited to, conventional impervious surfaces such as paved streets, roofs, compacted stone, and sidewalks. In addition, the following

shall be considered impervious surfaces when used by motor vehicles: graveled areas, paver blocks, bricks, and cobblestone.

Impoundment-A retention or detention basin designed to retain storm water runoff and release it at a controlled rate.

Infiltration Structures-A structure designed to direct runoff to the ground (e.g. French drains, seepage pits, seepage trench).

Inlet-A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

Intermittent Streams (also intermittent flow)-Streams that flow only during wet seasons. The groundwater table generally is at or above the bottom of intermittent streams during wet seasons, but drops below the stream bottom during dry seasons. Stream flow in intermittent streams is primarily due to precipitation, but does have some groundwater contribution during wet seasons.

Land Development-As now defined or as may be defined in the Pennsylvania Municipalities Planning Code (MPD), the term Land Development means 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 or 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) any subdivision of land; (3) development in accordance with Section 503(1.1) of the PA Municipalities Planning Code.

Land/Earth Disturbance-Any activity involving grading, tilling, digging, or filling of ground or stripping of vegetation or any other activity that causes an alteration to the natural condition of the land.

Main Stem (Main Channel)-Any stream segment or other runoff conveyance facility used as a reach in the Kishacoquillas Creek hydrologic model.

Manning Equation in (Manning formula)-A method for calculation of velocity of flow (e.g. feet per second) and flow rate (e.g. cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. "Open channels" may include closed conduits so long as the flow is not under pressure.

Municipality-Granville Township, Mifflin County, Pennsylvania.

Nonpoint Source Pollution-Pollution that enters a watery body from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

NPDES-National Pollutant Discharge Elimination System-a permit issued by the PA Department of Environmental Protection regulating the discharge of wastewater or storm water from a facility. NPDES Permits are issued under the authority of the Clean Water Act (PL 92-500).

NRCS-Natural Resource Conservation Service (previously SCS).

Open Channel-A drainage element in which storm water flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainage ways, swales, streams, ditches, canals, and pipes flowing partly full.

Outfall-Point where water flows from a conduit, stream, or drain.

Outlet-Points of water disposal from a stream, river, lake tidewater or artificial drain.

Parking Lot Storage-Involves the use of impervious parking areas as temporary impoundments with controlled release rates during rainstorms.

Peak Discharge-The maximum rate of storm water runoff from a specific storm event.

Penn State Runoff Model (calibrated)-A computer-based hydrologic modeling technique.

Perennial Streams (also perennial flow)-Streams that flow year round. Perennial streams derive their flow from both groundwater table never drops below the streambed.

Pipe-A culvert, closed conduit, or similar structure (including appurtenances) that conveys storm water.

Planning Commission-The Mifflin County planning commission, unless otherwise specified.

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

Rational Formula-A rainfall-runoff relation used to estimate peak flow.

Redevelopment-Reconstruction of an existing improved, developed property, as of the date of adoption of this Ordinance.

Regulated Activities-Actions or proposed actions that have an impact on storm water runoff and that are specified in Section 104 of this Ordinance.

Release Rate-The percentage of predevelopment peak rate of runoff from a site or subarea to which the post development peak rate of runoff must be reduced to protect downstream areas.

Restrictive Covenant-A restriction on the use of land usually set forth in the deed. Restrictive covenants (a.k.a. Deed Restrictions) usually run with the land and are binding upon subsequent owners of the property.

Retention Basin-An impoundment in which storm water is stored and not released. Stored water may be released from the basin at some time after the end of the storm (temporary retention), or else it leaves the basin through infiltration or evaporation.

Return Period-The average interval, in years, within which a storm event of a given magnitude can be expected to recur. For example, the 25-year return period rainfall would be expected to recur on the average once every twenty-five years.

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

Rooftop Detention-Temporary ponding and gradual release of storm water falling directly onto flat roof surfaces by incorporating controlled-flow roof drains into building designs.

Runoff-Any part of precipitation that flows over the land surface.

Sediment Basin-A barrier, dam, retention or detention basin located and designed to retain rock, sand, gravel, silt, or other material transported by water.

Sediment Pollution-The placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with the requirements of this Ordinance.

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

Seepage Pit/Seepage Trench-An area of excavated earth filled with loose stone or similar coarse material, into which surface water is directed for infiltration into the ground.

Semi-Pervious Surfaces-Material that allows rainfall to seep through to the underlying strata. Examples include gravel, porous asphalt pavement, and paving blocks not used for motor vehicles. If these materials are used for vehicular pathways, parking, and material storage they are generally considered to be impervious. Use of these materials in development sites must be supported by published information concerning infiltration rates if credit is to be taken for the infiltration volume.

Sheet Flow-Runoff that flows over the ground surface as a thin, even layer, not concentrated in a channel.

Soil-Cover Complex Method-A method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called Curve Number (CN).

Soil Group, Hydrologic-A classification of soils by the Soil Conservation Service into four runoff potential groups. The groups range from A soils, which are very permeable and produce little runoff, to D soils, which are not very permeable and produce much more runoff.

Spillway-A depression in the embankment of a pond or basin that is used to pass peak discharge greater than the maximum design storm controlled by the pond.

Storage Indication Method-A reservoir routing procedure based on solution of the continuity equation (inflow minus outflow equals the change in storage) with outflow defined as a function of storage volume and depth.

Storm Frequency-The number of times that a given storm "event" occurs or is exceeded on the average in a stated period of years. See "Return Period".

Storm Sewer-A system of pipes and/or open channels that convey intercepted runoff and storm water from other sources, but excludes domestic sewage and industrial wastes.

Storm Water-The total amount of precipitation reaching the ground surface.

Storm Water Management Facility-Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects storm water runoff. Typical storm water management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

Storm Water Management Plan-The plan prepared by the Applicant or his representative indicating how storm water runoff will be managed at the particular site of interest according to this Ordinance.

Stream-A natural or man-made channel that conveys water in a concentrated manner. See also ephemeral stream, intermittent stream and perennial stream.

Stream Buffer-A vegetative strip paralleling the banks of a perennial or intermittent stream. The buffer shall contain appropriate vegetation through its width with the exception of a minimum five-foot wide strip of land maintained in meadow grass or forbs at its outer boundary.

Stream Enclosure-A bridge, culvert or other structure in excess of 100 feet in length upstream to downstream which encloses a regulated water of this Commonwealth.

Subarea-The smallest drainage unit of a watershed for which storm water management criteria have been established in the Storm Water Management Plan.

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, 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 ten acres, not involving any new street or easement of access or any residential dwellings, shall be exempt.

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

Timber Operations-See Forest Management.

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

TR-20-The computer-based hydrologic modeling technique adapted to the Kishacoquillas Creek watershed for the Act 167 Plan. The model has been "calibrated" to reflect actual recorded flow values by adjusting key model input parameters.

TR-55-A method for determining runoff volumes and rates developed by the NRCS.

Watercourse-A channel or conveyance of surface water having

defined bed and banks, whether natural or artificial with perennial or intermittent flow.

Waters of the Commonwealth-Any and all rivers, streams, creeks, rivulets, 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 this Commonwealth.

Wetland-Those areas that are inundated or saturated by surface or ground water 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, ferns, and similar areas.
(Ord. 2004-7, 7/26/04)

ARTICLE III - STORM WATER MANAGEMENT

§409. General Requirements.

- L. All regulated activities in the Kishacoquillas Creek watershed that do not fall under the exemption criteria shown in Section 105 shall submit a Drainage Plan consistent with the Kishacoquillas Creek Watershed Storm Water Management Plan to the Municipality for Review. These criteria shall apply to the total proposed development even if development is to take place in stages. Impervious cover shall include, but not be limited to, any roof, parking or driveway areas and any new streets and sidewalks.
- M. Storm water drainage systems shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by storm water management facilities or open channels consistent with this Ordinance.
- N. The existing points of concentrated drainage that discharge onto adjacent property shall not be altered without permission of the adjacent property owner(s) and shall be subject to any applicable discharge criteria specified in this Ordinance.
- O. Areas of existing diffused drainage discharge shall be subject to any applicable discharge criteria in the general direction of existing discharge, whether proposed to be concentrated or maintained as diffused drainage areas, except as otherwise provided by this Ordinance. If diffused flow is proposed to be concentrated and discharged onto adjacent property (see Section 301.C), the Applicant must demonstrate to the Municipality in accordance with Section 306 that

adequate downstream drainage conveyance facilities exist to safely transport the concentrated discharge, or the Applicant must obtain drainage easements from affected downstream property owners and provide the facilities to safely convey the flow.

- P. Downstream Hydraulic Capacity Analysis—Any downstream hydraulic capacity analysis conducted in accordance with this Ordinance shall use the following criteria for determining adequacy for accepting increased peak flow rates:
1. Natural or man-made channels or swales must be able to convey the increased runoff associated with a 2-year return period event within their banks at velocities consistent with protection of the channels from erosion. Acceptable velocities shall be based upon criteria included in the DEP Erosion and Sediment Control Program Manual.
 2. Natural or man-made channels or swales shall be designed to convey the increased 25-year return period runoff without creating any hazard to persons or property.
 3. Culverts, bridges, storm sewers or any other facilities which must pass or convey flows from the upstream (i.e., offsite) area that contributes flow to that structure shall be designed in accordance with DEP, Chapter 105 regulations (if applicable) and, at a minimum, pass the increased 25-year return period runoff.
- Q. Where a development site is traversed by watercourse(s), stream buffers (see definition section) shall be provided conforming to the line of such watercourses. The width of the buffers shall be determined as set forth in Section 302.A.3. It shall be prohibited to excavate, place fill, build structures, or make any alterations that may adversely affect the flow of storm water within any portion of the stream buffer unless the proposed work is associated with a regulated wetlands mitigation program. The buffer shall be defined through a deed covenant or shown on an approved subdivision or land development plan that has been recorded.
- R. When it can be shown that, due to topographic conditions, natural drainage ways on the site cannot adequately provide for drainage, open channels may be constructed within natural drainage ways shall be subject to approval by PA DEP through the Joint Permit Application process, or, where deemed appropriate by PA DEP, through the General Permit process.

- S. Any storm water management facilities regulated by this Ordinance that would be located in or adjacent to waters of the Commonwealth or wetlands shall be subject to approval by PA DEP through the Joint Permit Application process, or, where deemed appropriate by PA DEP, through the General Permit process. When there is a question whether wetlands may be involved, it is the responsibility of the Applicant or his agent to show that the land in question cannot be classified as wetlands, otherwise approval to work in the area must be obtained from PA DEP.
- T. Any storm water management facilities regulated by this Ordinance that would be located on or discharging into State highway rights-of-way shall be subject to approval by the Pennsylvania Department of Transportation (PA DOT).
- U. Minimization of impervious surfaces and infiltration of runoff through seepage beds, infiltration trenches, etc. are encouraged, where soil conditions permit, to reduce the size or eliminate the need for detention facilities.
- V. Roof drains must not be connected to sanitary sewers. Roof drains must not be connected to streets, storm sewers, or roadside ditches to promote overland flow and infiltration/percolation of storm water. However, when it is more advantageous to connect directly to streets, storm sewers or roadside ditches, it shall be permitted on a case by case basis as determined by the Municipal Engineer.

(Ord. 2004-7, 7/26/04)

§410. Water Quality Requirements.

- W. Applicant shall comply with the following water quality requirements unless otherwise exempted by provisions of this ordinance.
 - 1. Applicants will provide adequate storage and treatment facilities necessary to capture and treat a volume of storm water runoff termed as the "Water Quality Volume" which is calculated in accordance with the following:

The Water Quality Volume (WQV) is the storage capacity needed to treat storm water runoff equivalent to a minimum of the first 1.5 inches of runoff (from Appendix F, "Pennsylvania Handbook of BMPs for Developing Areas", page F02 for Region 2, value of 1.48" is rounded to 1.50") from the developed areas of the site. The following calculation is used to determine the storage volume, WQV in acre-feet of storage:

$$WQV = [(1.50)(Rv)(A)] / 12$$

where: WQV=Water Quality Volume in acre-feet
 A=Area in acres
 $R_v=0.05 + 0.009(l)$
 l=Impervious cover in percent (e.g., l=50 for 50%
 impervious cover)

WQV shall be designed as part of a storm water management facility that incorporates water quality BMPs as a primary benefit of using that facility, in accordance with design specifications contained in "Pennsylvania Handbook of BMPs for Developing Areas", 1998.

2. The applicant shall first provide infiltration facilities in areas where soils are suitable for infiltration and shall direct the runoff from impervious surfaces into those infiltration facilities. A qualified soil scientist, geologist, or hydrogeologist shall characterize the infiltration characteristics of the site by conducting infiltration tests and developing a soil profile through test pitting in the proposed infiltration area. If the soils are not suitable for infiltration, Applicant shall submit documentation from a registered soil scientist, geologist, or hydrogeologist documenting the soil characteristics and receive a waiver from the Municipal Engineer. See Section 303 for the groundwater recharge requirements.
3. If a perennial or intermittent stream passes through the development site, the Applicant shall create a stream buffer conforming to the line of such watercourses and extending a minimum of 50 feet to either side of the top of the bank of the channel. The buffer area shall be maintained with appropriate vegetation as referenced in Appendix E of this Ordinance. The Municipality may select a smaller buffer width if desired, but never less than 10 feet. If the applicable rear or side yard setback is less than 50 feet, the buffer width may be reduced to 25 percent of the setback to a minimum of 10 feet. If an existing buffer is legally prescribed (e.g., deed covenant, easement, etc.) and it exceeds the requirement of this Ordinance, the existing buffer shall be maintained.
4. Detain the 1-year, 24-hour post-development design storm runoff based on using the SCS Type II distribution from the contributing watershed (after development). Provisions shall be made so that the detained runoff takes a minimum of 24 hours to drain from the facility from a point where the maximum volume of water is captured, (i.e., the maximum water surface elevation is achieved in the facility). Release of

water can begin at the start of the storm (i.e., the invert of the water quality orifice is at the invert of the facility). The design of the facility shall consider and minimize the chances of clogging and sedimentation potential. The Applicant may also utilize infiltration facilities in lieu of extended detention. The volume of infiltration provided for the contributing area may be deducted from the volume requirement for extended detention.

- X. The Applicant shall submit designs for water quality facilities to the Municipal Engineer for review and approval. Such designs may achieve the water quality objectives through a combination of BMPs.
- Y. In selecting the appropriate BMPs or combinations thereof, the Applicant shall consider the following:
 - 1. Total contributing area
 - 2. Permeability and infiltration rate of the site soils
 - 3. Slope and depth to bedrock
 - 4. Seasonal high water table
 - 5. Proximity to building foundations and well heads
 - 6. Erodibility of soils
 - 7. Land availability and configuration of the topography
 - 8. Consistency with approved watershed and storm water management plans or regulations
- Z. The following additional factors shall be considered when evaluating the suitability of BMPs used to control water quality at a given development site:
 - 1. Peak discharge and required volume control
 - 2. Stream bank erosion
 - 3. Efficiency of the BMPs to mitigate potential water quality problems
 - 4. The volume of runoff that will be effectively treated
 - 5. The nature of the pollutant being removed
 - 6. Maintenance requirements
 - 7. creation/protection of aquatic and wildlife habitat
 - 8. Recreational value
 - 9. Enhancement of aesthetic and property value
- AA. It is prohibited to discharge concentrated runoff (i.e., in channels, culverts, or storm sewers) into sinkholes unless prior approval is granted by the Municipal Engineer. If sinkholes develop during construction, the Applicant shall seal and backfill

(26, §410, cont'd)

(26, §412, cont'd)

the sinkhole in a manner acceptable to the Municipal Engineer. If existing sinkholes are to be sealed during construction, the Applicant shall submit a sinkhole repair plan for approval by the Municipal Engineer.

(Ord. 2004-7, 7/26/04)

§411. Groundwater Recharge Requirements.

BB. Applicant shall maintain annual groundwater recharge consistent with pre-development conditions, but infiltrating an amount of runoff equal to the "Recharge volume" (based on the average annual infiltration rate based on the prevailing hydrologic soil groups present at a site). The Recharge Volume (Rev) may be part of the Water Quality Volume. The groundwater recharge is calculated in accordance with the following formula, but shall not be less than the net increase in runoff from the 2-year storm event:

$$\text{Rev} = [(s)(Rv)(A)] / 12$$

where:

Rev=Recharge Volume in acre-feet

S=Soil Specific Recharge factor

A=Area in acres

Rv=0.05+0.009(l)

l=Impervious cover in percent (e.g., l=50 for 50% impervious cover)

The soil specific Recharge factor varies according to soil type. For the Kishacoquillas Creek watershed, the following factors should be used:

Hydraulic Soil Group	Soil Specific Recharge Factor(s)
A	0.41
B	0.27
C	0.14
D	0.07

(Ord. 2004-7, 7/26/04)

§412. Storm Water Management Districts.

CC. The Kishacoquillas Creek watershed has been divided into two (2) storm water management districts as shown on the watershed Map in Appendix D.

B. Standards for managing runoff from each subarea in the Kishacoquillas Creek watershed for the 2, 10, 25, 50, and 100-year design storms are shown below. Development sites located in each of the districts must control post-development runoff rates to pre-development runoff rates for the design storms as follows:

District	Control Criteria
100%	Post-development peak discharge for all design storms must be no greater than pre-development peak discharges.
75%	Post-development peak discharge for all design storms must be no greater than 75 percent of the pre-development peak discharges.

C. If a proposed development located in a 75% Release Rate District incorporates infiltration facilities that achieve the Groundwater Recharge Requirements specified in Section 303, then the Release Rate for the development shall be increased to 100%.

(Ord. 2004-7, 7/26/04)

§413. Storm Water Management District Implementation Provisions (Performance Standards).

DD. General-Post-development rates of runoff from any regulated activity shall not exceed the peak release rates of runoff prior to development for the design storms specified on the Storm Water Runoff Peak Rate Districts Map, Ordinance Appendix D and Section 302, of the Ordinance.

EE. District Boundaries-The boundaries of the Storm Water Management Districts are shown on an official map, which is available for inspection at the municipal office. A copy of the official map at a reduced scale is included in Appendix D of this Ordinance. The exact location of the Storm Water Management District boundaries as they apply to a given development site shall be determined by mapping the boundaries using the two-foot topographic contours (or most accurate data required) provided as part of the Drainage Plan.

FF. Sites Located in More Than 1 District-for a proposed development site located within two or more release category subareas, the peak discharge rate from any subarea shall be the pre-development peak discharge for each subarea multiplied by the applicable release rate. The calculated peak discharges shall apply regardless of whether the grading plan changes the drainage area by subarea. An exception to the above may be granted if discharges from multiple subareas re-combine in proximity to the site. In this case, peak discharge in any direction may be a 100% release rate provided that the overall site discharge meets the weighted average release rate.

GG. Off-Site Areas-Off-site Areas that drain through a proposed development site are not subject to release rate

criteria when determining allowable peak runoff rates. However, on-site drainage facilities shall be designed to safely convey offsite flows through the development site.

- HH. Site Areas-Where the site area to be impacted by a proposed development activity differs significantly from the total site area, as determined by the Municipal Engineer, only the proposed development area and areas contributory to the proposed storm water management facilities shall be subject to the release rate criteria.
- II. Regional Detention Alternatives-For certain areas within the study area, it may be more cost-effective to provide one control facility for more than one development site than to provide an individual control facility for each development site. The initiative and funding for any regional runoff control alternatives are the responsibility of prospective Applicants. The design of any regional control basins must incorporate reasonable development of the entire upstream watershed. The peak outflow of a regional basin would be determined on a case-by-case basis using the hydrologic model of the watershed consistent with protection of the downstream watershed areas. "Hydrologic model" refers to the calibrated model as developed for the Storm Water Management Plan.

(Ord. 2004-7, 7/26/04)

§414. Design Criteria for Storm Water Management Facilities.

- JJ. Any storm water management facility (i.e. detention basin) designed to store runoff and requiring a berm or earthen embankment required or regulated by this Ordinance shall be designed to provide an emergency spillway to handle flow up to and including the 100-year post-development conditions. The height of the embankment must be set as to provide a minimum 1.0 foot of freeboard above the maximum pool elevation computed when the facility functions for the 100-year post-development inflow. Should any storm water management facility require a dam safety permit under PADEP Chapter 105, the facility shall be designed in accordance with Chapter 105 and meet the regulations of Chapter 105 concerning dam safety which may be required to pass storms larger than 100-year event.
- KK. Any facilities that constitute water obstructions (e.g., culverts, bridges, outfalls, or stream enclosures), and any work involving wetlands as directed in PA DEP Chapter 105 regulations (as amended or replaced from time to time by PA DEP), shall be designed in accordance with Chapter 105 and will require a permit from PA DEP. Any other drainage conveyance facility that doesn't fall under Chapter 105 regulations must be able to convey, without

damage to the drainage structure or roadway, runoff from the 25-year design storm. [Municipalities may require design based on a larger storm event]. Open channels shall be designed with a minimum of 1.0 foot of freeboard. Any facility that constitutes a dam as defined in PA DEP Chapter 105 regulations may require a permit under dam safety regulations. Any facility located within a PA DOT right of way must meet PA DOT minimum design standards and permit submission requirements. If the primary drainage facilities do not have capacity for future flows, then a safe drainage path shall be provided to convey up to the 100-year design storm without impacting structures.

- LL. Storm sewers must be able to convey post-development runoff from a 10-year design storm without surcharging inlets. Road culverts must be designed in accordance with Penn DOT standards.
- MM. Storm inlets, storm sewers, culverts, and open channels shall be designed without consideration of the impact of karst terrain on runoff rates.
- NN. Adequate erosion protection shall be provided along all open channels, and at all points of discharge.
- OO. The Design of all storm water management facilities shall incorporate sound engineering principles and practices. The Municipal Engineer shall reserve the right to disapprove any design that would result in the occurrence or continuation of an adverse hydrologic or hydraulic condition within the watershed.
- PP. Storm drain conveyance system stability (swales, open channels, and pipe discharge aprons) shall be computed using a 10-year period peak runoff rate.
- QQ. Storm sewers, where required by zoning and land use densities, shall be placed under or immediately adjacent to the roadway side of the curb, or as directed by the Municipal Engineer, when parallel to the street within the right-of-way.

(Ord. 2004-7, 7/26/04)

§415. Calculation Methodology. Storm water runoff from all development sites shall be calculated using either the rational method or a soil-cover-complex methodology.

- RR. Any storm water runoff calculations involving drainage areas greater than 200 acres, including on- and off-site areas, shall use a generally accepted calculation technique that is based on the NRCS soil cover complex

method. Table 307-1 summarizes acceptable computation methods. It is assumed that all methods will be selected by the design professional based on the individual limitations and suitability of each method for a particular site.

- SS. All calculations consistent with this Ordinance using the soil cover complex method shall use the appropriate design rainfall depths for the various return period storms presented in Table A-1 in Appendix A of this Ordinance. If a hydrologic computer model such as PSM or HEC-1 is used for storm water runoff calculations, then the duration of rainfall shall be 24 hours. The NRCS curve shown in Figure A-1, Appendix A of this Ordinance shall be used for the rainfall distribution.
- TT. For the purposed of predevelopment flow rate determination, undeveloped land shall be considered as "meadow" good condition, type "B" soil (RCN=58, Rational "c"=0.12), unless the natural ground cover generates a lower curve number or Rational 'C' value (e.g. forest).

TABLE 307-11

ACCEPTABLE COMPUTATION METHODOLOGIES FOR STORM WATER MANAGEMENT PLANS

Method	Method Developed By	Applicability
TR-20 or commercial Package Based on TR-20	USDA-NRCS	when use of full model is desirable or necessary
TR-55 or Commercial Package Based on Tr-55	USDA-NRCS	Applicable for plans within the models limitations
HEC-HMS	U.S. Army Corps. Of Engineers	when use of full model is desirable or necessary
PSRM	Penn State Univ.	when use of full model is desirable or necessary
Rational Method or commercial package based on Rational Method*	Emil Kuiching (1889)	For sites less than 200 acres
Other Methods	Various	As approved by the Municipal Engineer

*Use of the Rational Method to estimate peak discharges from drainage areas that contain more than 100 acres must be approved by the Municipal Engineer.

- UU. All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times of concentration for overland flow and return periods from the Design Storm Curves from PA Department of Transportation Design Rainfall Curves (1986)(Figure A-2). Times of concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of Urban Hydrology for Small Watersheds, NRCS, TR-55 (as amended or replaced from time to time by NRCS). Times of concentration for channel and pipe flow shall be computed using Manning's equation.
- VV. Runoff Curve Numbers (RCN) for both existing and proposed conditions to be used in the soil cover complex method shall be obtained from Table A-2 in Appendix A of this Ordinance.
- WW. Runoff characteristics of off-site areas that drain through a proposed development shall be based on actual existing conditions, not RCN=58 or C=0.12, and shall be assumed to not have any controls implemented on future development (i.e., no release rate restrictions).
- XX. Runoff coefficients C for both existing and proposed conditions for use in the Rational method shall be obtained from Table A-3 in Appendix A of this Ordinance.
- YY. Where uniform flow is anticipated, the Manning equation shall be used for hydraulic computations, and to determine the capacity of open channels, pipes, and storm sewers. Values for Manning's roughness coefficient (n) shall be consistent with Table A-4 in Appendix A of the Ordinance.
- ZZ. Outlet structures for storm water management facilities shall be designed to meet the performance standards of this Ordinance using any generally accepted hydraulic analysis technique or method. Acceptable methods are presented in "Handbook of Hydraulics", by King and Grater (McGraw Hill). In addition, application of computer programs such as HY-8 (Federal Highway Administration) or Flow Master (Haestad Methods) will also be accepted.
- AAA. The design of any storm water detention facilities intended to meet the performance standards of this Ordinance shall be verified by routing the design storm hydrograph through these facilities using the Storage-Indication Method. For drainage areas greater than 20 acres in size, the design storm hydrograph

shall be computed using a calculation method that produces a full hydrograph. The Municipality may approve the use of any generally accepted full hydrograph approximation technique that shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.

- BBB. The Municipality has the authority to require that computed existing runoff rates be reconciled with filed observations and conditions. If the designer can substantiate through actual physical calibration that more appropriate runoff and time-of-concentration values should be utilized at a particular site, then appropriate variations may be made upon review and recommendations of the Municipal Engineer. Calibration shall require detailed gage and rainfall data for the particular site in question.

(Ord. 2004-7, 7/26/04)

§416. Erosion and Sedimentation Requirements.

- CCC. Whenever the vegetation and topography are to be disturbed, such activity must be in conformance with Chapter 102, Title 25, Rules and Regulations, Part 1, Commonwealth of Pennsylvania, Department of Environmental Protection, Subpart C, protection of Natural Resources, Article II, Water Resources, Chapter 102, "Erosion Control," and in accordance with the Mifflin County Conservation District and the standards and specifications of the Municipality.

- DDD. Additional erosion and sedimentation control design standards and criteria that must be or are recommended to be applied where infiltration BMPs are proposed and include the following:

1. Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase, so as to maintain their maximum infiltration capacity.
2. In order to ensure compliance with Chapter 102, the timing of the installation and operation of the infiltration BMP shall be at the discretion of the Municipal Engineer.

(Ord. 2004-7, 7/26/04)

ARTICLE IV-DRAINAGE PLAN REQUIREMENTS

§417. General Requirements. For any of the activities regulated by this Ordinance, the final approval of subdivision

(26, §417, cont'd)

(26, §420)

and/or land development plans, the issuance of any building or occupancy permit, or the commencement of any land disturbance activity may not proceed until the Applicant or his/her agent has received written approval of a Drainage Plan from the Municipality.

(Ord. 2004-7, 7/26/04)

§418. Drainage Plan Contents. The Drainage Plan shall consist of all applicable calculations, maps, and plans. A note on the maps shall refer to the associated computations on erosion and sedimentation control plan by title and date. The cover sheet of the computations and erosion and sedimentation control plan shall refer to the associated maps by title and date. All Drainage Plan materials shall be submitted to the Municipality in a format that is clear, concise, legible, neat, and well organized; otherwise, the Drainage Plan shall be disapproved and returned to the Applicant.

(Ord. 2004-7, 7/26/04)

The following items shall be included in the Drainage Plan:

A. General

ARTICLE IV – DRAINAGE PLAN REQUIREMENTS

§419. General Requirements. For any of the activities regulated by this Ordinance, the final approval of subdivision and/or land development plans, the issuance of any building or occupancy permit, or the commencement of any land disturbance activity may not proceed until the Applicant or his/her agent has received written approval of a Drainage Plan from the Municipality. (Ord. 2004-7, 7/26/04)

§420. Drainage Plan Contents. The Drainage Plan shall consist of all applicable calculations, maps, and plans. A note on the maps shall refer to the associated computations and erosion and sedimentation control plan by title and date. The cover sheet of the computations and erosion and sedimentation control plan shall refer to the associated maps by title and date. All Drainage Plan materials shall be submitted to the Municipality in a format that is clear, concise, legible, neat and well organized; otherwise, the Drainage Plan shall be disapproved and returned to the Applicant.

The following items shall be included in the Drainage Plan:

A. General

1. General description of project.
2. General description of permanent storm water management techniques, including construction specifications of the materials to be used for storm water management facilities.
3. Complete hydrologic, hydraulic, and structural

computations for all storm water management facilities.

B. Ma(s) of the project area shall be submitted on 24-inch x 36-inch sheets and shall be prepared in a form that meets the requirements of the Granville Township Subdivision and land development ordinances and for recording at the offices of the Recorder of Deeds of Mifflin County. The contents of the map(s) shall include, but not be limited to:

1. The location of the project relative to highways, municipalities or other identifiable landmarks.
2. Existing contours at intervals of two (2) feet. In areas of steep slopes (greater than 15 percent), five-foot contour intervals may be used.
3. Existing streams, lakes, ponds, or other bodies of water and wetlands within the project area.
4. Other physical features including flood hazard boundaries, sinkholes, streams, existing drainage courses, areas of natural vegetation to be preserved, and the total extent of the upstream area draining through the site.
5. The locations of all existing and proposed structures and utilities within 50 feet of property lines.
6. An overlay showing soil names and boundaries.
7. Proposed changes to the land surface and vegetative cover, including the type and amount of impervious area that would be added.
8. Proposed structures, roads, paved areas, and buildings.
9. Final contours at intervals at two (2) feet. In areas of steep slopes (greater than 51 percent), five-foot contour intervals may be used.
10. The name of the development, the name and address of the owner of the property, and the name of the individual or firm preparing the plan.
11. The date of the plan, including revisions.
12. A graphic and written scale of a minimum one (1) inch equals no more than fifty (50) feet.
13. A North arrow.
14. The total tract boundary and size with distances marked to the nearest foot and bearings to the nearest

degree.

15. Existing and proposed land use(s).
16. Vertical profiles of all proposed open channels and storm sewers, including hydraulic capacity.
17. Overland drainage paths of proposed swales or channels to convey water.
18. A construction detail of any improvements made to sinkholes and the located of all notes to be posted, as specified in this Ordinance.
19. A statement, signed by the landowner, acknowledging the storm water management system to be a permanent fixture that can be altered or removed only after approval of a revised plan by the Municipality.
20. The following signature block for the Design Engineer: "(Design Engineer), on this date (date of signature), has reviewed and hereby certifies that the Drainage Plan meets all design standards and criteria of the Kishacoquillas Creek Watershed Act 167 Storm Water Management Ordinance.

C. Supplemental Information

1. A written description of the following information shall be submitted.
 - a) The overall storm water management concept for the project.
 - b) Storm water runoff computations as specified in this Ordinance.
 - c) Storm water management techniques to be applied both during and after development.
 - d) Expected project time schedule.
2. A soil erosion and sedimentation control plan, where applicable, including all reviews and approvals, as required by PA DEP.
3. A geologic assessment of the effects of runoff on sinkholes as specified in this Ordinance.
4. The effect of the project (in terms of runoff volumes and peak flows) on adjacent properties and on any existing municipal storm water collection system that may receive runoff from the project site.
5. A Declaration of Adequacy and Highway Occupancy Permit from the PA DOT District Office when utilization of a

PA DOT storm drainage system is proposed.

D. Storm Water Management Facilities

1. All storm water management facilities must be located on a plan and described in detail.
2. When groundwater recharge methods such as seepage pits, beds or trenches are used, the locations of existing and proposed septic tank infiltration areas and wells must be shown.
3. All calculations, assumptions, and criteria used in the design of the storm water management facilities must be shown.

(Ord. 2004-7, 7/26/04)

§421. Plan Submission. For all activities regulated by this Ordinance, the steps below shall be followed for submission. For any activities that require a PA DEP Joint Permit Application and regulated under Chapter 105 (Dam Safety and Waterway Management) or Chapter 106 (Floodplain Management) of PA DEP's Rules and Regulations, require a PA DOT Highway Occupancy Permit, or require any other permit under applicable state or federal regulations, the permit(s) shall be part of the plan.

- A. The Drainage Plan shall be submitted by the Applicant as part of the Preliminary Plan submission for the Regulated Activity.
- B. Four (4) copies of the Drainage Plan shall be submitted.
- C. Distribution of the Drainage Plan will be as follows:
 1. Two (2) copies to the Municipality accompanied by the requisite Municipal Review Fee, as specified in this Ordinance.
 2. One (1) copy to the Municipal Engineer.
 3. One (1) copy to the County Planning Commission/Department

(Ord. 2004-7, 7/26/04)

§422. Drainage Plan Review.

- A. The Municipal Engineer shall review the Drainage Plan for consistency with the adopted Kishacoquillas Creek Watershed Act 167 Storm Water Management Plan. The Municipality shall require receipt of a complete plan, as specified in this Ordinance.
- B. The Municipal Engineer shall review the Drainage Plan for any submission or land development against the municipal subdivision and land development ordinance provisions not

superseded by this Ordinance.

- C. For activities regulated by this Ordinance, the Municipal Engineer shall notify the Municipality in writing whether the Drainage Plan is consistent with the Storm Water Management Plan. Should the Drainage Plan be determined to be consistent with the Storm Water Management Plan, the Municipal Engineer will forward an approval letter to the Developer with a copy to the Municipal Secretary.

- D. Should the Drainage Plan be determined to be inconsistent with the Storm Water Management Plan, the Municipal Engineer will forward a disapproval letter to the Applicant with a copy to the Municipal Secretary citing the reason(s) for the disapproval. Any disapproved Drainage Plans may be revised by the Applicant and resubmitted consistent with this Ordinance.

- E. For Regulated Activities specified in Sections 104.C and 104.D of this Ordinance, the Municipal Engineer shall notify the Municipal Building Permit Officer in writing, within a time frame consistent with the Municipal Building Code and/or Municipal Subdivision Ordinance, whether the Drainage Plan is consistent with the Storm Water Management Plan and forward a copy of the approval/disapproval letter to the Applicant. Any disapproved drainage plan may be revised by the Applicant and resubmitted consistent with this Ordinance.

- F. For Regulated Activities requiring a PA DEP Joint Permit Application, the Municipal Engineer shall notify PA DEP whether the Drainage Plan is consistent with the Storm Water Management Plan and forward a copy of the review letter to the Municipality and the Applicant. PA DEP may consider the Municipal Engineer's review comments in determining whether to issue a permit.

- G. The Municipality shall not approve any subdivision or land development for Regulated Activities specified in Sections 104.A and 104.B of this Ordinance if the Drainage Plan has been found to be inconsistent with the Storm Water Management Plan, as determined by the Municipal Engineer. All required permits from PA DEP must be obtained prior to approval.

- H. The Municipal Building Permit Office shall not issue a building permit for any Regulated Activity specified in Section 104 of this Ordinance if the Drainage Plan has been found to be inconsistent with the Storm Water Management Plan, as determined by the Municipal Engineer, or without considering the comments of the Municipal Engineer. All

required permits from PA DEP must be obtained prior to issuance of a building permit.

- I. The Developer shall be responsible for completing an "As-Built Survey" of all storm water management facilities included in the approved Drainage Plan. The As-Built Survey and an explanation of any discrepancies with the design plans shall be submitted to the Municipal Engineer for final approval. In no case shall the Municipality approve the As-Built Survey until the Municipality receives a copy of an approved Declaration of Adequacy, Highway Occupancy Permit from the PA DOT District Office, and any applicable permits from PA DEP.
- J. The Municipality's approval of a Drainage Plan shall be valid for a period not to exceed one (1) year. This one-year tie period shall commence on the date that the Municipality signs the approved Drainage Plan. If storm water management facilities included in the approved Drainage plan have not been constructed, or if an As-Built Survey of these facilities has not been approved within this one-year time period, then the Municipality shall be resubmitted in accordance with Section 406 of this Ordinance.

(Ord. 2004-7, 7/26/04)

§423. Modification of Plans. A modification to a submitted Drainage Plan for a development site that involves a change in storm water management facilities or techniques, or that involves the relocation or re-design of storm water management facilities, or that is necessary because soil or other conditions are not as stated on the Drainage Plan as determined by the Municipal Engineer, shall require a resubmission of the modified Drainage Plan consistent with Section 419 of this Ordinance and be subject to review as specified in Section 420 of this Ordinance.

A modification to an already approved or disapproved Drainage Plan shall be submitted to the Municipality, accompanied by the applicable review fee. A modification to a Drainage Plan for which a formal action has not been taken by the Municipality shall be submitted to the Municipality, accompanied by the applicable fee.

(Ord. 2004-7, 7/26/04)

§424. Resubmission of Disapproved Drainage Plans. A disapproved Drainage Plan may be resubmitted, with the revisions addressing the Municipal Engineer's concerns documented in writing, to the Municipal Engineer in accordance with Section 419 of this Ordinance and be subject to review as specified in Section 420 of this Ordinance. The applicable Municipality Review Fee must accompany a resubmission of a disapproved Drainage Plan.

(Ord. 2004-7, 7/26/04)

ARTICLE V – INSPECTIONS

(26, §425)

(26, §428)

§425. Schedule of Inspections.

- A. The Municipal Engineer or his municipal assignee shall inspect all phases of the installation of the permanent storm water management facilities.
- B. During any stage of the work, if the Municipal Engineer determines that the permanent storm water management facilities are not being installed in accordance with the approved Storm Water Management Plan, the Municipality shall revoke any existing municipal permits or issue a stop work order until the work is corrected or a revised Drainage Plan is submitted and approved, as specified in this Ordinance.

(Ord. 2004-7, 7/26/04)

ARTICLE IV – FEES AND EXPENSES

§426. General. The fee required by this Ordinance is the Municipal Review Fee. The Municipal Review fee shall be established by the Municipality to defray review costs incurred by the Municipality and the Municipal Engineer. All fees shall be paid by the Applicant. (Ord. 2004-7, 7/26/04)

§427. Municipality Drainage Plan Review Fee. The Municipality shall establish a Review Fee Schedule by separate resolution of the municipal governing body based on the size of the Regulated Activity and based on the Municipality's costs for reviewing Drainage Plans. The Municipality shall periodically update the Review Fee Schedule to ensure that review costs are adequately reimbursed. (Ord. 2004-7, 7/26/04)

§428. Expenses Covered by Fees. The fees required by this Ordinance shall at a minimum cover:

- A. Administrative Costs.
- B. The review of the Drainage Plan by the Municipality and the Municipal Engineer.
- C. The site inspections.
- D. The inspection of storm water management facilities and drainage improvements during construction.
- E. The final inspection upon completion of the storm water management facilities and drainage improvements presented in the Drainage Plan.

(Ord. 2004-7, 7/26/04)

(26, §429)

(26, §431)

§429. Additional Costs. Developer will be invoiced for any additional costs incurred by the Municipality in the course of reviewing the development plan. These costs may include, but are not limited to, special studies by qualified engineers or surveyors, field reconnaissance, and testing.
(Ord. 2004-7, 7/26/04)

ARTICLE VII - MAINTENANCE RESPONSIBILITIES

§430. Performance Guarantee. The applicant shall provide a financial guarantee to the Municipality for the timely installation and proper construction of all storm water management controls as required by the approved storm water plan and this Ordinance equal to the full construction cost of the required controls. (Ord. 2004-7, 7/26/04)

§431. Maintenance Responsibilities.

- A. The Drainage Plan for the development site shall contain an operation and maintenance plan prepared by the Applicant and approved by the Municipal Engineer. The operation and maintenance plan shall outline required routine maintenance actions and schedules necessary to ensure proper operation of the facility (ies).
- B. The Drainage Plan for the development site shall establish responsibilities for the continuing operating and maintenance of all proposed storm water control facilities, consistent with the following principals:
 1. If a development consists of structures or lots that are to be separately owned and in which streets, sewers and other public improvements are to be dedicated to the Municipality, storm water control facilities may also be dedicated to and maintained by the Municipality.
 2. If a development site is to be maintained in a single ownership or if sewers and other public improvements are to be privately owned and maintained, then the ownership and maintenance of storm water control facilities shall be the responsibility of the owner or private management entity.
- C. The governing body, upon recommendation of the Municipal Engineer, shall make the final determination on the continuing maintenance responsibilities prior to final approval of the Drainage Plan. The Municipality reserves the right to accept the ownership and operating responsibility for any or all of the storm water management controls.

(Ord. 2004-7, 7/26/04)

§432. Maintenance Agreement for Privately Owned Storm Water Facilities.

- A. Prior to final approval of the site's storm water management plan, the property owner shall sign and record a maintenance agreement covering all storm water control facilities that are to be privately owned. Said agreement shall be substantially in the form of the Agreement, designated as Appendix C, that is attached and made part hereto.
- B. Other items may be included in the agreement where determined necessary to guarantee the satisfactory maintenance of all facilities. The maintenance agreement shall be subject to the review and approval of the Municipal Solicitor and governing body.

(Ord. 2004-7, 7/26/04)

§433. Municipal Storm Water Maintenance Fund.

- A. If storm water facilities are accepted by the municipality for dedication, persons installing storm water storage facilities shall be required to pay a specified amount to the Municipal Storm Water Maintenance Fund to help defray costs of periodic inspections and maintenance expenses. Payment can be in the form of an irrevocable letter of credit, a restricted escrow account, or a corporate security bond. The amount of the deposit shall be determined as follows:
 - 1. If the storage facility is to be owned and maintained by the Municipality, the deposit shall cover the estimated costs for maintenance and inspections for five (5) years. The Municipal Engineer will establish the estimated costs utilizing information submitted by the applicant.
 - 2. The amount of the deposit to the fund shall be converted to present worth of the annual series values. The Municipal Engineer shall determine the present worth equivalents, which shall be subject to the approval of the municipal governing body.
- B. If a storage facility is proposed that also serves as a recreation facility (e.g. ballfield, pond), the Municipality may reduce or waive the amount of the maintenance fund deposit based upon the value of the land for public recreation purpose.
- C. If at some future time a storage facility (whether publicly or privately owned) is eliminated due to the installation of storm sewers or other storage facility, the unused portion of the maintenance fund deposit will be applied to the cost of abandoning the facility and connecting to the storm sewer system or other facility. Any amount of the deposit

remaining after the costs of abandonment are paid will be returned to the depositor.
(Ord. 2004-7, 7/26/04)

§434. Post-Construction Maintenance Inspections.

- A. Storm water detention and retention basins or facilities shall be inspected by, or under the direction of a registered professional engineer on behalf of the land owner/Applicant or responsible entity (including the Municipal Engineer for dedicated facilities) on the following basis:
1. Annually for the first 5 years.
 2. Once every 3 years thereafter,
 3. During or immediately after the cessation of a 100-year or greater storm event.
- B. The entity conducting the inspection shall be required to submit a report to the Municipality within one (1) month following completion of the inspection. The report will present documentation regarding the condition of the facility and recommending necessary repairs, if needed. Any needed repairs shall be implemented by the Owner within 1 month of the report issuance date.

ARTICLE VIII – ENFORCEMENT AND PENALTIES

§435. Right-of-Entry. Upon presentation of proper credentials, duly authorized representatives of the Municipality may enter at reasonable times upon any property within the Municipality to inspect the condition of the storm water structures and facilities in regard to any aspect regulated by this Ordinance.

§436. Notification. In the event that a person fails to comply with the requirements of this Ordinance, or fails to conform to the requirements of any permit issued hereunder, the Municipality shall provide written notification of the violation. Such notification shall set for the nature of the violation(s) and establish a time limit for correction of these violation(s). Failure to comply within the time specified shall subject such person to the penalty provision of this Ordinance. All such penalties shall be deemed cumulative and shall not prevent the Municipality from pursuing any and all other remedies. It shall be the responsibility of the owner of the real property on which any Regulated Activity is proposed to occur, is occurring, or has occurred, to comply with the terms and conditions of this Ordinance.

§437. Enforcement. The Municipality is hereby authorized and directed to enforce all of the provisions of this Ordinance. All inspections regarding compliance with the drainage plan shall be the responsibility of the Municipal Engineer or other qualified persons designated by the Municipality.

- A. A set of design plans approved by the Municipality shall be on file at the site throughout the duration of the construction activity. Periodic inspections may be made by the Municipality or its designee during construction.
- B. It shall be unlawful for any person, firm or corporation to undertake any regulated activity under Section 404 on any property except as provided for in the approved drainage plan and pursuant to the requirements of this Ordinance. It shall be unlawful to alter or remove any control structure required by the Drainage Plan pursuant to this Ordinance or to allow the property to remain in a condition, which does not conform to the approved Drainage Plan.
- C. At the completion of the project, and as a prerequisite for the release of the performance guarantee, the Applicant or his representative shall:
 1. Provide a certification of completion from an engineer, architect, surveyor or other qualified person verifying that all permanent facilities have been constructed according to the plans and specifications and approved revisions thereto.
 2. Provide a printed set of as-built drawings to the Municipality.
- D. After receipt of the certification by the Municipality, a final inspection shall be conducted by the Municipality or its designee to certify compliance with this Ordinance.
- E. Suspension and Revocation of Permits.
 1. Any Municipal permit issued under this Ordinance may be suspended or revoked or a stop work order may be issued by the governing body for:
 - a) Non-compliance with or failure to implement any provision of the permit.
 - b) A violation of any provision of this Ordinance or any other applicable law, ordinance, rule or regulation relating to the project.
 - c) The creation of any condition or the commission of any act during construction or development which constitutes or creates a hazard or nuisance, pollution or which endangers the life or property of others, or as outlined in Article IX of this Ordinance.
 2. A suspended permit shall be reinstated by the

Municipality when:

- a) The Municipal Engineer or his designee has inspected and approved the corrections to the storm water management and erosion and sediment pollution control measure(s), or the elimination of the hazard or nuisance, and/or;
- b) The Municipality is satisfied that the violation of the ordinance, law, or rule and regulation has been corrected.
- c) A permit that has been revoked by the Municipality cannot be reinstated. The Applicant may apply for a new permit under the procedures outlined in this Ordinance.

F. Occupancy Permit

An occupancy permit shall not be issued by the Municipality unless all requirements of this Ordinance have been met. The occupancy permit shall be required for each lot owner and/or Applicant for all subdivisions and land development in the Municipality.

§438. Public Nuisance.

- A. The violation of any provision of this Ordinance is hereby deemed a Public Nuisance.
- B. Each day that a violation continues shall constitute a separate violation.

§439. Enforcement Remedies.

- A. Anyone violating the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than \$500 for each violation plus court costs or imprisonment of not more than 30 days, or both. Each day that the violation continues shall be a separate offense.
- B. In addition, the Municipality, through its solicitor, may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. 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.

§440. Appeals.

- A. Any person aggrieved by any action of the Municipality or

(26, §440, cont'd)

(26, §441)

its designee, relevant to the provisions of this ordinance, may appeal to the Municipality within thirty (30) days of that action.

B. Any person aggrieved by any decision of the Municipality, relevant to the provisions of this Ordinance, may appeal to the County Court of Common Pleas in the County where the activity has taken place within thirty (30) days of the Municipality's decision.

§441. Effective Date. This ordinance is effective from the date and time of enactment.

*Appendix A-B-C are in paper format only.

CHAPTER 27

ZONING

(See Separate Book)

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 content of the ordinances and resolutions is indexed, in all necessary detail, in the general index at the end of this volume. 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 ordinances)

Appendix B

Bond Issues and Loans

<u>Ord./Res.</u>	<u>Date</u>	<u>Subject</u>
-/-/1956	-/-/1956	Authorize to increased indebtedness by (\$12,000.00)
-/-/1957	-/-/1957	Authorize the increase of the municipal debt to (\$17,000.00) providing funds for disposal of refuse material
1986-1	2/11/1986	Authorize to increase indebtedness of (\$130,000.00) known as the Nonelectoral Debt
1991-2	8/12/1991	Authorize indebtedness of Municipal Authority (\$4,141,900) to install sewer system and plant
1993-2	7/26/1993	Authorize indebtedness (\$400,000) to build new township building
1998-1	11/18/1998	Authorize indebtedness of Township Sewer & Water Dept. (\$4,790,000) for sewer system & plant
1999-4	7/12/99	Authorize indebtedness of Township PennVest Loan Strodes Mills Sewer
2001-3	6/11/01	Increasing indebtedness revenue bond \$300,000.00
2001-5	8/27/01	increasing indebtedness revenue note \$750,000.00
2002-5	11/12/02	increasing indebtedness revenue bond \$500,000.00
2002-7	12/23/02	increasing indebtedness revenue bond \$500,000.00
2003-2	8/11/03	increasing indebtedness general obligation bond \$450,000.00
2005-4	2/11/05	increasing indebtedness general obligation bond \$4,630,000.00
2005-7	7/5/05	increasing indebtedness general obligation bond \$111,295.00
2009-1	7/6/2009	increasing indebtedness guaranteed Revenue bond \$111,000.00

Appendix B Continued

2010-4	9/7/2010	increasing indebtedness general obligation bond \$140,000.00
2012-1	1/3/2012	Increasing indebtedness \$40,000 For police vehicle
2013-2	4/1/2013	Increasing indebtedness \$40,000 For police vehicle
2013-3	4/1/2013	Line of Credit
2015-2	7/6/2015	Increasing indebtedness \$42,125 For police vehicle
2015-4	10/5/2015	Increasing indebtedness \$80,000 For Road Dump Truck
2016-2	6/6/2016	Paving Financing \$230,000
2017-2	4/3/2017	Police Vehicle Financing \$49,783

Appendix C

Franchise and Services

(Reserved to accommodate future ordinances)

Appendix D

Governmental and Intergovernmental Affairs

<u>Ord./Res.</u>	<u>Date</u>	<u>Subject</u>
1983-4A	9/23/83	Approving a joint municipal agreement for police service between Borough of Juniata Terrace and Township of Granville
1991-4	12/23/1991	Membership in the Mifflin County COG
1992-1	4/27/92	Approving a joint municipal agreement for police service between Borough of Burnham and Township of Granville
1993-3	10/11/93	First amendment to the joint municipal agreement for police services between Borough of Burnham and Township of Granville
1995-9	12/19/1995	Amending joint municipal agreement for police services between Borough of Burnham and Granville Township
1997-1	2/10/97	Amending joint municipal agreement for police services between Borough of Burnham and Granville Township
1999-5	8/9/99	Withdraw from PMRS Pension Plan
2001-2	5/14/01	Intermunicipal wastewater Conveyance with Derry Sewer Authority and Lewistown Borough
2005-1	2/7/05	Police Pension Plan Document
2005-5	4/4/05	Non-Uniform Pension Plan EGTRRA amendment
2010-1	2/1/10	Approving a joint municipal agreement with Derry Twp. For maintaining roads affected by boundary line correction
2011-8	5/2/2011	Agreement for Tax Coll. Ext.

Appendix D Continued

Governmental and Intergovernmental Affairs

<u>Ord./Res.</u>	<u>Date</u>	<u>Subject</u>
2016-4	8/1/2016	CDBG Agreement for administration
2016-7	12/28/2016	Join PLGIT to enable Sewer & water customers To be able to make pyts. with credit & debit cards

Appendix E

Plan Approval

(Reserved to accommodate future ordinances)

Appendix F
Public Property

(Reserved to accommodate future ordinances)

Appendix G
Sewers

<u>Ord./Res.</u>	<u>Date</u>	<u>Subject</u>
1968-6	-/-/1968	Authorizing the fixing of fees in connection with applications for permits
2/25/1971	2/25/1971	Approving the comprehensive area wide water and sewer plan for Mifflin County
1982-1	9/2/1982	Authorizing the acquisition of a part of the community sewage collection and disposal system
1983-3	7/-/1983	Approving the 1982 agreement for the acceptance and treatment, at Lewistown Wastewater Treatment Plant
1985-1	6/24/1985	Authorizing the acquisition by gift of a part of the community sewage collection and disposal system
1994-1	6/27/1994	Guaranty agreement for indebtedness to install sewer system
1994-2	6/27/1994	Guaranty agreement for indebtedness to install sewer system
1995-3	2/27/1995	General Obligation Bond for the Building
1995-7	8/7/1995	Guaranty Agreement for indebtedness to install sewer System
2001-2	5/14/2001	Intermunicipal Wastewater Conveyance Agreement with Derry Township Sanitary Sewer Authority and the Borough of Lewistown
2001-3	6/11/2001	Guaranteed Revenue Bond \$300,000
2004-1	2/09/2004	Guaranteed Revenue Note
2008-1	7/07/2008	Guaranteed Revenue Bond \$500,000

Appendix G continued

<u>Ord./Res.</u>	<u>Date</u>	<u>Subject</u>
2010-5	9/7/2010	Refinancing GOB Sewer
2011-10	9/6/2011	Agreement w/Bratton Twp.
2012-2	3/5/2012	Sewer Line of Credit
2012-4	6/4/2012	Sewer Line of Credit
2014-3	4/7/2014	GOB 2014
2015-3	8/3/2015	Sewer Bond Refinancing 2010 & 2014

Appendix H

Streets and Sidewalks

This appendix contains an alphabetical listing of streets, and under each street a chronological listing of all ordained activities.

<u>Name</u>	<u>Activity</u>	<u>Location</u>	<u>Ord./Res.</u>	<u>Date</u>
TR371	Renaming	Ridge Ave. chgd. to Klondyke Drive	3/27/69	3/27/69
Helen St.	Vacating	A portion along the south side of Helen St.	1979	7/18/79
Belle Ave	Abandoned	A portion of the Ave, west of the Tavern and the alley North of the Tavern	2004-2	3/8/2004
Road 664		The portion is bordered On all sides by property Of William H. Snedeker And Blanche L. Snedeker.	2007-3	5/7/2007
TR 778	Brannon Lane	Widening Brannon Lane to provide for a Cul-de-sac style turning area at its Terminus		
Henderson Street	Vacating	Henderson Street in its entirety		

Appendix I

Water

(Reserved to accommodate future ordinances)

Appendix J

Zoning; Prior Ordinances

<u>Ordinance</u>	<u>Date</u>	<u>Effective Date</u>
1997-2	7/28/97	1/1/98
2002-2	9/9/02	9/9/02
2006-4	07/03/06	07/03/06
2006-5	10/02/06	10/02/06
2007-5	08/06/07	08/06/07
2014-2	04/07/14	04/12/14

KEY TO THE DISPOSITION OF ORDINANCES AND RESOLUTIONS
OF GRANVILLE TOWNSHIP

<u>Ord./Res.</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
6/28/1946	Superseded by	1988-1	Motor Vehicles
-/-/1956	Superseded by	1986-2	Solid Waste
-/-/1956	Appendix	B	Obligation Bond
-/-/1957	Superseded by	1986-2	Solid Waste
-/-/1957	Appendix	B	Increase Indebtedness
4/-/1959	Chapter 24	101-104	Per Capita Tax
4/10/1959A	Repealed by	1988-1	Trailer Tax
4/10/1959B	Chapter 24	201-217	Realty Transfer
12/-/1967A	Chapter 10	201-208	Weeds
12/-/1967B	Chapter 13	101-114	Junk Dealers
12/-/1967C	Chapter 10	101-108	Junk Autos Stored
1968-5	Chapter 18	401-406	Sewer Permits
1968-6	Appendix	G	Sewer Fees
3/27/1969	Appendix	H	Renaming a Street
11/6/1970	Chapter 6	101-103	Curfew
2/25/1971	Appendix	G	Approving Sewer Plan
12/23/1971	Chapter 7	101-103	Open Fires (Outdoor)
74	Chapter 21	101-106	Street Permit
1975	Chapter 18	101-104	Holding Tanks
1975-1	Chapter 4	101-110	Building Permits
1979	Appendix	H	Vacating a Street
1980-1	Chapter 8	101-112	Flood Plains
1980-1	Chapter 8	101, 103 108, 112	Flood Plains
1981-2	Superseded by	1988-1	Parking
1982-1	Appendix	G	Authorizing Sewage
1983-1	Superseded by	1988-1	Parking
1983-2	Superseded by	1988-1	Parking
1983-3	Appendix	G	Sewer Agreement w/Lewistown Bor.
1983-4	Chapter 18	201-206	Sewer Connection
1983-4A	Appendix	D	Police Agreement
1983-5	Chapter 18	301-307	Sewer Connection
1983-6	Chapter 18	501-507	Sewer Rates
1983-7	Superseded by	1988-1	Parking
1984-1	Chapter 18	502	Sewer Rates
1984-2	Superseded by	1988-1	Weight Limits
1984-5	Chapter 6	201-205	Alcoholic Beverages
1984-6	Chapter 8	113-116	Flood Plains
1985-1	Appendix	G	Authorizing Sewage
1985-2	Superseded by	1988-1	Speed Limits
1985-3	Chapter 1	201-224	Police Pens. Plan

<u>Ord/Res</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
1985-4	Chapter 8	103, 105 106	Flood Plain
1985-5	Chapter 18	506	Sewer Connection
1985-6	Chapter 10	301-322	Health and Safety
1985-7	Chapter 1	101-108	Compensation of Board
1986-1	Appendix	B	Increase Indebtedness
1986-2	Chapter 20	101-109	Solid Waste
6/8/1987	Superseded by	1988-1	Weight Limits
1987-2	Superseded by	1988-1	Speed Limits
1987-3	Chapter 24	201-219	Realty Transfer Tax
1987-4	Chapter 8	101, 108 110, 114	Floodplain Amendments
1989-1	Chapter 10	103	Storage of Vehicles
1989-2	Chapter 1	203, 207 208	Police Pension Plan
1989-3	Chapter 18	405	Sewage Disposal Fee
1989-4	Chapter 6	301-303	Prohibited Activities
1989-5	Chapter 23	101-115	Swimming Pools
1989-6	Chapter 8	101, 103 108-109 111-112, 115	Flood Plain Amendments
6-26-1989	Chapter 23	104	Swimming Pool Enclosures
1989-7	Chapter 18	Part 6	Lease Rental Debt
1989-8	Chapter 21	Part 2	Snow Removal from Sidewalks
1989-10	Chapter 1	301-327	Municipal Pension Plan
1990-1	Chapter 1	309	Municipal Pension Plan
1990-2	Chapter 18	Part 2	Sewer
1990-3	Chapter 18	Part 7	Sewer Authority
1990-4	Chapter 18	Part 8	Sewer
1990-5	Chapter 18	Part 9	Sewer
1990-6	Chapter 16	Part 1	Malta Park Regulations
1990-7	Chapter 15	207	One-way Streets
1990-8	Chapter 15	403	Parking
1990-9	Chapter 15	Part 3	Truck Traffic
1990-10	Chapter 15	201	Speed Limits

<u>Ord/Res</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
1990-11	Chapter 1	309	Municipal Pension Plan
1991-1	Chapter 18	Part 10	Privy
1991-2	Appendix	G	Incurred Indebtedness
1991-3	Chapter 15	201	Speed Limit
1991-4	Appendix	D	COG
1992-1	Appendix	D	Police Agreement
1992-2	Chapter 7	Part 1	Outdoor Open Fires
1992-3	Chapter 10	Part 1	Junk Cars
1992-4	Chapter 15	Part 2	Speed Limits
1992-5	Chapter 15	Part 4	Parking Reg.
1992-6	Chapter 7	Part 1	Outdoor Open Fires
1992-7	Chapter 18	Part 4	Fee Amount
1992-8	Chapter 26	Part 1	Use of public water
1992-9	Appendix	B	\$300,000 Sewer Borrowing
1992-10	Chapter 26	Part 2	Hawstone Water
1993-1	Chapter 18	Part 11	COLDS
1993-2	Appendix	B	Building Mortgage
1993-3	Appendix	D	Burnham Pol. Agr.
1993-4	Chapter 8	Part 1	Floodplain
1993-5	Chapter 1	Part 5	Plan. Com.
1993-6	Chapter 1	Part 1	Comp. to Sup.
1993-7	Chapter 1	Part 3	Non-Uniform Retirement
1994-1	Appendix	G	Guaranty Agreement
1994-2	Appendix	G	Guaranty Agreement
1995-1	Chapter 21	Part 1	Street Excavations and Openings
1995-2	Chapter 15	Part 2	Stop intersections
1995-3	Appendix	G	Guaranty Agreement
1995-4	Chapter 18	Part 4	Fee Amount
1995-5	Chapter 21	Part 1	Backfilling
1995-6	Chapter 15	Part 2	Stop Intersections
1995-7	Appendix	G	Guaranty Agreement
1995-8	Chapter 13	Part 2	TV Franchising
1995-9	Appendix	D	Jt. Agr. with Burnham Boro.
1995-10	Chapter 15	Part 3	Truck Traffic
1995-11	Chapter 1	Part 1	Supervisors Comp
1996-1	Chapter 4	Part 1	Amending fees
1996-2	Chapter 15	Part 3	weight Limits
1996-3	Chapter 15	Part 2	Stop Signs

<u>Ord/Res</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
1997-1	Appendix	D	Jt. Agr. with Burnham Boro.
1997-2	Chapter 27	Part 1	Zoning Requirements
	Appendix	J	
1997-3	Chapter 2	Part 1	Penalties
	Chapter 2	Part 2	Penalties
	Chapter 2	Part 3	Penalties
1997-3	Chapter 4	Part 1	Penalties
	Chapter 6	Part 1	Penalties
	Chapter 6	Part 2	Penalties
	Chapter 6	Part 3	Penalties
	Chapter 7	Part 1	Penalties
	Chapter 8	Part 1	Penalties
	Chapter 10	Part 1	Penalties
	Chapter 10	Part 2	Penalties
	Chapter 10	Part 3	Penalties
	Chapter 13	Part 1	Penalties
	Chapter 16	Part 1	Penalties
	Chapter 18	Part 1	Penalties
	Chapter 18	Part 2	Penalties
	Chapter 18	Part 4	Penalties
	Chapter 18	Part 5	Penalties
	Chapter 18	Part 10	Penalties
	Chapter 18	Part 11	Penalties
	Chapter 20	Part 1	Penalties
	Chapter 21	Part 1	Penalties
	Chapter 21	Part 2	Penalties
	Chapter 23	Part 1	Penalties
	Chapter 24	Part 4	Penalties
	Chapter 26	Part 1	Penalties
1998-1	Appendix	B	Bond Issue
1999-1	Chapter 15	Part 2	Speed limits
	Chapter 15	Part 4	Penalties
	Chapter 21	Part 1	Driveways
	Chapter 26	Part 1	Water Use Required
	Chapter 27	Appendix A	Fees
1999-2	Chapter 1	Part 2	Police Pension
1999-3	Chapter 1	Part 3	Non-Uniform Employee Pension
1999-4	Appendix	B	Bond Issue
1999-5	Appendix	D	Withdraw from PMRS Pension
1999-6	Chapter 15	Part 2	Speed Limits
2000-1	Chapter 13	Part 3	False Alarms
2000-2	Chapter 1	Part 6	Attorney Fees
2000-3	Chapter 26	Part 3	Water
2000-4	Chapter 21	Part 3	Sidewalks
2001-1	Chapter 1	Part 7	Township Manager
2001-2	Appendix	D	Intergov't. agr.
2001-3	Appendix	B	Revenue Bond
2001-4	Chapter 15	Part 2	Stop Signs
2001-5	Appendix	B	Revenue Note
2002-1	Chapter 15	Part 4	No Parking
2002-2	Appendix	J	Building height

<u>Ord/Res</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
2002-3	Chapter 4	Part 2	Property Maintenance Code
2002-4	Chapter 4	Part 3	Int. Res. Code
2002-5	Appendix	B	Vermicomposting
2002-6	Chapter 1	Part 1	Supervisors Meeting Comp.
2002-7	Appendix	B	Vermicomposting
2003-1	Chapter 4	Part 4	Demolition
2003-2	Appendix	B	Refinancing Building Loan
2003-3	Chapter 15	Part 2	Speed Limits
2004-1	Appendix	G	Guaranty Note
2004-2	Appendix	H	Abandonment of portion of road
2004-3	Chapter 4	Part 2	Building Codes
2004-4	Chapter 10	Part 1	Junk Vehicle Permits
2004-5	Chapter 7	Part 1	Burning Rules
2004-6	Chapter 15	Part 4	Parking Regs.
2004-7	Chapter 21	Part 4	Stormwater Mgt.
2005-1	Appendix	D	Police Pension
2005-2	Chapter 1	Part 1	Sup. Comp.
2005-3	Chapter 15	Part 3	Vehicle Rest.
2005-4	Appendix	B	Gen. Ob. Bond
2005-5	Appendix	D	Non-Un. Pension
2005-6	Chapter 4	Part 1	Asst. Permits
2005-7	Appendix	B	Truck Loan
2005-8	Chapter 7	Part 1	Burning Reg.
2005-9	Chapter 15	Part 2	Speed Limits
2005-10	Chapter 24	Part 4	EMS Tax
2006-1	Chapter 1	Part 8	Check Fees
2006-2	Chapter 8	Part 1	Floodplain
2006-3	Chapter 15	Part 3	Truck traffic
		Part 4	No Parking
2006-4	Chapter 27	Part 2	Notice of Public Hearing
2006-5	Chapter 27	V	Off-Street
	Appendix	J	Parking
2007-1	Chapter 13	Part 2	Correct Def. of Company Levy Of Fee Payment to the Township Fees
2007-2	Chapter 22	Part 2	Fees
2007-4	Chapter 18	Part 5	Sewer Rates
2007-5	Chapter 27	Part 1	Zoning
	Appendix	J	
2007-6	Chapter 18	12	Onlot Sewage Ord.
2007-7	Chapter 24	Part 4	Local Service Tax
2007-8	Chapter 24	Sec 1-5	Realty Transfer Tax
2008-1	Appendix	G	Guaranteed Revenue Bond \$500,000

<u>Ord/Res</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
2008-2	Chapter 1	Part 2	Police Pension
2008-3	Chapter 1	Part 3	Non-Uniformed Pension
2008-4	Chapter 15	Part 3	Vehicle Restriction
2008-4	Chapter 7	Part 1	Fire Prevention
2008-5	Chapter 18	Part 12	Sewer & Sewage Disposal
2009-1	Appendix	B	GRB \$111,000
2009-2	Chapter 24	Part 4	LST Tax
2009-3	Chapter 15	5	Impounding vehicles
2010-1	Appendix	D	Agreement with Derry
2010-2	Chapter 16	Part 1	Malta Park
2010-3	Chapter 16	Part 2	Veteran's Memorial Park
2010-4	Appendix	B	GOB \$140,000 Equipment
2010-5	Appendix	G	Sewer Refinancing
2010-6	Chapter 13	Part 2	GOB 3,965,000 Collection action
2010-7	Chapter 15	Part 2	Franchise fee
	Chapter 15	Part 2	Speed limits
	Chapter 15	Part 3	Stop intersections
2011-8*	Appendix	D	Truck Traffic Restrictions
			Agreement for Joint Tax Collection Ext. w/School District
2011-9*	Chapter 24	Part 3	Replace EIT Ord
2011-10*	Appendix	G	Intermunicipal Agreement w/Bratton Twp.
2012-1	Appendix	B	Police Vehicle Note
2012-2	Appendix	G	Sewer Line of Credit
2012-3	Chapter 18	Part 1	Holding Tanks
2012-4	Appendix	G	Sewer Line of Credit
2013-1	Chapter 1	Part 2	Police Pension
2013-2	Appendix	B	Police Vehicle Note
2013-3	Appendix	B	Line of Credit
2013-4	Chapter 1	Part 3	Non-Uniform Pension
2014-1	Chapter 15	Part 2	Turn Prohibited
2014-2	Appendix	J	Map Amendment

*Numbering of ordinances was incorrect for 2011; #1-7 do not exist.

<u>Ord/Res</u>	<u>Disposition</u>	<u>Number</u>	<u>Subject</u>
2014-3	Appendix	G	GOB 2014 Sewer
2014-4	Chapter 13	Part 4	Wind Turbines
2015-1	Chapter 1	Part 9	Unemp. Comp. Group Trust
2015-2	Appendix	B	Police Vehicle Note
2015-3	Appendix	G	Sewer 2015 Bond Refinancing
2015-4	Appendix	B	Dump Truck Fi- nancing \$80,000
2016-1	Chapter 1	Part 2	Restate Police Pension Plan
2016-2	Appendix	B	Paving financing \$230,000
2016-3	Appendix	H	Vacation of a Part of Expansion Drive
2016-4	Appendix	D	CDBG Agreement For administra- tion
2016-5	Appendix	H	Widening Brannon Lane
2016-6	Appendix	H	Vacating Hender- son Street
2016-7	Appendix	D	PLGIT
2017-1	Chapter 16	Part 1	Fees for use of Park and pro- Habited off site Water Use
2017-2	Appendix	B	Police Vehicle Note

GRANVILLE TOWNSHIP
INDEX

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
ADOPTING ORDINANCE	Introduction	pg. ix
ALCOHOLIC BEVERAGES		
Consumption at Certain Places,		
Prohibition	6	202
Definitions	6	201
Exceptions	6	204
Penalty	6	205
Possession	6	203
ANIMALS (see also DOGS)		
Defecation		
disposal of	2	302
dogs accompanying blind/handicapped		
persons	2	303
penalties	2	304
public and private property, restricted	2	301
Noise Control		
disturbance	2	202
exceptions	2	203
intent and purpose	2	201
penalties	2	204
BICYCLE LICENSES	15	701-709
BOND ISSUES		Appendix B
BRIDGES, Stop Sign	15	215
BUILDINGS, Codes		
Election to Administer	4	201
UCC Adopted	4	202
Administration and Enforcement	4	203
Establish a Board of Appeals	4	204
Prior Ordinances	4	205
Fees	4	206
Effective Date	4	207
Validity	4	208
BUILDINGS, Dangerous	10	305,306
BUILDINGS, Permits		
Completion of Structure, Notification	4	106
Construction without a Permit, Unlawful	4	102
Definitions	4	101
Fee	4	104
Issuance of	4	103
Length of Permit, Exception	4	107
Liability with Issuance of Permit, None	4	109
Penalty	4	110
Refusal of	4	105
Revocation of	4	108
(see also FLOOD PLAINS)		

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
<u>BURNING</u>		
(see FIRES)		
COMMUNITY ANTENNA TELEVISION FRANCHISE		
Short Title	13	201
Definitions	13	202
Levy of the Fee	13	203
Payment to the Township	13	204
Effective Date	13	205
CONDUCT		
(See, ALCOHOLIC BEVERAGES or CURFEW)		
CURFEW		
Minors on Streets Between Certain Hours, Unlawful	6	101
Parent to Allow Minors on Streets, Unlawful	6	102
Penalty	6	103
DEMOLITION		
Applicant Required to Notify of Disposal	4	406
Definitions	4	401
Exception to Length of Permit	4	408
Issuance of Permit	4	403
Insurance for Demolition Work	4	410
No Liability Shall be Imposed with Issuance of Permit	4	411
Penalties	4	412
Permit Fee	4	404
Refusal or Delay of Permit	4	405
Revocation of Permit	4	409
Unlawful to Demolish Without Permit	4	402
Verification of Disposal	4	407
DOGS, AT LARGE (See also, ANIMALS)		
Definitions	2	101
Licensed Dogs, notification of owner	2	104
Penalty	2	107
Seizing of	2	103
Threatening Dogs	2	106
Unlawful to Allow Dogs to Run at Large	2	102
Unlicensed Dogs, disposal of	2	105
FIRES, Outdoor		
Definitions	7	101
Exceptions	7	102
Burn Bans	7	103
Transporting Burnable Materials Prohibited	7	104
Penalties	7	105
FIREMEN'S RELIEF ASSOCIATION		
Annual Appropriation	1	403
Certification to Auditor General	1	402
Recognition of	1	401
FLOOD PLAINS, Development within Flood Prone Area		
Buildings/Structures Presently Within Area	8	111
Definitions	8	101
Development which May Endanger Human Life	8	112

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
Identification of	8	108
Limitations, Standards and Requirements	8	109
Manufactured Homes, Requirements	8	110
Nonliability of Township	8	107
Penalties	8	115
Permit Application	8	104
duration and revocation	8	106
issuance	8	105
requirements	8	103
special permits	8	114
Purpose	8	102
Special permits, Activities Requiring	8	113
Variances	8	114
 GOVERNMENTAL AFFAIRS		 Appendix D
 HEALTH AND SAFETY		
Property Maintenance/Vector Control		
abatement by Township	10	315
authority to abate	10	316
compliance with notice	10	319
dangerous buildings declared a nuisance	10	305
definitions	10	304
emergency cases	10	310
enforcement officer, duties of	10	307
hearings	10	308
inspection	10	322
 HEALTH AND SAFETY, Property Maintenance/ Vector Control, cont'd		
miscellaneous provisions	10	317
notice, removal of	10	309
ordinance, application of	10	303
owners/occupants responsibility of	10	312
owners severally responsible	10	321
penalties	10	320
prohibited acts	10	311
short title	10	301
standards for repair	10	306
statutory authority	10	302
vector control/proofing	10	313
private programs	10	314
violations, notice of	10	318
Vegetation		
definitions	10	201
penalty	10	207
restrictions on trees	10	204
unlawful		
height of weeds	10	202
owner to allow growth onto sidewalk	10	203,
		205, 206
violation declared a nuisance	10	208
 INFESTATIONS (see HEALTH AND SAFETY)		

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
JUNK DEALERS		
Abatement of Nuisance	13	114
Definitions	13	102
Delay in Disposal	13	111
License	13	103
License		
application for	13	104
fee	13	106
issuance of	13	105
limitation on use	13	107
transfer of	13	108
fee	13	109
Records of transactions	13	110
Regulations for operations	13	112
Short Title	13	101
Violations	13	113
JUNK VEHICLES, storage on personal property (see MOTOR VEHICLES, Storage)		
LITTERING (see HEALTH AND SAFETY, Property Maintenance)		
TOWNSHIP MANAGER		
Creation of Office of Township Manager	1	701
Appointment and Removal	1	702
Qualifications	1	703
Bond	1	704
Manager's Compensation	1	705
Powers and Duties	1	706
Repealer	1	707
Effective Date	1	708
MOBILE HOMES (see FLOODPLAINS, Manufactured homes)		
MOTOR VEHICLES		
General Regulations		
definitions and interpretation	15	101
experimental regulations	15	105
processions and assemblages	15	107
provisions to be a continuation of existing regulations	15	103
temporary and emergency regulations	15	104
traffic and parking regs., manner of adopting	15	102
traffic on streets under special conditions	15	106
Impoundment of Illegally Parked Vehicles	15	
applicability and scope	15	501
approved storage garages, designation of	15	504
authority to remove and impound	15	502
penalty	15	509
reclamation cost	15	506
reports and disposition of unclaimed vehicles	15	510
restrictions upon removal	15	508
tow away zones designated	15	503
towing and storage, payment of	15	505

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
vehicles removed and impounded, records of	15	507
Parking Regulations		
angle parking on certain streets	15	402
penalties	15	409
prohibited, parking		
at all times, certain locations	15	403
certain times, certain locations	15	404
trucks, certain locations	15	405
special purpose parking	15	407
standing/parking, loading & unloading zones	15	408
time limited, certain locations, certain times	15	406
vehicles within marked spaces	15	401
Pedalcycles		
licensed, to be	15	702
application for	15	703
issuance of	15	704
plates	15	705
renewal of	15	706
penalty for violation	15	709
rental agencies	15	708
riding and parking on sidewalks and streets	15	701
transfer of ownership	15	707
Size, Weight and Type of Vehicle and Load Restrictions		
restrictions on size on streets and bridges	15	302
restrictions on weight and size of vehicle	15	303
truck traffic restricted on certain streets	15	304
weight limits established on streets and bridges	15	302
Snow and Ice Emergency		
declaration of	15	601
parking or driving on routes during emergency	15	602
penalty for violation	15	604
routes designated	15	603
Storage of		
definitions	10	101
hearing, right to	10	106
inspection, notice to comply	10	104
noncompliance, authority to remedy	10	105
nuisances prohibited	10	102
permitted, storage of	10	103
penalties	10	107
remedies not mutually exclusive	10	108
Traffic Regulations		
intersections where turn prohibited on red	15	206
no passing zones	15	211
one-way streets established	15	207
right turns only, certain intersections	15	209
speed limits		
certain bridges and elevated structures	15	202
certain streets	15	201

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
certain vehicles on hazardous grades	15	203
parks	15	204
stop intersections	15	213
through highways	15	212
traffic signals at certain locations	15	205
turning at certain intersections prohibited	15	208
U-turns prohibited, certain intersections	15	210
yield intersections	15	214
NOISE		
(see ANIMALS)		
NON-UNIFORMED EMPLOYEE PENSION		
Accounts, maintenance of separate	1	310
Administration	1	321
effective date	1	326
expense of	1	323
revocation of prior enactments	1	325
severability	1	324
statutory authority	1	327
transfer or assignment	1	322
Benefits		
death	1	312
disability	1	313
former employees	1	316
retirement	1	311
Conditions		
breaks in service	1	306
re-entering plan	1	305
Construction	1	320
Continuation in service	1	317
Contributions		
employer	1	309
participant	1	308
Definitions	1	301
Effective date	1	303
Establishment of pension plan	1	302
Funding	1	307
Intent and interpretation	1	319
Membership	1	304
Participation		
distribution of funds	1	318
termination of	1	314
Plan year	1	303
Vesting	1	315
PARKING		
(see MOTOR VEHICLES, Parking)		
PARKS AND RECREATION		
Hours Closed	16	101
		201
Alcoholic Beverages	16	102
		202
Destruction of Property	16	103
		203
Firearm Restrictions	16	104
		204
Fire	16	105

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
Fire Continued	16	205
Scattering rubbish	16	106
		206
Power of Supervisors	16	107
		207
Penalties	16	108
		208
PENSION PLANS		
(See POLICE PENSION PLAN or NON-UNIFORMED EMPLOYEE PENSION)		
PERMITS		
(See BUILDINGS)		
POLICE PENSION PLAN		
Administration of	1	207
expenses	1	223
Benefits		
disability	1	209
legal process, not subject to	1	222
retirement or pension	1	212
vested	1	216
widow's and children	1	215
Commonwealth Funds, Allocation of	1	218
Compensable Conditions	1	210
Contributions		
rate of	1	213
reduction of	1	219
return of	1	217
Corporate Fiduciary, Employment of	1	204
Eligibility for Participation	1	208
Establishment of	1	203
Fund		
creation and maintenance of	1	205
management of	1	206
Gifts	1	221
Military Leave Credit	1	214
Modification	1	224
Requirements, Age and Service	1	211
Retired Member, Recall to Service	1	220
Short Title	1	201
Statutory Authority	1	202
POLICE PROTECTION		
mutual agreement w/Juniata Terrace		Appendix D
mutual agreement w/Burnham Borough		Appendix D
PROPERTY MAINTENANCE		
(see HEALTH AND SAFETY)		
RETURN CHECK FEES AND SERVICE CHARGE FEE FOR		
CERTIFICATIONS FROM TAX COLLECTOR		
Return Check Fee	1	801
Service Fee Regarding Delinquent Tax Statement	1	802
Severability	1	803
Repealer	1	804
Effective Date	1	805
SEWERS		
Agreement		
Approval	18	701
Authorization to execute and deliver	18	703

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
Effective date	18	704
Filing of Copy	18	702
Repealer	18	706
Severability	18	705
Community On-Lot Sewage Disposal Systems (COLDS)		
Applicability	18	1108
Definitions	18	1103
Effective Date	18	1114
Exclusive of Rights and Privileges	18	1107
Imposition of Rates and Charges	18	1106
Other Ordinances and Resolutions	18	1112
Promulgation of Rules and Regulations	18	1105
Purposes	18	1101
Remedies	18	1110
Right of Entry and Inspections	18	1111
Rights, Privileges Granted	18	1104
Scope	18	1102
Severability	18	1113
Violations and Penalties	18	1109
Connections to Public Sewers		
building sewers and connections	18	203
rules and regulations governing	18	204
declaration of purpose	18	206
definitions	18	201
enforcement	18	205
public sewers required, use of	18	202
Construction, history of		Appendix G
Granting of Right of Way		
Duty of Authority	18	902
Effective Date	18	903
Granting to Authority	18	901
Repealer	18	905
Severability	18	904
Holding Tanks		
application for	18	103
definitions	18	101
penalty	18	104
Township authority to control	18	102
Individual Sewage Disposal Systems		
construct without a permit, unlawful	18	401
fee amount	18	405
penalty		
permits		
application for	18	402
issuance of	18	403
regulation on	18	404
Lease Rental Debt		
Amount of Debt	18	604
Application for Approval	18	609
Appointment of Depository	18	612
Chairman/Vice Chairman Authorization	18	601
Useful Life of Sewer System	18	602
Privy		
Abatement of Nuisances	18	1011
Condition of Use	18	1007

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
Definitions	18	1002
Duties of Owner	18	1009
Effective Date	18	1014
Exclusiveness of Rights & Privileges	18	1008
Purposes	18	1001
Rates and Charges	18	1006
Repeal	18	1012
Rights & Privileges Granted	18	1003
Rules & Regulations	18	1004
conformity with applicable law	18	1005
Severability	18	1013
Violations	18	1010
Transfer of Sewer		
Authorization	18	801
Authorization of Officers	18	802
Necessity of Enactment	18	804
Repealer	18	805
Severability	18	803
Rates and Charges	18	502
additional rates and charges, adoption of	18	507
billing	18	503
definitions	18	501
liens for rates	18	504
penalty	18	506
waste discharges, rules and regulations	18	505
Tapping Permits		
connect without obtaining, unlawful	18	301
definitions	18	307
enforcement	18	306
tapping fee	18	302
amount	18	303
payable to Township Treasurer	18	305
time period when due	18	304
SIDEWALKS, tree and hedge maintenance	10	203-208
Snow and Ice Removal		
Definitions	21	201
depositing of Snow and Ice Restricted	21	203
effective date	21	207
penalties	21	204
repealer	21	205
Responsibility for Removal of Snow & Ice		
from sidewalks	21	202
Severability	21	206
SOLID WASTE, Collection and Disposal of		
Collectors, Authorization and Regulation of	20	106
Definitions	20	104
Disposal Facilities	20	107
Exclusions	20	108
Licensing of Collectors	20	106(2)
Owners/Occupiers, Duties and Responsibilities of	20	105
Penalties	20	109
Purpose	20	103
Rates	20	106(3)
Short Title	20	101

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
Statutory Authority	20	102
SNOW EMERGENCIES (see MOTOR VEHICLES)		
STREET EXCAVATIONS		
Inspection of work	21	105
Notice of Completion	21	104
Open or Cut Public Street Without a Permit, Unlawful	21	101
Penalty	21	106
Permit		
application for	21	102
issuance of	21	103
STREETS, history of activities		Appendix H
SUPERVISORS, TOWNSHIP (See TOWNSHIP SUPERVISORS)		
TAXATION		
Earned Income		
Applicable law	24	313
Deductions, credits, losses, exemptions	24	308
Definitions	24	302
Effective date	24	314
Employer withholding, remittance and tax returns	24	305
imposition and levy of earned income and net profits tax	24	303
interest, penalties, costs and fines	24	307
non-applicability	24	309
purpose	24	312
repeal of prior earned income and net profits tax ordinances and savings provisions	24	311
returns and payments by individual taxpayers	24	304
severability	24	310
tax officer	24	306
title	24	301
Emergency and Municipal Services Tax		
administration and enforcement	24	407
authority of enactment	24	401
collection	24	408
through employers	24	404
definitions	24	402
direct payment by taxpayers	24	405
imposition of tax	24	403
nonresident taxpayers	24	406
penalties	24	409
Per Capita		
Authority for enactment	24	101
collection	24	104
imposition of tax	24	103
"resident" defined	24	102
Realty Transfer		
acquired company	24	208
authority	24	202
civil penalties	24	215
credits against tax	24	209

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
definitions	24	203
documents relating to associations	24	207
enforcement	24	217
excluded transactions	24	206
exempt parties	24	205
extension of lease	24	210
imposition of tax; interest	24	204
interpretation/effect	24	219
lien	24	216
proceeds of judicial sale	24	211
recorder of deeds, duties of	24	212
regulations	24	218
short title	24	201
statement of value	24	213
unlawful acts	24	214
TOWNSHIP DEBT		Appendix B
TOWNSHIP SUPERVISORS, Compensation of		
Annual limits	1	105
Compensation for meetings attended		
limitations	1	105,106
rates	1	104
Effective Date	1	108
Finding of Fact	1	103
Short Title	1	101
Statutory Authority	1	102
Time of Payment	1	107
TRAFFIC REGULATIONS		
(See MOTOR VEHICLES)		
TRASH		
(See SOLID WASTE)		
TREES		
(See HEALTH AND SAFETY)		
UNEMPLOYMENT COMPENSATION GROUP TRUST		
Adoption Authorization	1	901
Participation	1	902
Conditions	1	903
Withdrawal terms	1	904
Effective Date	1	905
Delegation of Powers	1	906
Organizational Structure	1	907
Funding	1	908
Empowerment	1	909
Participation Conditions	1	910
Certification	1	911
Supervisor Authorization	1	912
Term	1	913
Determination	1	914
Severability	1	915
Prior Action	1	916
Effective immediately	1	917
WATER	26	226
WEEDS		
(See HEALTH AND SAFETY)		

<u>SUBJECT</u>	<u>CHAPTER</u>	<u>SECTION</u>
WIND TURBINES		
Findings	13	401
Establishment	13	402
Definitions	13	403
Special Conditions	13	404
Permits Required	13	405
Permit Fee	13	406
Duration of Permit	13	407
Notice of Application	13	408
Review of Applications	13	409
Issuance of Permits	13	410
Criteria and Regulations for Granting of Permit	13	411
Waiver	13	412
Continued Compliance	13	413
Noise and Shadow Flicker	13	414
Private Access Roads and Forestry Management	13	415
Use of Public Roads	13	416
Safety	13	417
Insurance	13	418
Field Representative and Site Manager	13	419
Performance Standards	13	420
No Further Land Development	13	421
Revocation of Permit	13	422
No Further Subdivision	13	423
Wind Turbine Generator Removal	13	424
Penalty	13	425
Appeals	13	426
Appeal Cost	13	427
Savings Clause	13	428
Repealer	13	429
Severability	13	430
Effective Date	13	431
Adoption Necessity	13	432
Adoption Date	13	433

ZONING

Appendix J