

APPENDIX F.1 STORMWATER MANAGEMENT DISTRICT MAPS

[Copies of this map are available in township offices for review]

(Ord. 2012-2, 5/10/2012, App. F.1)

APPENDIX F.2 HYDROLOGIC SOIL GROUP (HSG) MAP

[Copies of this map are available in township offices for review]

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Part 1**Amusement Admissions Tax****§24-101. Short Title.**

This Part shall be known and may be cited as the “Township Admission Tax Ordinance”.
(Ord. 11/27/1974B, §1)

§24-102. Definitions.

1. The following words or phrases when used in this Part shall have the meaning ascribed to them in this Section except where the context clearly indicates a different meaning.

Admissions—the amount which must be paid in order to gain entrance into a place of amusement.

Amusement—all manner and forms of entertainment, including among others, theatrical operatic performances or concerts, all public speaking, including lectures, readings and speeches, whether it be educational, religious, political, humorous or civic; however, amounts paid or contributed for the privilege of attending an exclusively religious service conducted in a regular place of worship are not considered amounts paid for admission; vaudeville, circuses, carnivals, rodeos, side shows, including all forms of entertainment at fair grounds and amusement parts; athletic contests, including football, baseball, basketball, tennis, golf, hockey, archery, boxing, wrestling, sparring, swimming, horse racing, bathing, horseback riding, dancing, bowling, shooting galleries and exhibitions, roller and ice skating, and all other forms of sports, recreations, pastimes, shows, exhibitions, contests, displays and games not specifically named herein; where admissions, charges, donations, contributions or monetary charges of any character, from the general public, or a limited or selected number thereof, is derived directly or indirectly in return for attending.

Person—every natural person, partnership, association or corporation. Whenever used in any clause prescribing and imposing a penalty, or both, the term person as applied to partnerships or associations shall mean the partners, or members thereof, and, as applied to corporations, the officers thereof.

Place of amusement—any place, indoors, or outdoors, within the limits of the Township of Plains, where the general public or a limited or selected number thereof, may, upon payment of an established price, attend any amusement as herein defined, including among others, theaters, opera houses, amusement parks or stadiums, arenas, baseball parks, skating rinks, circus or carnival tents, or circus or carnival grounds, fair grounds, social, sporting, athletic clubs, dance halls, rifle or shotgun ranges or galleries.

Producer—any person as herein defined, conducting any place of amusement as herein defined, where the general public or a limited or selected number thereof may, upon the payment of an established price, attend any amusement.

Tax Collector—the Tax Collector of the Township of Plains.

2. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

(Ord. 11/27/1974B, §2)

§24-103. Imposition of Tax.

1. A tax is hereby imposed upon the admission fee to any place of amusement at the rate of ten percent of the established price charged the general public, or a limited or selected group thereof, by

any producer which shall be paid by the person acquiring the privilege of attending such place of amusement. The fact that part or all of the proceeds from an entertainment go to charitable, religious or educational purposes does not make the admission nontaxable.

2. In the case of persons (except bona fide employees of a producer, Township or state officers on official business, or totally blind persons) who are admitted free or at reduced rates to any place of amusement, at a time when and under circumstances under which an established price is charged to other persons, the tax imposed by this Part shall be computed on the established price charged to such other persons of the same class for the same or similar accommodations, and shall be paid by the person so admitted.

3. In the case of persons having permanent use of boxes or seats in any place of amusement, or a lease for the use of said box or seat in such place of amusement, the tax imposed by this Part shall be computed on the established price for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by or for the lessee or holder, such tax to be paid by the lessee or holder.

(Ord. 11/27/1974B, §3)

§24-104. Liability for Collection.

1. Producers shall collect the tax imposed by this Part and shall be liable to the Township of Plains, as agents thereof for the payment of the same into the Township Treasury through the Tax Collector as hereinafter provided in this Part.

2. Where permits are obtained for conducting temporary amusements by persons who are not the owners, lessees or custodians of the place where the amusements are to be conducted, or where the temporary amusement is permitted by the owner, lessee or custodian of any place of amusement, to be conducted without the procurement of a permit or permits required by ordinance, the tax imposed by this Part, shall be paid by the owner, lessee or custodian of such place where the temporary amusement is held or conducted, unless paid by the producer conducting the amusement.

(Ord. 11/27/1974B, §4)

§24-105. Reports; Bonds; Interest.

For the purpose of ascertaining the amount of tax payable by the producers to the Township of Plains, it shall be the duty of:

- A. Every producer, except as hereinafter provided, conducting a place of amusement, on or before the twentieth day of each month shall transmit to the Tax Collector on a form prescribed and prepared by the Tax Collector, a report under oath or affirmation, of the amount of tax collected by him or her during the preceding month unless the Tax Collector shall deem the tax to be in jeopardy when he or she shall collect the tax after each affair or at any time.
- B. Every producer, conducting a temporary place of amusement or itinerant form of amusement shall post a cash or surety bond with the Tax Collector in an amount equal to the amount of tax estimated by the Tax Collector and shall file a report with the Tax Collector, or any duly authorized agent thereof, promptly after each show or performance. The Tax Collector may require any producer who is not making timely payment of his or her tax obligation to file a cash or surety bond in a reasonable amount, and failure to post such a bond will automatically revoke the producer's license to operate such place of amusement.
- C. All reports required under this Section shall show such information as the Tax Collector shall prescribe.
- D. Every producer, at the time of making every report required by the Section, shall compute and pay to the Tax Collector the taxes collected by him or her and due the Township of Plains during the period for which the report is made: The amount of all taxes, imposed under the provisions of this Part shall in the case of places of permanent amusement, be due and payable on the first day of each month, unless the Tax Collector deems the tax to be in jeopardy when he or she shall collect the tax at any time, and in the case of itinerant forms of amusement, it shall be due and payable on the day the reports in such cases are required to be made under this Section, and all such taxes shall bear interest at the rate of ten percent per month, or fractional part of a month, from the date they are due and payable until paid.

(Ord. 11/27/1974B, §5)

§24-106. Penalty for Unpaid Taxes.

If any producer shall neglect or refuse to make any report and payment as herein required, an additional ten percent of the amount of the tax due shall be added by the Tax Collector and collected. All such taxes shall be recoverable by the Township Solicitor as other debts of like amount are now by law recoverable.

(Ord. 11/27/1974B, §6)

§24-107. Powers of Tax Collector.

If the Tax Collector is not satisfied with the report and payment of tax made by any producer under the provisions of this Part, he or she is hereby authorized and empowered to make determination of the tax due by such producer, based upon the facts contained in the report or upon any information within his or her possession or that shall come into his or her possession, and for this purpose the Tax Collector is authorized to examine the books, papers, ticket stubs and records of any producer, taxable under this Part, to verify the accuracy of any report or payment made under the provisions thereof to ascertain whether the taxes imposed by this Part have been paid.

(Ord. 11/27/1974B, §7)

§24-108. Estimation of Tax.

If any producer shall refuse or neglect to make any report and payment of tax required by this Part or if, as a result of an investigation by the Tax Collector, a report is found to be incorrect, the Tax Collector shall estimate the tax due by such producer and determine the amount due by him or her for taxes, penalties and interest thereon.

(Ord. 11/27/1974B, §8)

§24-109. Disposition of Moneys.

All taxes, interest and penalties received, collected or received under the provisions of this Part shall be paid into the Treasury of the Township of Plains for the use and benefit of the Township of Plains.

(Ord. 11/27/1974B, §9)

§24-110. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days for the nonpayment of such fine or penalty and costs within ten days from the imposition thereof. Such fine or penalty imposed by this Section shall be in addition to any other penalty imposed by any other Section of this Part. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 11/27/1974B, §10; as amended by A.O.)

Part 2**Earned Income and Net Profits Tax****§24-201. Incorporation of Statute.**

The provisions of §13 of the “Local Tax Enabling Act” (Act 511 of 1965) of December 31, 1965, P.L. 1257, its supplements and amendments, 53 P.S. §6913, are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise.

(Ord. 12/13/1968, §I)

§24-202. Imposition of Tax.

1. *General.* A tax for general revenue purposes in the amount of one percent is hereby imposed on earned income and net profits earned by residents of the Township of Plains, and on earned income and net profits earned by nonresidents of the Township of Plains for work done, or services performed or rendered in the Township of Plains, during the taxable period beginning on the first day of January, 1969, or the effective date of this Part and continuing for each taxable year thereafter.

2. *Definitions.*

Adult—an individual of the age of 21 years or more.

Dwelling—any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons. This definition shall be construed to include mobile homes and rooming houses. This definition shall not be construed to include hotels, motels, homeless shelters, dormitories, hospitals, rehabilitation or treatment centers, nursing homes or personal care homes.

Landlord—a natural or nonnatural person or entity which offers for habitation as owner or manager one or more dwellings within the Township of Plains.

Rooming house—a building in which rooms for lodging and/or boarding are let for a fee to three or more individuals not including individuals related by blood or marriage to the owner or owners of the premises.

[Ord. 2000-2]

(Ord. 12/13/1968, §II; as amended by Ord. 2000-2, 3/9/2000, §1)

§24-203. Declaration, Return and Payment of Tax.

1. Net profits; quarterly payments: Every taxpayer making net profits shall on or before April 15 of the current year, make and file a declaration of his or her estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall file a final return and pay to the officer the balance of the tax due, all as provided in the “Local Tax Enabling Act”, its supplements and amendments, 53 P.S. §6913.

2. Earned income:

A. *General.* Every taxpayer shall make and file returns and pay the taxes due, all as provided in §13, III, B, first paragraph of the “Local Tax Enabling Act”, its supplements and amendments, 53 P.S. §6913.

B. *Quarterly returns.* Every taxpayer who is employed for a salary, wage or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarterly the amount of tax shown as due on such returns, all as provided in §13, III, B, (2) of the “Local Tax Enabling Act”, its supplements and amendments, 53 P.S. §6913.

3. Every nonnatural person or entity which offers for habitation as owner or manager of one or

more dwellings within the Township of Plains shall, for each such dwelling unit or units, and every natural person who offers for habitation as owner or manager one or more dwellings within the Township of Plains shall, for each such dwelling unit or units (other than the dwelling in which that person resides) on or before April 15, 2000, and on or before March 15 of each subsequent year, provide the following information to the Township Secretaries:

- A. The reporting individual or entity's name and address.
- B. The full name and address and unit number (if any) of those adults individuals occupying dwelling units owned or within the management control of the reporting individual or entity as of March 1 of the reporting year.

[Ord. 2000-2]

4. The reporting of the required information by the owner shall excuse the provision of the required information by a manager for the same premises. The reporting of the required information by the manager shall excuse reporting by the owner of the same premises. In the event neither the owner nor the manager complies, the owner shall be held responsible for such noncompliance. Where real estate is owned in multiple ownership, observance of the reporting requirement by one co-owner shall be deemed as fulfilling the requirement as to all other co-owners. [Ord. 2000-2]

5. The duty imposed by this Section shall require each landlord to report the name and address of all tenants of the age of 21 years or more of which the landlord has actual knowledge or which the landlord could, with the exercise of reasonable diligence and care, have actual knowledge. [Ord. 2000-2]

6. Individuals required to be reported under Subsection 3., Paragraph B. shall, upon request of the landlord or landlord's agent, provide the landlord or landlord's agent with the names of all adult individuals residing in the subject dwelling. Should a landlord be refused the required information, landlord or landlord's agent shall identify such individual refusing to provide the name of an adult individual residing in the subject dwelling on the required report. [Ord. 2000-2]

7. The Board of Commissioners of the Township of Plains is hereby authorized to require standard reporting forms and documents to accomplish the foregoing reporting requirements. [Ord. 2000-2]

8. A. The information resulting from the foregoing reporting requirement is restricted in dissemination to the following:

- (1) Board of Commissioners.
- (2) Income Tax Office/Auditor and staff.
- (3) Township Secretaries.
- (4) Township Solicitor.

- B. Violation of the confidentiality of the information obtained by this reporting requirement shall be subject to the penalties of §24-210 of this Part.

[Ord. 2000-2]

9. Failure of a landlord to comply with the forgoing ordinance will be subject to the penalties as set forth in §24-210 of this Part. Failure of an individual required to be reported under this Section or to comply with this Section will be subject to the penalties as set forth in §24-210 of this Part.

[Ord. 2000-2]

(Ord. 12/13/1968, §III; as amended by Ord. 2000-2, 3/9/2000, §2)

§24-204. Collection at Source.

1. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the corporate limits of the Township of Plains shall deduct the tax imposed by this Part on the earned income due to his or her employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in §13,

IV of the Local Tax Enabling Act, its supplements and amendments, 53 P.S. §6913.

2. No employer shall be required to register, deduct taxes, file return or pay taxes in the cases of domestic servants.

(Ord. 12/13/1968, §IV)

§24-205. Powers and Duties of the Officer.

1. The Board of Commissioners of the Township of Plains shall designate by appropriate resolution the Income Tax Officer who shall perform his or her duties in accord with §13, V, of the Local Tax Enabling Act, 53 P.S. §6913, and such rules and regulations relating to administration and enforcement of this Part as may be approved by Council.

2. The Income Tax Officer shall be bonded in accordance with provisions of §13 of the Local Tax Enabling Act, 53 P.S. §6913, and the custodian of said bond shall be the Treasurer of the Township of Plains.

3. The Income Tax Officer shall turn over to the Treasurer of the Township of Plains at the expiration of each respective quarter those amounts duly collected by him or her as revenues of the tax promulgated through the provisions of this Part.

(Ord. 12/13/1968, §V)

§24-206. Administration.

The Income Tax Officer shall be selected from time to time by resolution of, and shall receive such compensation for his or her services and expenses as determined from time to time by the Board of Commissioners of the Township of Plains. Such officer shall have the powers and duties, and be subject to the penalties, provided in the Local Tax Enabling Act, its supplements and amendments, 53 P.S. §6913.

(Ord. 12/13/1968, §VI)

§24-207. Applicability.

The tax imposed in §24-202 of this Part shall not be levied on the net profits of any person, institution or organization as to whom it is beyond the power of the Board of Commissioners of the Township of Plains to impose said tax under the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

(Ord. 12/13/1968, §VII)

§24-208. Enforcement.

1. *Rules and regulations.* The Board of Commissioners of the Township of Plains may, by resolution adopt, promulgate and enforce the rules and regulations for the purpose of administration and enforcement of the provisions of this Part, including provisions for the reexamination and corrections of returns and payments alleged or found to be incorrect or as to which an overpayment or underpayment, is claimed or found to have occurred.

2. *Investigate powers.* Investigate powers of the Income Tax Officer, the officer or any agent or employee designated in writing by the Commissioners, is hereby authorized to examine the books, papers and records of any employer, or alleged employer, or any taxpayer or alleged taxpayer in order to verify the accuracy of any return made or, if no return was made, to ascertain the tax imposed by this Part. Every such employer or alleged employer or taxpayer or alleged taxpayer is hereby directed and required to give to the said officer or any other person designated by the Commissioners the means, facilities and opportunity for such examinations and investigations as are hereby authorized. The officer is hereby authorized to examine any person concerning any income which was or should have been returned for taxation, and to this end may compel the production of books, papers and records and the attendance of all persons before him or her, whether as parties or witnesses, whom he

or she believes to have knowledge of such income.

3. *Confidential information.* Any information gained by the officer or any other official or agent designated by the Commissioners as a result of any returns, investigations, hearings or verifications required or authorized by this Part shall be confidential, except for official purposes, and except in accordance with proper judicial order, or as otherwise provided by law, and any person, official or agent divulging such information shall, upon conviction thereof before any magisterial district judge, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [A.O.]

(Ord. 12/13/1968; as added by Ord. 2000-2, 3/9/2000, §3; and amended by A.O.)

§24-209. Interest and Penalties.

All taxes imposed by this Part remaining unpaid after they become due shall bear interest, in addition to the amount of the unpaid tax, at the rate of one-half percent per month until such tax is paid, and the persons upon whom said taxes are imposed shall be further liable to a penalty of one-half of one percent of the amount of the unpaid tax for each month or fraction of a month for the first six months of nonpayment. Where suit is brought for the recovery of any such tax, the person liable thereof shall, in addition, be liable for the costs of collection and the interest and penalties herein imposed.

(Ord. 12/13/1968; as added by Ord. 2000-2, 3/9/2000, §4)

§24-210. Violations and Penalties.

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not less than \$25 nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [A.O.]

2. In any prosecution against a landlord for failure to comply with the reporting requirements of this Part, in the absence of the landlord's actual knowledge or the landlord's ability, with reasonable diligence and care, to have actual knowledge, the refusal of the tenant to provide the name of adult individuals residing within the subject dwelling to the landlord shall, as to the landlord or landlord's manager, be considered to be an affirmative defense to prosecution under this Part. Failure of a landlord to request the information required by §24-203, Subsection 3. shall be considered a per se violation of the reasonable diligence and care standard of this Part.

3. For the purposes of this Section, any violation of §24-203 relating to the reporting requirements of landlords shall be considered as a separate offense for each unreported occupied dwelling unit. Each day of non-reporting by a landlord after the fifteenth day of April, 2000 and the fifteenth day of March in any other reporting year shall be treated as a separate offense.

4. Enforcement of §24-203 of this Part may be instituted by the Income Tax Officer, the Township Police Department and/or the Township Code Enforcement Officer.

(Ord. 12/13/1968; as added by Ord. 2000-2, 3/9/2000, §5; and as amended by A.O.)

Part 3**Local Services Tax****§24-301. Definitions.**

The following words and phrases, when used in this Part, shall have the meanings ascribed to them in this Section, except where the context or language clearly indicated or requires a different meaning:

Collector—the person, public employee or private agency designated by the political subdivision to collect and administer the tax herein imposed.

DCED—the Department of Community and Economic Development of the Commonwealth of Pennsylvania.

Earned income—compensation as this term is defined in §13 (relating to earned income taxes) of the Local Tax Enabling Act, the Act of December 31, 1965, P.L. 1257, §13, as amended, 53 P.S. §6913.

Employer—an individual, partnership, association, limited liability corporation, limited liability partnership, corporation, governmental body, agency or other entity employing one or more persons on a salary, wage, commission or other compensation basis, including a self-employed person.

He, his or him—indicates the singular and plural number, as well as male, female and neuter genders.

Individual—any person, male or female, engaged in any occupation, trade or profession within the corporate limits of the political subdivision.

Net profits—the net income from the operation of a business, profession or other activity, as this term is defined in §13 (relating to earned income taxes) of the Local Tax Enabling Act, the Act of December 31, 1965 P.L. 1251 §13, as amended, 53 P.S. §6913.

Occupation—any trade profession, business or undertaking of any type, kind or character, including services, domestic or other, earned on or performed within the corporate limits of the political subdivision for which compensation is charged or received, whether by mean of salary, wages, commission or fees for services rendered.

Political subdivision—the area within the corporate limits of the Township of Plains.

Tax—the local services tax at the rate fixed in §27-302 of this Part.

Tax year—the period from January 1 until December 31 in any year, a calender year.

(Ord. 2007-9, 12/20/2007, §1)

§24-302. Levy of Tax.

For specific revenue purposes, an annual tax is hereby levied and assessed, commencing January 1, 2008, upon the privilege of engaging in an occupation with a primary place of employment within the Township of Plains during the tax year. Each

natural person who exercises such privilege for any length of time during any tax year shall pay the tax for that year in the amount of \$52, assessed on a pro rata basis, in accordance with the provisions of this Part. This tax may be used solely for the following purposes as the same may be allocated by the Township from time to time (A) emergency services, which shall include emergency medical services, police services and/or fire services; (B) road construction and/or maintenance; (C) reduction of property taxes; or (D) property tax relief through implementation of a homestead and farmstead exclusion in accordance with 53 Pa.C.S.A., Chapter 85, Subchapter F (relating to homestead property exclusion). The political subdivision shall use no less than 25 percent of the funds derived from the tax for emergency services. This tax is in addition to all other taxes of any kind or nature heretofore levied by the political subdivision. The tax shall be no more than \$52 on each person for each calendar year, irrespective of the number of political subdivisions within which a person maybe employed.

(Ord. 2007-9, 12/20/2007, §2)

§24-303. Exemption and Refunds.

1. *Exemption.* Any person whose total earned income and net profits from all sources within the political subdivision is less than \$12,000 for any calendar year in which the tax is levied is exempt from the payment of the tax for that calendar year. In addition, the following persons are exempt from payment of the tax:

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 100 percent disability.

B. 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. For the purposes of this Paragraph B., "reserve component of the Armed Forces" shall mean the United States Coast Guard Reserve, United States Air Force Reserve, the Pennsylvania Army National Guard or the Pennsylvania Air National Guard.

2. *Procedure to claim exemption.*

A. A person seeking to claim an exemption from the local services tax may annually file an exemption certificate with the political subdivision 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 \$12,000 in the calendar year for which the exemption certificate is filed. In the event the political subdivision utilizes a tax collection officer, it shall provide a copy of the exemption certificate to that officer. 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 tax. Upon receipt of the exemption certificate and until otherwise instructed by the political subdivision or except as required by Paragraph B. below, 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. The exemption certificate form shall be the uniform form provided by the political subdivision.

B. With respect to a person who claimed an exemption for a given calendar year from the tax, upon notification to an employer by the person or by the political subdivision that the person has received earned income and net profits from all sources within the political subdivision equal to or in excess of \$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 income within the Township in an amount equal to or in excess of \$12,000 in that calendar year, an employer shall withhold the local services tax from the person under Paragraph C. below.

C. If a person who claimed an exemption for a given calendar year from the tax becomes subject to the tax for the calendar year under Paragraph B. above, 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 of the notification under Paragraph B. above, a lump sum equal to the amount of tax that was not withheld from the person due to the exemption claimed by the person under this Subsection 2., 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 that employment of a person subject to withholding of the tax under this Paragraph C. is subsequently severed in that calendar year, the person shall be liable for any outstanding balance of tax due, and the political subdivision may pursue collection under this Part.

D. Except as provided in Paragraph B., it is the intent of this Subsection 2. that employers shall not be responsible for investigating exemption certificates, monitoring tax exemption eligibility or exempting any employee from the local services tax.

3. *Refunds.* The Township of Plains, in consultation with the Collector and DCED, shall establish procedures for the processing of refund claims for any tax paid by and person who is eligible for exemption, which procedures shall be in accord with provisions of the general municipal law relating to refunds of overpayments and interest on overpayments. Refunds made within 75 days of a refund request or 75 days after the last day the employer is required to remit the tax for the last quarter of the calendar year, whichever is later, shall not be subject to interest. No refunds shall be made for amounts overpaid in a calendar year that do not exceed \$1. The Township of Plains or the Collector shall determine eligibility for exemption and provide refunds to exempt persons.

(Ord. 2007-9, 12/20/2007, §3)

§24-304. Duty of Employers to Collect.

1. Each employer within the political subdivision, as well as those employers situated outside the political subdivision but who engage in business within the political subdivision, is hereby charged with the duty of collecting the tax from each of his or her employees engaged by him or her or performing for him or her within the political subdivision and making a return and payment thereof to the Collector. Further, each employer is hereby authorized to deduct this tax for each employee in his or her employ, whether said employee is paid by salary, wage or commission and whether or not all such services are performed within the political subdivision.

2. A person subject to the tax shall be assessed by the employer a pro rata share of the tax for each payroll period in which the person is engaging in an occupation. The pro rata share of the tax assessed on the person for a payroll period shall be determined by dividing the rate of the tax levied for the calendar year by the number of payroll periods establishing by the employer for the calendar year. For purposes of determining the pro rata share, an employer shall round down the amount of the tax collected each payroll period basis for each payroll period to the nearest one-one-hundredths of a dollar. Collection of the tax shall be made on a payroll period basis for each payroll period in which the person is engaging in an occupation, except as provided in Subsection 4. of this Section, for purposes of this Subsection 2., combined rate shall mean the aggregate annual rate of the tax levied by the school district and the Township.

3. No person shall be subject to the payment of the local services tax by more than one political subdivision during each payroll period.

4. In the case of concurrent employment, an employer shall refrain from withholding the tax if the employee provides a recent pay statement from a principal employer that includes the name of the employer, the length of the payroll period and the amount of the tax withheld and a statement from the employee that the pay statement is from the employee's principal employer and the employee will notify other employers of a change in principal place of employment within two weeks of its occurrence. The employee's statement shall be provided on the form approved by DCED.

5. The tax shall be no more than \$52 on each person for each calendar year, irrespective of the number of political subdivisions within which a person maybe employed. The political subdivision shall provide a taxpayer a receipt of payment upon request by the taxpayer.

6. No employer shall be held liable for failure to withhold the tax or for the payment of the withheld tax money to the political subdivision if the failure to withhold taxes arises from incorrect information submitted by the employee as to the employee's place or places of employment, the employee's principal office or where the employee is principally employed. Further, an employer shall not be liable for payment of the local services tax in an amount exceeding the amount withheld by the employer if the employer complies with the provisions of §24-303, Subsection 2. of this Part and this Section and remits the amount so withheld in accordance with this Part.

7. Employers shall be required to remit the local services taxes 30 days after the end of each quarter of a calender year.

(*Ord. 2007-9, 12/20/2007, §4*)

§24-305. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to the employer by the Collector. If an employer fails to file the return and pay the tax, whether or not the employer makes collection thereof from the salary, wages or commissions paid by him or her to an employee, except as provided hereafter in this Part, the employer shall be responsible for the payment of the tax in full as though the tax had been originally levied against the employer.

(*Ord. 2007-9, 12/20/2007, §6*)

§24-306. Date for Determining Tax Liability and Payment.

In each tax year, each employer shall use his or her employment records to determine the number of employees from whom such tax shall be deducted and paid over to the Collector on or before the thirtieth day following the end of each calender quarter of each such taxpayer.

(*Ord. 2007-9, 12/20/2007, §7*)

§24-307. Self-Employed Individuals.

Each self-employed individual who performs services of any type or kind or engage in any occupation or profession within a primary place of employment within the political subdivision shall be required to comply with this Part and pay the pro rata portion of the tax due to the Collector on or before the thirtieth day following the end of each quarter.

(*Ord. 2007-9, 12/20/2007, §8*)

§24-308. Individuals Engaged in More than One Occupation or Employed in More than One Political Subdivision.

1. The situs of the tax shall be the place of employment on the first day the person becomes subject to the tax during each payroll period. In the event a person is engaged in more than one occupation, that is, concurrent employment, or an occupation which requires the person working in more than one political subdivision during a payroll period, the priority of claim to collect the local services tax shall be in the following order:

- A. First, the political subdivision in which a person maintains his or her principal office or is principally employed.
- B. Second, the political subdivision in which the person resides and works if the tax is levied by that political subdivision.
- C. Third, the political subdivision in which a person is employed and which imposes the tax nearest in miles to the person's home.

2. In case of dispute, a tax receipt of the taxing authority for that calendar year declaring that the taxpayer has made prior payment constitutes prima facie certification of payment to all other political subdivisions.

(Ord. 2007-9, 12/20/2007, §9)

§24-309. Nonresidents Subject to Tax.

All employers and self-employed individuals residing or having their places of business outside of the political subdivision but who perform services of any type or kind or engage in any occupation or profession within the political subdivision do, by virtue thereof, agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this Part with the same force and effects as though

they were residents of the political subdivision. Further, any individual engaged in an occupation within the political subdivision and an employee of a nonresidential employer may, for the purpose of this Part, be considered a self-employed person, and in the event his or her tax is not paid, the political subdivision shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

(Ord. 2007-9, 12/20/2007, §10)

§24-310. Administration of Tax.

1. The Collector shall be appointed by resolution of the political subdivision. It shall be the duty of the Collector to accept and receive payments of this tax and to keep a record thereof showing the amount received by him or her from each employer of self-employed person, together with the date the tax was received.

2. The Collector is hereby charged with the administration and enforcement of this Part and is hereby charged and empowered, subject to Township approval, to proscribe, adopt and promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this Part, including provisions for the examination of payroll records of any employer subject to this Part, the examination and correction of any return made in compliance with this Part and any payment alleged or found to be incorrect or as to which overpayment is claimed or found to have occurred. Any person aggrieved by and decision of the Collector shall have the right to appeal consistent with the Local Taxpayers Bill of Rights under Act 50 of 1998 (municipalities may detail their appeal processes), 53 Pa.C.S.A. §§8421 *et seq.*

3. The Collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Collector the means, facilities and opportunities for such examination.

(Ord. 2007-9, 12/20/2007, §11)

§24-311. Suits for Collection.

1. In the event that any tax under this Part remains due or unpaid 30 days after the due dates above set forth, the Collector may sue for the recovery of any such tax due or unpaid under this Part, together with interest and penalty.

2. If for any reason the tax is not paid when due, interest at the rate of six percent on the amount of such tax shall be calculated beginning with the due date of the tax and a penalty of five percent shall be added to the flat rate of such tax for nonpayment thereof. Where suit is brought for the recovery of this tax or other appropriate remedy undertaken, the individual liable therefor shall, in addition, be responsible and liable for the costs and collection.

(Ord. 2007-9, 12/20/2007, §12)

§24-312. Violations and Penalties.

Whoever makes any false or untrue statement on any return required by this Part, or whoever refuses inspection of the books, records or accounts in his or her custody and control setting forth the number of employees subject to this tax who are in his or her employment, or whoever fails or refuses to file any return required by this article shall be guilty of a violation and, upon conviction thereof, shall be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. The action to enforce the penalty herein prescribed may be instituted against any person in charge of the business of any employer who shall have failed or who refuses to file a return required by this Part.

(Ord. 2007-9, 12/20/2007, §13; as amended by A.O.)

§24-313. Interpretation.

1. Nothing contained in this Part shall be constructed to empower the political subdivision to levy and collect the tax hereby imposed on any occupation not within the taxing power of the political subdivision under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

2. If the tax hereby imposed under the provisions of this Part shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the court shall not affect or impair the right to impose or collect said tax or the validity of the tax so imposed on other persons or individuals as herein provided.

(Ord. 2007-9, 12/20/2007, §14)

Part 4**Mercantile License Tax****§24-401. Definitions and Word Usage.**

1. As used in this Part, the following terms shall have the meanings indicated: [Ord. 5/29/1975]

Gross volume of business—includes both cash and credit transactions, but shall not include the dollar volume of business derived from the resale of goods, wares and merchandise taken by any dealer as a trade-in or as part payment for other goods, wares and merchandise, except to the extent that the resale price exceeds the trade-in allowance or the dollar value of business attributable to sales taxes and excise taxes, including liquid fuels taxes, the amounts of which are shown in the sale price of any article and which are, in fact, paid by the dealer or manufacture of the article to the Commonwealth of Pennsylvania or the United States of America. [Ord. 5/29/1975]

License year—that period of time beginning January 1, and ending December 31, of the calendar year for which the tax is levied. [Ord. 5/29/1975]

Mercantile Tax Collector—the person or agency properly appointed by a resolution of Plains Township Board of Commissioners to collect the tax imposed by this Part. [Ord. 5/29/1975]

Person—any individual, partnership, limited partnership, association or corporation.

Retail dealer or retail vendor—any person who is a dealer in or vendor of goods, wares and merchandise who is not a wholesale dealer or vendor.

Wholesale dealer or wholesale vendor—any person who sells to dealers in, or vendors of, goods, wares and merchandise and to no other persons.

2. The terms “person”, “wholesale dealer”, “wholesale vendor”, “retail dealer” and “retail vendor” shall not include nonprofit corporations organized for religious, charitable or educational purposes, any association organized for such purposes, clubs, agencies of the government of the United States or of the Commonwealth of Pennsylvania, or any person vending or disposing of articles of his or her own growth, production or manufacture for shipment or delivery from the place of growth, production or manufacture thereof.

(Ord. 2/29/1972, §I; as amended by Ord. 5/29/1975, §88-16)

§24-402. Levy and Collection of Tax.

For the calendar year for which the tax is levied, the Township of Plains hereby imposes an annual mercantile license tax in the manner and at the rates hereinafter set forth.

(Ord. 2/29/1972, §II; as amended by Ord. 5/29/1975, §88-17)

§24-403. License Required.

Every person desiring to continue to engage in or hereafter to begin to engage in the business of a wholesale or retail vendor or dealer in goods, wares or merchandise and any person conducting a restaurant or other place where food, drink or refreshments are sold, whether or not the same be incidental to some other business or occupation, shall, on or before the first day of January of each license year, procure a mercantile license for his or her place of business, or if more than one, for each of his or her places of business in the Township of Plains from the Mercantile Tax Collector as required by law. Such license shall be conspicuously posted at the place of business of every person at all times.

(Ord. 2/29/1972, §III; as amended by Ord. 5/29/1975, §88-18)

§24-404. Imposition and Rate of Tax.

Every person engaged in any of the following occupations or business in the Township of Plains shall pay an annual mercantile license tax for each calendar year at the rates herein set forth. [*Ord. 5/29/1975*]

- A. Wholesale vendors or dealers in goods, wares and merchandise, at the rate of one mill on each dollar of the volume of the annual gross business transacted by him or her, or at the rate of \$1 per \$1,000 of "gross volume of business".
- B. Retail vendors, or dealers in goods, wares and merchandise, and all persons engaged in conducting restaurants or other places where food, drink or refreshments are sold, at the rate of one and one-half mills on each dollar of the volume of the annual gross business transacted by him or her, or at the rate of \$1.50 per \$1,000 of "gross volume of business".
- C. Wholesale and retail vendors or dealers in goods, wares and merchandise, at the rate of one mill on each dollar of the volume of the annual gross wholesale business transacted by him or her and one and one-half mills on each dollar of the volume of the annual gross retail business transacted by him or her.
- D. Each person engaged in a business temporary, seasonal or itinerant by its nature, at the rate of one and one-half mills on each dollar of the gross volume of business, as that term is herein defined, transacted within the territorial limits of the Township during each "license year".

(*Ord. 2/29/1972, §IV; as amended by Ord. 5/29/1975, §88-19*)

§24-405. Computation of Volume of Business.

1. Every person subject to the payment of the tax hereby imposed who has commenced his or her business at least one year prior to the beginning of the license year shall compute his or her annual gross volume of business upon the actual gross amount of business transacted by him or her during the preceding calendar year.
2. Every person subject to the payment of the tax hereby imposed who has commenced or who commences his or her business less than one full year prior to the beginning of the license year, shall compute his or her annual gross volume of business for such license year upon the gross volume of business transacted by him or her during the first month he or she engaged in business multiplied by 12.
3. Every person subject to the payment of the tax hereby imposed who commences his or her business subsequent to the beginning of the license year, shall compute his or her annual gross volume of business for such license year upon the gross volume of business transacted by him or her during the first month of his or her engaging in business multiplied by the number of months he or she engages in business in such license year.
4. Every person subject to the payment of the tax hereby imposed who engages in a business temporary, seasonal or itinerant by its nature, shall compute his or her annual gross volume of business upon the actual gross amount of business transacted by him or her during the license year.
5. The Mercantile Tax Collector is hereby authorized to accept payment under protest of the amount of mercantile tax claimed by the Township in any case where the taxpayer disputes the validity or amount of the Township's claim for tax. If it is thereafter judicially determined by a court of competent jurisdiction that the Township has been overpaid, the amount of the overpayment shall be refunded to the taxpayer. The provisions of this Section shall be applicable to cases in which the facts are similar to those in a case litigated in a court of competent jurisdiction.

(*Ord. 2/29/1972, §V*)

§24-406. Returns.

1. Every return shall be made upon a form furnished by the Mercantile Tax Collector. Every person making a return shall certify the correctness thereof by affidavit.
2. Every person subject to the tax imposed by this Part who commenced his or her business at least one full year prior to the beginning of any license year shall on or before March 15 following, file with the Mercantile Tax Collector a return setting forth his or her name, his or her business and business address, and such other information as may be necessary in arriving at the actual gross amount of business transacted by him or her during the preceding calendar year, and the amount of the tax due. [*Ord. 5/29/1975*]
3. Every person subject to the tax imposed by this Part who has commenced his or her business less than one full year prior to the beginning of any license year shall on or before March 15 following, file with the Mercantile Tax Collector a return setting forth his or her name, his or her business, business address and such other information as may be necessary in arriving at the actual gross amount of business transacted by him or her during the first month of business and the amount of the tax due. [*Ord. 5/29/1975*]
4. Every person subject to the tax imposed by this Part who commences business subsequent to the beginning of any license year shall within 40 days from date of commencing such business file a return with the Mercantile Tax Collector setting forth or her name, or her business and business address, and such information as may be necessary in arriving at the actual gross amount of business transacted by him or her during or her first month of business and the amount of the tax due.
5. Every person subject to the payment of the tax imposed by this Part who engages in a business temporary, seasonal or itinerant by its nature, shall within seven days from the day he or she completes such business file a return with the Mercantile Tax Collector setting forth his or her name, his or her business address, and such information as may be necessary in arriving at the actual gross amount of business transacted by him or her during such period and the amount of tax due.
(*Ord. 2/29/1972, §VI; as amended by Ord. 5/29/1975, §88-22*)

§24-407. Payment.

At the time of filing the return, the person making the same shall pay the amount of tax shown as due thereon to the Mercantile Tax Collector.
(*Ord. 2/29/1972, §VII*)

§24-408. Powers and Duties of Mercantile Tax Collector.

1. It shall be the duty of the Mercantile Tax Collector to collect and receive the taxes, fines and penalties imposed by this Part. It shall also be his or her duty to keep a record showing the amount received by him or her from each person paying the tax and the date of each receipt.
2. The Mercantile Tax Collector is hereby charged with the administration and enforcement of the provisions of this Part, and is hereby empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this Part, including provisions for the re-examination and correction of returns, and payments alleged or found to be incorrect, or as to which an overpayment is claimed, or found to have occurred. Any person aggrieved by any decision of the Mercantile Tax Collector shall have the right to appeal to a court or courts of competent jurisdiction as in other cases provided.
3. The Mercantile Tax Collector is hereby authorized to examine the books, papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made, or, if no return was made, to ascertain the tax due. Every such taxpayer, or supposed taxpayer, is hereby directed and required to give to the Mercantile Tax Collector the means, facilities and opportunity for such examinations and investigations as are hereby authorized.
(*Ord. 2/29/1972, §VIII*)

§24-409. Confidential Nature of Returns and the Like.

Any information gained by the Mercantile Tax Collector, or any other officer, official, agent or employee of the Township as a result of any returns, investigations, hearings or verifications, required or authorized by this Part shall be confidential except in accordance with proper judicial order or as otherwise provided by law, and divulgence of any information so gained is hereby declared to be a violation of this Part, which may be punished by dismissal from office or employment.

(Ord. 2/29/1972, §IX)

§24-410. Suit on Collection; Penalty.

1. The Mercantile Tax Collector may sue for the recovery of taxes imposed by this Part whenever any of said taxes remain due and unpaid.

2. If for any reason the tax is not paid when due in each year, interest at the rate of six percent per annum on the amount of said tax, and an additional penalty of one percent per annum of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected. Where suit is brought for the recovery of any such tax, the person liable therefor, shall, in addition, be liable for the costs of collection and interest and penalties herein imposed.

(Ord. 2/29/1972, §X)

§24-411. Violations and Penalties.

Whoever makes any false or untrue statement on his or her return, whoever refuses to permit the inspection of the books, records or accounts of any business in his or her custody or control when the right to make such inspection by the Mercantile Tax Collector is requested, whoever fails or refuses to file a return required by this Part, whoever fails or refuses to procure a mercantile license when so required under this Part or whoever fails to keep his or her license conspicuously posted at his or her place of business as herein required, shall, upon conviction, shall be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 2/29/1972, §XI; as amended by Ord. 5/29/1975, §88-27; and by A.O.)

§24-412. Effect.

1. Nothing contained in this Part shall be construed to empower the Township to levy and collect the taxes hereby imposed on any person, or any business, or any portion of any business not within the taxing power of the Township under the Constitution of the United States and the laws and Constitution of the Commonwealth of Pennsylvania.

2. If the tax, or any portion thereof, imposed upon any person under the provisions of this Part shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania, the decision of the court shall not affect or impair the right to impose the taxes so imposed upon other persons as herein provided.

(Ord. 2/29/1972, §XII; as amended by Ord. 5/29/1975, §88-28)

Part 5**Parking Lot Tax****§24-501. Definitions.**

Person—any natural person, co-partnership, association, firm or corporation. Whenever used in any clause prescribing a penalty, the term “person”, as applied to a co-partnership or association, shall mean the partners or members thereof, and as applied to a corporation shall mean the officers thereof.
(Ord. 6/1/1965A, §1)

§24-502. Imposition of Tax.

On and after the effective date of this Part, a tax of ten percent of the gross receipts from all transactions in and for the parking of automobiles or motor vehicles on parking lots in the Township of Plains is hereby imposed. Such taxes shall be due to the Township of Plains by any person conducting any such parking lot.

(Ord. 6/1/1965A, §2)

§24-503. Application for and Issuance of Permit.

Any person desiring to conduct, or continue to conduct, any parking lot which charges a fee for parking shall file with the Township’s Secretary an application for a permit on forms provided by the Township. Every permit shall be issued in duplicate. The original, to which the Township seal shall be affixed, shall be given to the person applying for the permit, and the duplicate shall be kept on file by the Township’s Secretary.

(Ord. 6/1/1965A, §3)

§24-504. Return and Payment.

Every person to whom a permit shall have been issued shall, on or before the fifteenth day of each month, prepare and file a return with the Township Treasurer showing a computation of the tax due for the preceding calendar month on forms to be supplied by the Township; and, at the same time, shall pay over to the Township Treasurer the entire amount of the tax due.

(Ord. 6/1/1965A, §4)

§24-505. Duties and Powers of Treasurer.

The Treasurer is hereby authorized to examine the books and records of any person filing a return in order to verify the accuracy of any return made or, if no return was made, to ascertain the tax due.

(Ord. 6/1/1965A, §5)

§24-506. Penalty for Nonpayment.

If any tax levied in pursuance of this Part shall not be paid when due, a penalty of ten percent of the amount of the tax due and unpaid shall be added thereto.

(Ord. 6/1/1965A, §6)

§24-507. Disposition of Moneys.

All taxes, interest and penalties collected or recovered shall be paid into the Township Treasury as general revenue to be used for general revenue purposes.

(Ord. 6/1/1965A, §7)

§24-508. Violations and Penalties.

Any person violating or failing to carry out any of the provisions and requirements of this Part; or neglecting, failing or refusing to furnish complete and correct returns or to pay over any tax levied by this Part at the time required; or knowingly filing any incomplete, false or fraudulent return; or doing or attempting to do anything whatever to avoid the payment of the whole or any part of the tax imposed under this Part shall, upon conviction, shall be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 6/1/1965A*, §8; as amended by *Ord. 5/29/1975*, §88-47; and by A.O.)

Part 6**Per Capita Tax****§24-601. Definition.**

1. The following words and phrases when used in this Part shall have the meanings ascribed to them in this Section, except where the context or language clearly indicates or requires a different meaning.

Person—any natural person.

Resident—any person domiciled within the Township limits of the Township of Plains.

Tax Collector—the person or persons, agency or agencies properly appointed by resolution of the Township of Plains to collect the tax imposed by this Part.

Taxpayer—any person required hereunder to pay a per capita tax.

2. The singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 12/16/1987, §1)

§24-602. Levy and Amount of Tax.

The Township of Plains hereby imposes and levies for general revenue purposes an annual per capita tax of \$10 upon every resident within the municipal limits of the Township of Plains and who shall have attained the age of 18 years on or before the first day of January, 1988. This tax is in addition to all other taxes any kind or nature heretofore levied by the Township of Plains.

(Ord. 12/16/1987, §2)

§24-603. Notice and Residence Requirements.

1. Every resident and inhabitant of the Township of Plains, upon the age of 18 years and every person 18 years of age upon becoming a resident or inhabitant of the Township of Plains shall within 12 months of the happening thereof, notify the Tax Collector of the Township in which he or she resides of his or her becoming of age or becoming a resident or inhabitant.

2. On or before the first day of April, 1988, the Tax Collector shall send to every resident of the Township of Plains, 18 years of age or older, a notice of the per capita tax due by such resident for the fiscal year 1988, provided that the failure or omission of the Tax Collector to send, or of any taxpayer to receive such notice, shall not relieve such person from the payment of such tax; provided, further, that any person who shall become a resident of the Township of Plains after the first day of January, 1988, shall not be liable for the per capita tax for that fiscal year; but, any person who shall cease to be a resident at any time after the first day of January, 1988, shall be liable for the full amount of the per capita tax for said year.

(Ord. 12/16/1987, §3)

§24-604. Discount and Penalty.

All taxpayers subject to the payment of the tax under this Part shall be entitled to a discount of two percent on the amount of such tax upon making payment of the whole amount thereof within two months after the date of the notice. All taxpayers who shall fail to make payment of any such tax imposed against them for four months after the date of the notice shall be charged a penalty of ten percent, which penalty shall be added to the taxes by the Tax Collector and collected by him or her. The Tax Collector shall furnish a receipt to every person paying such tax.

(Ord. 12/16/1987, §4)

§24-605. Suits for Collection.

All taxes levied under this Part together with all penalties, together with costs of collection, shall be recoverable by the Tax Collector in the manner authorized by law.

(Ord. 12/16/1987, §5)

§24-606. Administration of Tax.

1. It shall be the duty of the Tax Collector to accept and receive payment of this tax and to keep a record thereof showing the amount received by him or her from each resident together with the date the tax was received. It shall be the Tax Collector's duty to remit collection to the Township of Plains as soon as practicable, but no later than one month from the date of receipt.

2. The Tax Collector is hereby charged with the administration and enforcement of this Part and is hereby charged and empowered to prescribe, adopt and promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this Part. Any person aggrieved by any decision of the Tax Collector shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(Ord. 12/16/1987, §6)

§24-607. Fine and Penalty.

Whoever fails to carry out any of the provisions of this Part or who attempts to do anything whatsoever to avoid payment of the whole or any part of the tax imposed under this Part shall, upon conviction before any magisterial district judge, shall be sentenced to pay a fine of not more than \$600 for each and every offense and the cost for prosecution thereof, and in default of payment of said fine and costs be imprisoned in Luzerne County Prison to a term of imprisonment not to exceed 30 days for each offense; provided that such fine and costs or penalties shall be in addition to any other penalty imposed by any other Section of this Part.

(Ord. 12/16/1987, §7; as amended by A.O.)

§24-608. Savings and Severability Clauses.

1. Nothing contained in this Part shall be construed to empower the Township of Plains to levy and collect the per capita tax hereby imposed on any resident not within the taxing power of the Township of Plains, under the Constitution of the United States and under the laws of the Commonwealth of Pennsylvania.

2. If the tax hereby imposed under the provisions of this Part shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any person, the decision of the court shall not effect or impair the right to impose or collect said tax or the validity of the tax so imposed on other persons as herein provided.

3. The provisions of this Part are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not effect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this Part would have been adopted if such illegal, invalid or unconstitutional provisions had not been included herein.

(Ord. 12/16/1987, §8)

§24-609. Exemptions.

All purposes of this Part and in addition to any other limitations or restrictions contained herein, all individuals subject to the imposition of this tax as contained in this Part, and who have personal income equal to or less than \$5,000 or who are 65 years of age or older, are hereby exempted from the payment of this tax.

(Ord. 12/16/1987, §10)

Part 7**Realty Transfer Tax****§24-701. Imposition of Tax.**

Plains 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 of the value of the real estate transferred.

(Ord. 2007-2, 7/19/2007, §1)

§24-702. Administration.

The tax imposed under §24-701 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, Plains Township, pursuant to §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. 2007-2, 7/19/2007, §2)

§24-703. Interest.

Any tax imposed under §24-701 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, 1923 (P.L. 207, No. 153), 53 P.S. §§7101 *et seq.*, as amended known as 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 §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. 2007-2, 7/19/2007, §3)

Part 8**Tax Penalties****§24-801. Penalty for Unpaid Taxes.**

A penalty of ten percent shall be assessed against all taxpayers of Plains Township, Luzerne County, Pennsylvania, who fail to make payment of any tax provided for under the Local Tax Collection Law, 72 P.S. §§5511.1 *et seq.*, in those cases where such taxes are charged against the taxpayer and which remain unpaid for four months after the date of the tax notice.

(Ord. 5/5/1977B, §I)

§24-802. Authorization to Add Penalty.

The Tax Collector of the Township is hereby authorized to add such penalty to the taxes and collect same.

(Ord. 5/5/1977B, §II)

§24-803. Effective Date.

The new penalty rate of ten percent shall be effective with the collection of all taxes levied for the year 1978.

(Ord. 5/5/1977B, §III)

Part 9**Business Privilege Tax****§24-901. Short Title.**

This Part shall be known as the “Business Privilege Tax Resolution”.
(*Res. 11/-/1986, §I*)

§24-902. Definitions.

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

Business—any activity carried on or exercised for gain or profit in the Township of Plains, Luzerne County, Pennsylvania, which is not subject to the Mercantile License Tax Resolution of February 29, 1972, including, but not limited to, the performance of services and the rental of personal property and/or realty.

Calendar year—the period January 1 to December 31, inclusive.

Gross volume of business—shall include all cash, credit and barter transactions.

License year—the period beginning January 1 and ending December 31 of the calendar year for which the tax is levied.

Person—any individual, partnership, limited partnership, association, firm or corporation. Whenever used in any clause prescribing or imposing a penalty, the term “person” as applied to associations shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

Tax Administrator—the person(s) duly appointed by the Commissioners of Plains Township to administer the within tax.

Taxpayer—a person subject to the payment of the tax imposed by this Part.

Township—Plains Township, Luzerne County, Pennsylvania.

(*Res. 11/-/1986, §II*)

§24-903. Imposition of Tax.

There is hereby levied for the license year 1987 and annually thereafter a tax for general revenue purposes of the privilege of doing business as herein defined in the Township of Plains Luzerne County, Pennsylvania, as follows:

A. *Licenses.* Beginning on the first day of January, 1987, and for the balance of the calendar year, every person desiring to continue to engage in, or hereafter to begin to engage in business as herein defined, shall, on or before the first day of January, 1987, and for the balance of the calendar year, every person desiring to continue to engage in, or hereafter to begin to engage in business as herein defined, shall, on or before the first day of January, 1987, procure a business privilege license for his or her place of business, or if more than one, for each of his or her places of business in Plains Township from the Business Privilege Tax

Collector as required by law. Such license shall be conspicuously posted at the place of business of every person at all times.

B. *Rate and basis of tax.* The rate of the tax on each and every dollar of the whole or gross volume of business transacted within the territorial limits of Plains Township shall be three-fourths mills. Three-quarters mills shall mean \$0.75 per \$1,000 of gross volume of

business.

C. *Computation of volume of business.*

- (1) Every person subject to the payment of the tax hereby imposed who has commenced his or her business at least one year prior to the beginning of the license year shall compute his or her annual gross volume of business upon the actual gross amount of business transacted by him or her during said immediately preceding calendar year.
- (2) Every person subject to the payment of the tax hereby imposed who has commenced or who commences his or her business less than one full year prior to the beginning of the license year, shall compute his or her annual gross volume of business for such license year upon the gross volume of business transacted by him or her during the first month in business multiplied by 12.
- (3) Every person subject to the payment of the tax hereby imposed who commences his or her business subsequent to the beginning of the license year, shall compute his or her annual gross volume of business for such license year upon the gross volume of business transacted by him or her during the first month of his or her engaging in business multiplied by the number of months he or she engages in business in such license year.
- (4) Every person subject to the payment of the tax hereby imposed who engages in a business temporary, seasonal or itinerant by its nature, shall compute his or her annual gross volume of business upon the actual gross amount of business transacted by him or her during the license year. The aforementioned shall be required to make a minimum payment in an amount determined by the Tax Administrator prior to their engaging in business.
- (5) The Tax Administrator is hereby authorized to accept payment under protest of the amount of business privilege tax claimed by the Township in any case where the taxpayer disputes the validity or amount of the Township's claim for tax. If it is thereafter judicially determined by a court of competent jurisdiction that the Township has been overpaid, the amount of the over payment shall be refunded to the taxpayer. The provisions of this Section shall be applicable to cases in which the facts are similar to those in a case litigated in a court of competent jurisdiction.
- (6) Payments made under the mercantile license tax for business to which this tax is applicable shall be credited to this tax and vice versa.

D. *Persons, business and receipts exempted.*

- (1) *Persons and businesses.* Persons employed for a wage or salary, nonprofit corporations or associations organized for religious, charitable or educational purposes, agencies of the government of the United States or of the Commonwealth of Pennsylvania and the business of any political subdivision, or of any authority created or organized under and pursuant to any act of assembly are exempt from the provisions of this Part.
- (2) *State tax or license fee.* No such tax shall be assessed and collected on a privilege, transaction, subject or occupation which is subject to a state tax or license fee, and which tax or license fee has been held by the courts of Pennsylvania to be the basis for exemption from the imposition of a business privilege tax by a municipality.
- (3) *Utilities.* No such tax shall be assessed and collected on the gross receipts from utility service of any person or company whose rates of service are fixed and regulated by the Pennsylvania Public Utility Commission; or on any public utility service rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service.
- (4) *State tax on tangible property.* No such tax shall be assessed and collected on the

privilege of employing such tangible property as is subject to a state tax except on sales of admission to places of amusement or on sales or other transfers of title or possession of property.

(5) *Other.* Any other person exempt by law from the imposition of this tax.

E. *Determination of gross or whole volume business.* Gross or whole volume of business upon which the tax hereunder is computed shall include the gross consideration credited or received for or on account of sales made, rentals and/or services rendered, subject only to the following allowable deductions and exemptions:

(1) Any commissions paid by a broker to another broker on account of a purchase or sales contract initiated, executed or cleared with such other broker.

(2) Bad debts, where the deduction is also taken in the same year for federal income taxation purposes.

(3) Taxes collected as agent for the United States of America, Commonwealth of Pennsylvania or the Township of Plains.

F. *Partial exemptions.* Where gross or whole volume of business in its entirety cannot be subjected to the tax imposed by this Part by reason of the provisions of the Constitution of the United States or any other provision of law, the Tax Administrator with the approval of the Plains Township Board of Commissioners shall establish rule and regulations and methods of allocation and evaluation so that only that part of the gross or whole volume of business which is properly attributable and allowable to doing business in the Township shall be taxed hereunder.

G. *Rate when same tax is imposed by two taxing bodies.* It is the intent of this Part, pursuant to the sharing provisions of the Local Tax Enabling Act, and its amendments, 53 P.S. §§6924.101 *et seq.*, that this tax is to be in addition to and not included in the business privilege tax passed by the Wilkes-Barre School District on June 30, 1986. [Res. 12/10/1987]

H. *Records.* The taxpayer, to obtain the foregoing enumerated exclusions and deductions, shall keep books and records of his or her business so as to show clearly, accurately and separately the amount of such sales and services as are excluded from the tax and the amounts of such sales and services which he or she is entitled to deduct from the gross volume of business as hereinbefore provided.

(*Res. 11/-/1986, §III; as amended by Res. 12/10/1987, §7*)

§24-904. Returns.

1. Every return shall be made upon a form furnished by the Tax Administrator. Every person making a return shall certify the correctness thereof by affidavit. Each return shall be documented by appropriate schedule to verify their accuracy.

2. Every person subject to the tax imposed by this Part who commenced his or her business at least one full year prior to the beginning of any license year shall on or before the fifteenth day of April, 1987, file with the Tax Administrator a return setting forth his or her name, his or her business and business address, and such other information as may be necessary in arriving at the actual gross amount of business transacted by him or her during the preceding calendar year, and the amount of the tax due.

3. Every person subject to the tax imposed by this Part who has commenced his or her business less than one full year prior to the beginning of any license year shall on or before the fifteenth day of April, 1987, file with the Tax Administrator a return setting forth his or her name, his or her business, business address and such other information as may be necessary in arriving at the actual gross amount of business transacted by him or her during the first month of business and the amount of the tax due.

4. Every person subject to the tax imposed by this Part who commences business subsequent to the beginning of any license year shall within 40 days from date of commencing such business file a return with the Tax Administrator setting forth his or her name, his or her business and business address, and such information as may be necessary in arriving at the actual gross amount of business transacted by him or her during the first month of business and the amount of the tax due.

5. Every person subject to the payment of the tax imposed by this Part who engages in a business temporary, seasonal or itinerant by its nature, shall within seven days from the day he or she completes such business file a return with the Tax Administrator setting forth his or her name, his or her business address and such information as may be necessary in arriving at the actual gross amount of business transacted by him or her during such period and the amount of tax due.

6. Any person going out of or ceasing to do business shall within seven days from the date of ceasing to do business, file a return showing the actual gross volume of business conducted and done by such person during that tax year which said person ceased doing business, and pay the tax due as computed thereon at the rate herein provided for at the time of filing said return. If such tax has been previously paid based upon estimated gross receipts, the taxpayer shall be entitled to a refund, without interest, of any excess tax paid for the tax year in which business was terminated.

7. Payment of tax and penalties for late payment: the business privilege tax levied pursuant to this Part shall be due and payable on the date on which the taxpayer is required to file a return as set forth above and if the same is not paid on said date, a penalty of one percent of tax due for each month or fractional delinquency shall be added thereto until paid.

8. Receipt: the Tax Administrator shall, upon payment to him or her of the business privilege tax, give the person paying the same a receipt therefor, or the Tax Administration, as the case may be.

(*Res. 11/-/1986, §IV*)

§24-905. License.

After the effective date of this Part, any person desiring to conduct, or to continue to conduct any business, as herein defined, with the Township shall file with the Tax Administrator an application for a business privilege license.

(*Res. 11/-/1986, §V*)

§24-906. Posting.

The license issued shall be conspicuously posted in the place of business for which the such license is issued, and shall remain in effect for the license year or fraction of year for which said license was issued. In cases where more than one place of business is conducted, a separate license shall be issued for each place of business. Any taxpayer who is in default in payment of tax due hereunder shall be refused a license until such tax is paid in full.

(*Res. 11/-/1986, §VI*)

§24-907. Penalty.

Any person who shall conduct, transact or engage in any of the businesses subject to the tax imposed by this Part without having first secured a business privilege license for the year, or any person who shall fail to file a tax return as required by the provisions of this Part, or any person who shall willfully file a false return, shall, upon summary conviction before any magisterial district judge in the County of Luzerne, shall be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Res. 11/-/1986, §VII; as amended by A.O.*)

§24-908. Duties of the Tax Administrator.

1. The Tax Administrator is charged with the duties of receiving the taxes, fines and penalties imposed by this Part. It shall be his or her duty to keep a record showing the amount received by him or her from each person paying the tax and the date of such receipt. It shall be his or her duty to remit collections to the Township as soon as practical but no later than one month from the date of receipt.

2. The Tax Administrator and his or her duly appointed deputies are hereby empowered with the approval of the Plains Township Board of Commissioners to prescribe, adopt and promulgate rules and regulations relating to any matter pertaining to the collection, administration and enforcement of this Part, including provisions for the examination and correction of returns, and payments alleged or

found to be incorrect, or as to which an overpayment is claimed, or found to have occurred, and charged with enforcing the provisions of this Part and any rules and/or regulations promulgated pursuant hereto.

3. In the event the person to be assessed neglects or refuses to make a return, then in such case the Tax Administrator or his or her duly appointed deputies shall assess said person or persons on such an amount of whole or gross volume of business as the said Tax Administrator or his or her deputies deem reasonable and appropriate. In all cases of assessment, the Tax Administrator or his or her duly appointed deputies shall give the parties assessed a notice in which shall be stated the trade, business, occupation or class, and the amount of the business privilege tax imposed or levied.

4. The taxpayer shall maintain such records and books of account as will enable him or her to make a true and accurate return in accordance with the provisions of this Part. Such accounts and records must disclose in detail the gross receipts and other data pertaining to the taxpayer's gross volume of business, and must be sufficiently complete to enable the Tax Administrator or his or her deputies to verify all transactions. The Tax Administrator or his or her deputies are hereby authorized to examine the books, papers and records of any person or persons subject to or supposed to the tax imposed by this Part, in order to verify the accuracy of the return made, or if no return was made,

ascertain the tax due.

5. Any person aggrieved by any decision of the Tax Administrator shall have the right to appeal to the Court of Common Pleas as in other cases.

(Res. 11/-/1986, §IX)

§24-909. Confidential Nature of Returns and the Like.

Any information gained by the Tax Administrator or any other official, agent or employee of the Township as a result of any returns, investigations, hearings or verifications required or authorized by this Part, shall be confidential, except in accordance with proper judicial order or as otherwise provided by law.

(Res. 11/-/1986, §X)

§24-910. Suit on Collection and Penalty.

1. The Tax Administrator or his or her duly appointed deputies shall have the power in the name of the Township to institute proceedings against any and all persons who violate the provisions of this Part.

2. If for any reason the tax is not paid when due and suit is brought for the recovery of any such tax, the person liable therefor, shall, in addition, be liable for the costs of collection and interest and penalties herein imposed.

(Res. 11/-/1986, §XI)

§24-911. Savings and Severability Clauses.

1. Nothing contained in this Part shall be construed to empower the Township to levy and collect the taxes hereby imposed on any person, or any business, or any portion of any business not within the taxing power of the Township under the Constitution of the United States and the laws and Constitution of the Commonwealth of Pennsylvania.

2. If the tax, or any portion thereof, imposed upon any person under the provisions of this Part shall be held by any court of competent power or jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania or any other provision of the law, the decisions of the court shall not affect or impair the right to impose the taxes, or the validity of the taxes so imposed upon other persons as herein provided.

3. The provisions of this Part are severable, and if any of its provisions shall be held illegal, invalid or unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this Part. It is hereby declared to be the intention of the Plains Township Board of Commissioners that this resolution would have been adopted if such illegal, invalid or unconstitutional provisions had not been included herein.

(Res. 11/-/1986, §XII)

Part 10

Collection of Delinquent Real Estate Taxes

§24-1001. Appointment of Alternative Tax Collector.

In addition to the authorization for the collection of taxes and institution of tax sales authorized by the Real Estate Tax Sales Law ("RETSL"), 72 P.S. §§5860.201 *et seq.* Northeast Revenue Service, LLC as agent for the Luzerne County Tax Claim Bureau is appointed as alternative Collector and is authorized and directed to file liens for existing delinquent real estate taxes with the Prothonotary of Luzerne County in accordance with the provisions of the Municipal Claims and Tax Liens Act, 53 P.S. §§7101 *et seq.*

(Ord. 2015-4, 6/11/2015)

§24-1002. Interest.

In accordance with the MCTLA and RETSL, interest shall be charged on taxes so returned from and after but not before the first day of the month following the return. Interest shall be charged at the rate of nine percent per annum.

(Ord. 2015-4, 6/11/2015)

§24-1003. Collecting Fees.

Pursuant to §7106 of the MCA, it is hereby established that the reasonable charges, expenses and fees incurred in the collection of any delinquent account under the MCA are hereby fixed at five percent of the total amount of the delinquent taxes (including interest and penalties) and that said expenses and fees set forth herein, shall be paid to Northeast Revenue or any other as agent set forth by Luzerne County for tax collection in lieu of payment of commission pursuant to 72 P.S. § 5860.207 of RETSL.

(Ord. 2015-4, 6/11/2015)

§24-1004. Authority.

The proper officials of the Township of Plains are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Part.

1. If any Section, Clause, provision or portion of this Part shall be held invalid or unconstitutional by and court of competent jurisdiction, such decision shall not affect any other Section, Clause, provision or portion of this Part so long as it remains legally enforceable minus the invalid portion. The Township reserves the right to amend this Part or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Part, and the effective administration thereof.

2. All ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

(Ord. 2015-4, 6/11/2015)

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[Reserved]

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[Reserved]

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Part 1**General Provisions****§27-101. Title.**

This Chapter shall be known and may be cited as the “1998 Zoning Ordinance of the Township of Plains”, as amended.

(*Ord. 1998-1, 3/19/1998, §101*)

§27-102. Interpretation and Conflict.

In interpreting and applying the provisions of this Chapter, they shall be held to the minimum requirements for the protection and promotion of the public health, safety, convenience, comfort, morals and general welfare of the residents of Plains Township. In the event of any conflict in the application of this Chapter with other applicable public or private provisions, the following shall apply:

A. *Public provisions.* The regulations of this Chapter, are not intended to interfere with or abrogate or annul any other ordinance, rules or regulations previously adopted or previously issued by Plains Township which are not in conflict with any provisions of this Chapter. Where this Chapter imposes a greater restriction upon the use of land, structure or building than any other previously adopted ordinance, rules or regulations of Plains Township, the provisions of this Chapter shall apply.

B. *Private provisions.* The regulations of this Chapter are not intended to interfere with or abrogate or annul any easement, covenant or other form of private agreement or restriction, provided that where the provisions of this Chapter impose a greater restriction, the requirements of this Chapter shall govern. Plains Township shall not however be held responsible for knowledge and/or enforcement of any private deed restriction, private covenant or other form of private agreement which may be inconsistent with the provisions of this Chapter and/or beyond the scope of regulations contained within this Chapter.

(*Ord. 1998-1, 3/19/1998, §102*)

§27-103. Compliance with Ordinance Required.

Except as hereinafter provided, no land, building, structure or premises shall hereafter be used, and no building or part thereof or other structure shall be located, erected, reconstructed, extended, enlarged, converted, altered or moved except in conformity with the regulations herein specified for the zoning district in which it is located.

(*Ord. 1998-1, 3/19/1998, §103*)

§27-104. Purpose.

This Chapter is enacted to accomplish the purposes enumerated in §604 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10604, as amended. The provisions of this Chapter are designed to achieve the following:

- A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, emergency management preparedness, airports and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as reservation of natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
- B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.
- C. To preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
- D. To provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings and a reasonable range of multi-family dwellings in various arrangements, mobile homes and mobile home parks; provided, however, that this Chapter shall not be deemed invalid for the failure to provide any other specific dwelling type.
- E. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

(Ord. 1998-1, 3/19/1998, §104)

§27-105. Community Development Objectives.

In addition to the community development objectives of the Township's Comprehensive Plan, the following shall be considered to represent supplemental community development objectives of said plan:

- A. Achieve the best use of land within the Township, ensuring that a balanced pattern of development which emphasizes an efficient and compatible arrangement of residential, commercial, industrial, open-space and public uses intended to improve the economic and aesthetic character of community.
- B. Continue to provide the best possible police protection, fire protection and emergency medical service consistent with the community's needs.
- C. Coordinate land development with roadways and other public facilities and utilities.
- D. Maintain and improve Township roadways to eliminate identified deficiencies.
- E. Preserve adequate open space and conserve and protect the aesthetic qualities of land in environmentally sensitive areas, including floodplains and areas which have steep terrain.
- F. Encourage and promote the provision of a wide range and variety of housing types to meet the needs of all Township residents including, but not limited to, newly formed households, growing families and senior citizens.
- G. To ensure all new development provides adequate measures to control storm drainage and soil erosion and sedimentation.
- H. To facilitate proper reuse collection and disposal at reasonable cost and to achieve maximum recycling of solid wastes, and to prevent illegal dumping which causes degradation to the environment and to the appearance of the community.
- I. To periodically review and revise planning goals and objectives, and the operational tools necessary for implementation in light of new data and conditions.

Part 2

Definitions

§27-201. Application and Interpretation.

The definition of words included herein are provided to facilitate the interpretation of this Chapter for administrative and enforcement purposes. Unless expressly stated otherwise, within the context of the Chapter, the following shall apply:

- A. Words used in the present tense shall include the future tense.
- B. The word “person” shall include a profit or nonprofit corporation, company, partnership, individual or single proprietorship.
- C. The words “used” or “occupied” as applied to any land or building shall include the words “intended”, “arranged” or “designed” to be used or occupied.
- D. The word “building” shall include “part thereof” and “structure”.
- E. The word “lot” shall include “plot” or “parcel”.
- F. The word “shall” is always mandatory.
- G. The singular number shall include the plural, and the plural the singular.
- H. The masculine gender shall include the feminine and neuter.
- I. The word “street” shall include “road”, “highway” and “lane”.

(Ord. 1998-1, 3/19/1998, §201)

§27-202. Definition of Terms.

For the purpose of this Chapter, the following words, terms and phrases have the meaning indicated herein:

Abandonment—to cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, subject to completion of the work within one year from the issuance of a building permit.

Abutting—having a common border with, or being separated from such a common border by a right-of-way, alley or easement.

Access—a way or means of approach to provide physical ingress and/or egress to a property.

Accessory structure—a subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Accessory use—a use incidental to, and on the same lot as, a principal use.

Adjoining property—a property having a contiguous property boundary with a separate property, including properties with any amount of opposite front, rear or side yard areas that are separated by a right-of-way, alley or easement. [Ord. 2009-5B]

After hours—a use with the hours of operation from 2:00 a.m. to 6:00 a.m. offering any form of entertainment which may include but is not limited to music and dancing that is operated for profit or pecuniary gain which has a capacity for ten or more persons which does not serve or allow consumption of any alcoholic beverages upon premises. [Ord. 2016-1]

Alley—a public right-of-way intended and/or used as a secondary means of access to abutting property.

Alteration—any change, addition or modification in construction or occupancy of an existing

structure.

Alteration, structural—any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

Amendment—a change in the regulations and provisions of this Chapter, including changes to boundaries of zoning districts as provided upon the Zoning Map.

Antenna, commercial—a device used for to collect and/or transmit telecommunication signals, radio signals, television signals, wireless phone signals or similar signals in association with a commercial enterprise, which may or may not be regulated by the FCC (Federal Communications Commission).

Antenna support structure, commercial—a tower, pole, mast or similar structure which supports equipment used to transmit and/or receive telecommunication signals, radio signals, television signals, wireless phone signals or similar signals in association with a commercial enterprise.

Automobile wrecking yard (see also “junkyards”)—the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding 30 days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of an automobile wrecking yard.

Automotive sales—the use of any building, structure or land, other than a street, for the display and sale or rental of motor vehicles, which are in operable condition. The owner/operator of this business must have a valid state license for the sale or rental of such motor vehicles. Any related repair shall be conducted within an enclosed building and shall be an accessory use.

Bakery, retail—a retail limited bakery primarily serving individual public consumers.

Bakery, wholesale—a business processing and producing bakery products primarily for retail bakeries as opposed to individual consumers.

Basement—that portion of a building that is partly or completely below grade. A basement shall be counted as a story if the vertical distance from the average adjoining grade to the ceiling is five feet or greater.

Bed and breakfast—a private owner occupied residence with one of three guestrooms. The bed and breakfast is subordinate and incidental to the main residential use of the structure. Individual guest are prohibited from staying at a bed and breakfast for more than 14 days in any one year period. [Ord. 2016-1]

Boarding house or rooming house—a structure or portion thereof which contains rooming units which are rented or leased, with the occupants of said units being nontransient, and utilizing said location as a legal place of residence. The term “boarding house or rooming house” shall specifically exclude the following:

- (1) Dwelling.
- (2) Dwelling unit.
- (3) Motel and/or hotel.
- (4) Group residence.

Bottle club—an establishment operated for profit or pecuniary gain which has a capacity for the assemblage of ten or more persons and in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a license

under the Act of April 12, 1951 (P.L. 90, No. 21) known as the "Liquor Code," 47 P.S. §§ 1-101 *et seq.*, or any organization as set forth in §6 of the Act of December 19, 1990 (P.L. 1200, No. 202) known as the "Solicitation of Funds for Charitable Purposes Act," 10 P.S. §§ 162.1 *et seq.* Said club shall not include a restaurant as defined in this Section. [Ord. 2016-1]

Buffer area—a method of improvements designed to separate and substantially obstruct the view of two adjacent land uses or properties from one another. For the purpose of this Chapter when a buffer area is required it shall be deemed represent a fence or stone wall with cork fitting, eight feet in height with two staggered rows of evergreen trees planted in front of the fence with the spacing distance between trees not less than eight feet or greater than ten feet. Said trees shall be not less than eight feet in height at the time of planting.

Building—any structure having a roof supported by columns or walls and intended for shelter, housing or enclosure of persons, animals or property.

Building, accessory—a subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use.

Building coverage—the horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

Building height—the vertical distance of a building measure from the average elevation of the proposed finished grade within 20 feet of the structure to the highest point of the roof for flat roofs; to the deck line of mansard roofs and to the average height between eaves and the ridge for gable, hip and gambrel roofs.

Building, principal—a building in which is conducted the principal use of the lot on which it is located.

Carport—a roofed structure opened on two or more sides and used for the storage of private motor vehicles. It may be constructed as a separate accessory structure or part of the principal structure.

Car wash—an area of land and/or a structure with machine or hand-operated facilities used principally for the interior and/or exterior cleaning, washing, polishing or waxing of motor vehicles.

Cellar—the portion of any building which is located partly underground, but having one-half or more of its height, measured from finished floor grade to finished ceiling, below the average grade of the adjoining land. A cellar shall not be counted as a story for the purposes of administering height regulations of this Chapter.

Cemetery—land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Certificate of zoning compliance—the certificate (sometimes called "occupancy permit") issued by the Zoning Officer after he or she has inspected any structure, building, sign and/or land or portion thereof for which a zoning permit was issued in order to determine compliance with the terms of the permit and this Chapter before the structure, building, sign and/or land or portion thereof can be lawfully used and/or occupied.

Change of use—any use which differs from the previous use of a building, structure or land.

Child care facility—

Child care services—the provision of out-of-home care for children for part of a 24-hour day, excluding the care provided by relatives.

Family child care center—a residential structure in which child care services are provided for more than six but less than 12 children, at any one time, where the child care areas are also used as a portion of a family residence.

Group child care home—a structure in which child care services are provided for seven or more children at any one time, where the child care areas within the structure are not jointly used as a portion of a family residence.

Chimney—a vertical structure containing one or more flues for drawing off emissions from a stationary source of combustion, including, but not limited to, those attached to an outdoor fuel furnace. [Ord. 2007-5A]

Church—(see “place of worship”).

Clean wood—natural wood that has no paint, or other types of coatings, and natural wood that has not been treated with, including but not limited to, copper chromium arsenate, creosote or pentachlorophenol. [Ord. 2009-5B]

Clear sight triangle—an area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the “corner” so as not to interfere with traffic visibility across the corner.

Clinic—a facility comprised of professional offices, for the examination and treatment of persons as outpatients by physicians, dentists or other licensed medical specialists, in which said medical practitioners work in cooperative association. Said clinics may provide medical services customarily available at hospitals, excluding overnight care of patients and 24-hour emergency service.

Club—buildings or facilities owned or operated by a corporation, association or persons for a social, educational or recreational purpose; but not primarily for profit or to render a service that is customarily carried on as a business.

Commercial, retail—sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by definition. [Ord. 2007-5A]

Commercial use—an occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee.

Common open space—a parcel or parcels of land, which may include an area of water, within a development site and designated and intended for the use or enjoyment of residents of a planned residential development, exclusive of streets, off-street parking areas and areas set aside for public facilities.

Community center—a place, structure, area or other facility used for and providing religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

Conditional use—a use that, owing to some special characteristics attendant to its operation or installation, is permitted in a zoning district subject to approval by the Board of Commissioners and subject to special requirements, different from those usual requirements for the zoning district in which the conditional use may be located.

Condominium—a building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Continuing care facility—

(1) An age-restricted residential development, as defined in current state licensing requirements, designed, operated and maintained to provide a continuum of accommodations and care for retired adults that may include:

- (a) Independent dwelling units.
- (b) Skilled nursing facilities.
- (c) Intermediate care facilities.

(d) Personal care facilities.

- (2) A continuing care facility may also include supporting services and facilities that encompass dining, recreational and social activities limited to residents within said facility.

[Ord. 2003-4]

Contractor's storage—a lot, building, or part thereof, used to store materials used by a contractor in the construction of a road, highway, structure or building, landscaping or utilities.

Convenience store—any retail establishment offering for sale prepackaged food products, household items and other goods commonly associated with the same.

Convenience store with gas sales—any retail establishment offering for sale prepackaged food products, household items and other goods commonly associated with the same, along with the retail sales of gasoline and related fuel products.

Convention center—a facility designed to accommodate 300 or more persons and used for conventions, conferences, seminars, product displays, recreation activities and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premises consumption. [Ord. 2007-5A]

County Planning Commission—the Planning Commission of Luzerne County.

Critical areas—an area with one or more of the following characteristics: stream corridors, streams, floodplain areas, wetlands, slopes which equal or exceed 15 percent, soils classified as highly acidic or highly erodible, soils classified as having a high water table, land and associated soils which display poor percolation, mature stands of native vegetation and aquifer recharge and discharge area.

Day care center—a structure in which child care services are provided for seven or more children at any one time, where the child care areas within the structure are not jointly used as a portion of a family residence.

Day care facility—a facility for the provision of out-of-home care for children for part of a 24-hour day, excluding the care provided by relatives, and licensed as such by the state.

Day care home—a residential structure in which child care services are provided for more than six but not less than 12 children, at any one time, where the child care areas are also used as a portion of a family residence.

Day care services—the provision of out-of-home care for children for part of a 24-hour day, excluding the care provided by relatives.

Decision—final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be subject to appeal to the Court of Common Pleas of Luzerne County.

Density—the number of dwelling units permitted per net unit of land.

Determination—

- (1) Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

- (a) The Board of Commissioners.
- (b) The Zoning Hearing Board.
- (c) The Planning Commission, only if and to the extent the Planning Commission is charged with final decision on preliminary or final plans under the Subdivision and Land Development Ordinance [Chapter 22] or planned residential development provisions.

- (2) Determinations may be appealed only to the boards designated as having jurisdiction.

tion for such appeal.

Development—any human-made improvements to improved or unimproved real estate. The construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining, dredging, filling, grading, paving, excavation, drilling, land disturbance and any use or extension of the use of land shall be deemed to constitute a development.

District—(see “zoning district”).

Dry cleaner, retail—a retail limited-processing dry cleaner primarily.

Dwelling—one or more rooms, designed, occupied or intended for occupancy as separated living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Dwelling, multiple—a building containing three or more dwelling units entirely separated by vertical walls or horizontal floors, unpierced except by access to the outside or to a common cellar. The term “townhouse” is excluded under this term (see definition of “townhouse”).

Dwelling, single-family—a detached building arranged or used for occupancy by one family. A mobile home or similar manufactured housing unit which permanently attached and anchored to a permanent foundation shall be deemed to be a single-family dwelling unit

Dwelling, two-family—a detached or semidetached building where not more than two individual family or dwelling units are entirely separated by vertical walls or horizontal floors, unpierced except by access to the outside or to a common cellar.

Mobile home—a transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Townhouse—a residential structure constructed as a single entity containing a row of more than two single-family attached dwelling units but not more than seven single-family attached dwelling units, whereby each unit may be sold as an individual single-family attached unit, with each unit having a lot under individual or association ownership. Each unit shall have its own front and rear access to the outside and may have a common or public open space, such as an off-street parking area, yard area, recreational area or similar common area. No dwelling units shall be located over another unit and each unit shall be separated from another unit by one or more party walls without openings.

[Ord. 2007-5A]

Dwelling unit—one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate bathroom, toilet and sanitary facilities and facilities for cooking and sleeping for exclusive use by the family residing therein.

Easement—a grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

Entertainment facilities—commercial establishments engaged in providing entertainment such as an arcade, bowling alley, billiard hall, amusement park, skating rink, water park, water-themed amenities or similar facility, as well as general entertainment events, including, but not limited to, outdoor concerts, fireworks, sporting events and festivals. [Ord. 2007-5A]

Environmental impact statement—a report and/or series of reports on the effect of a proposed

development or major action which may significantly affect the environment and associated features thereunder.

Excavation—removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

Family—one or more persons occupying a dwelling unit and living together as a single non-profit housekeeping unit. Foster children placed into the care and custody of a family shall be deemed to be a member of the family. A group in excess of four individuals who are not related by blood, marriage or legal adoption, shall not be deemed to constitute a family.

Flood—the temporary inundation of normally dry land.

Flood, 100-year—a flood that on the average is likely to occur once every 100 years, i.e., that has a one percent chance of occurring each year, although the flood may occur in any year.

Floodplain—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 water from any source.

Floodproofing—any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to property, structures and contents of buildings.

Floodway—the channel of a river, stream or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood within cumulatively increasing the water surface elevation more than one foot at any point.

Floor area, gross—the sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls.

Floor area ratio—determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

Forestry—(also see “timbering harvesting”) the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes which does not involve any land development. [Ord. 2007-5A]

Frontage—the length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

Funeral home—a building or part thereof used for human funeral services. Such building may contain space and facilities for:

- (1) Embalming and the performance of other services used in preparation of the dead for burial;
- (2) The performance of autopsies and other surgical procedures;
- (3) The storage of caskets, funeral urns and other related funeral supplies; and
- (4) The storage of funeral vehicles, but shall not include facilities for cremation.

Garage, private—a noncommercial building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Garage, repair—a building designed and used for the storage, care, repair or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work.

Garden apartments—two or more multi-family residential structures, each containing more than two but not more than eight dwelling units, having a common hallway for entrance into

such dwelling units.

Gas station—a property or a portion thereof where gasoline as fuel is stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a freestanding automatic car wash. [Ord. 2007-5A]

Gas station, limited-service—a facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides and minor automobile accessories. In addition, such a facility may provide minor vehicle servicing, minor repairs and maintenance, including engine rebuilding but not reconditioning of motor vehicles, collision services such as body, frame or fender straightening and repair, or overall painting of automobiles. [Ord. 2007-5A]

General nuisance—

- (1) Any use considered to be inconsistent with the public comfort, convenience, health, safety and general welfare, including the following: fire and explosion hazards; electrical and radioactive disturbances; noise and vibration; dust, dirt and fly ash; glare; smoke and odors; and other forms of air pollution.
- (2) Any use operated or conducted in manner which directly or indirectly endangers the public health safety and/or welfare, including, but not limited to, having a detrimental effect on an adjoining property or use of property and/or the community.
- (3) A property in a continuing state of disrepair that is not fit for human habitation and/or occupancy with the potential to attract vermin and/or deemed to be a fire hazard to adjoining properties.
- (4) A property that contains trash, junk and/or one or more inoperable motor vehicles.

[Ord. 2009-5B]

Governing body—the Board of Commissioners of Plains Township, Luzerne County, Pennsylvania.

Group residence—a dwelling unit which is shared under congregate living arrangements by more than four persons, who are residents of the dwelling unit by virtue of their need to receive supervised services limited to health, social and/or rehabilitative services provided by a person or persons or their licensed or certified agents, a governmental agency or their licensed or certified agents, a responsible corporation or their licensed or certified agents, a partnership or limited partnership or their licensed or certified agents or any other legal entity. Such services shall be provided on a continuous basis in a family-like environment to persons who are in need of supervision and/or specialized services in a residential setting:

- (1) The following shall not be deemed to constitute a group residence:
 - (a) A boarding home and/or a personal care boarding home.
 - (b) A facility providing shelter and/or rehabilitative care or treatment of persons for alcoholism and/or an addiction to a controlled substance.
 - (c) A facility for persons released from or under the jurisdiction of a governmental bureau of corrections or similar institution.

Hazardous substances—any material that, by reason of its quantity, concentration or physical, chemical or infectious characteristics may:

- (1) Cause, or significantly contribute to, an increase in mortality or an increase in a serious irreversible or incapacitating reversible illness.
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

This definition shall be deemed to include radioactive material and medical waste.

Health/recreation facility—an indoor facility including uses such as game courts, exercise

equipment, locker rooms and related facilities.

Height—the vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip and gambrel roofs, measured from the curb level if the building is not more than ten feet from the front lot line or from the grade in all other cases.

Height of antenna support structure, commercial—the vertical distance measured from the base of the antenna support structure to the highest point of the structure. If the support structure is located on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Highway occupancy permit—a permit, issued by the Pennsylvania Department of Transportation, the Luzerne County Road and Bridge Department or Plains Township which authorizes access from a parcel of land onto a highway, road or street which is under the respective jurisdiction of the above entities.

Home occupation—an occupation, profession, activity or use that is clearly a customary, incidental and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Horse racing facility with related wagering—a facility licensed by the Pennsylvania Horse Racing Commission, State Harness Racing Commission or other agency of the Commonwealth of Pennsylvania to offer, for public inspection and amusement, on-site horse racing events with on-site related wagering thereupon. In addition, this use may also include:

- (1) The conduct of other occasional special events;
- (2) Accessory uses (including, but not limited to, eateries, exhibits, parking structures and shops);
- (3) Resident employee and guest lodging services for both humans and animals incidental to the visit of stay on the site;
- (4) Veterinary care for animals kept or visiting the site; and
- (5) At such time as permitted by the Commonwealth of Pennsylvania, the conduct of slot machine and other types of gaming. [Ord. 2007-5A]

Hospital—an institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and injured persons, and licensed by state law to provide facilities and services in surgery, obstetrics and general medical practice.

Hotel—(also see “motel”) a facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms and recreational facilities.

Impact analysis—a study and/or report, which may be required at the discretion of the Board of Commissioners prior to approval of a conditional use or by the Zoning Hearing Board prior to approval a special exception use, to determine the potential impact of the proposed use on activities, utilities, traffic generation and circulation, surrounding land uses, community facilities, environmental features, critical areas, the public health, safety and welfare and other factors directly, indirectly or potentially affected. The applicant shall be responsible for all costs related to the any and all reports and/or studies required by the Board of Commissioners or Zoning Hearing Board under or within the context of the term “impact analysis”. The landowner and/or applicant shall also be responsible to fully reimburse Plains Township for any and all engineering and or other consulting fees which are incurred for the review of any required impact studies or reports for a conditional use.

Impervious material—any material and/or development that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces shall include, but may not be limited to, buildings, roofs, surfaced, graveled or compacted parking areas, streets, sidewalks, driveways and similar vehicular and/or pedestrian rights-of-way.

Improvements—human-made physical additions, alterations and/or changes which become part of, placed upon or affixed to real estate.

Industry, heavy—a use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, light—a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

Institutional use—a structure or facility which provides medical, health, educational, social and/or rehabilitative services to more than eight persons on a continuous and/or regular basis. This use shall exclude a facility for persons released from or under the jurisdiction of a governmental bureau of corrections or similar institution and public schools and private schools (as defined in this section). If a word is not defined in this chapter, the term shall have its plain and ordinary meaning within the context of the provision as defined in a standard dictionary.

Intermediate-care facility—a facility, as defined under current state licensing requirements, that provides nursing care and related medical or other personal health services to patients on a planned program of care and administrative management, supervised on a continuous 24-hour basis in an institutional setting. [Ord. 2003-4]

Junk—old, dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, beds and bedding, rags, rubber, motor vehicles and parts thereof

Junkyard (see also “automobile wrecking yard”)—an open area where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed or handled. Materials shall include, but are not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. An automobile wrecking yard is also considered a junkyard.

Land development—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.
- (2) A single nonresidential building on a lot or lots with two or more occupants regardless of their tenure.
- (3) A single nonresidential building, designed or intended for a single occupant, with a minimum gross floor area of not less than 5,000 square feet, excluding agricultural buildings and/or structures.
- (4) Any nonresidential use of land, with or without structures, which encompasses two or more acres of land, including grading and/or the backfilling of land, earth moving activities, and/or removal of vegetative cover. Agricultural uses of land and/or related agricultural activities shall be specifically excluded.
- (5) 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.
- (6) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into more than three residential units. Any conversion, described above, which results in not more than three residential units shall be deemed as a land

development if the units are intended to be a condominium.

(7) The development of a mobile home park or the expansion of an existing mobile home park.

(8) A single residential structure containing more than five residential units.

The development of any accessory building, including farm buildings, on a lot or lots which are subordinate to an existing principal building shall not be classified as a “land development”.

Land development, major—a land development which does not qualify or classify as a minor land development.

Land development, minor—a development of a parcel of land which contains not more than two detached single-family residential structures, whether developed initially or cumulatively.

Landowner—the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he or she is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Laundromat, self service—a business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises.

Laundry, commercial industrial—a business that provides washing, drying and ironing services operated by the employees on the premises.

Lot—a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit, for principal and accessory buildings or structures.

Lot area—the total horizontal area within the lot lines of a lot.

Lot, corner—a lot abutting on and at the intersection of two or more streets.

Lot coverage—determined by dividing that area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings and structures including impervious surfaces, by the gross area of that lot. [A.O.]

Lot depth—the average horizontal distance between the front and rear lot lines.

Lot line—a line dividing one lot from another lot or from a street or alley.

Lot line, rear—the lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line.

Lot line, side—any lot line not a front or rear lot line.

Lot of record—a lot which exists as shown or described upon a plat or deed and duly recorded in the Office of the Recorder of Deeds of Luzerne County, Pennsylvania, on the effective date of the adoption of this Chapter.

Lot, through—a lot having its front and rear yards each abutting on a street.

Lot width—the horizontal distance between side lot lines, measured at the required front setback line.

Manufactured home—a structure, transportable in one or more sections, which is built upon a chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term shall include park trailers, travel trailers, recreational and other similar vehicles placed upon a site for more than 180 consecutive days.

Manufactured home park—a parcel, or contiguous parcels of land, which has been planned and improved for the placement of two or more manufactured homes.

Mediation—a voluntary negotiating process in which parties in a dispute mutually select a

neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

Methadone treatment facility—a facility licensed by the Pennsylvania Department of Health to use the drug methadone in the treatment, maintenance or detoxification of persons. [Ord. 2003-4]

Mobile home—a transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundations.

Mobile home lot—a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

Mobile home park—a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Motel (see also “hotel”)—a building or group of buildings containing apartments and/or rooming units, each of which maintains a separate outside entrance. Such building or group of buildings is designed, intended, or used primarily for the accommodations of automobile travelers and provides automobile parking conveniently located on the premises.

Motor vehicle, inoperable—a car, truck, bus or van that cannot be started and moved under its own power. A vehicle that is not currently licensed, including a recreational vehicle or trailer that is designed for travel on the public roads is also considered an inoperable vehicle. [Ord. 2009-5B]

Municipality—the Township of Plains, Luzerne County, Pennsylvania.

Night club—a commercial establishment dispensing alcoholic beverages for consumption on the premises, and in which entertainment and dancing are permitted, including the term “cabaret”. [Ord. 2007-5A]

No-impact home-based business—a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling, and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pick-up, delivery or removal functions to or from the premises in excess with those normally associated with a residential use. The business or commercial activity must also comply with the applicable supplemental requirements contained in Part 8 of this Chapter. [Ord. 2007-5A]

Nonconforming lot—a lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Nonconforming structure—a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming use—a use, whether of land or of structure, which does not comply with the applicable use provisions in this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment to its location by reason of annexation.

Offices—

Professional office—an office (other than a service office) for the practice of professions, such as the offices of physicians, dentists, attorneys-at-law, architects, veterinarians, engineers, artists, musicians, teachers and others who, through training, are qualified to perform services of a professional nature.

Service office—an office in which are offered services by real estate agents, travel agents, insurance agents, accountants, public stenographers, brokers or others who, through training, are duly qualified to perform services of an executive nature as distinguished from a professional office.

Open space—an area that is intended to provide light and air, and is designed for either environmental, scenic or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and watercourses. Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

Outdoor storage—the keeping, in an unroofed area, of any goods, material, merchandise, equipment or vehicles which are related to the operation of a commercial business, excluding the storage of solid waste, hazardous substances, refuse, junk, junked vehicles discarded and/or any inoperative durable items.

Outdoor wood-fired boiler—

- (1) A fuel-burning device designed:
 - (a) To burn clean wood or other approved solid fuels;
 - (b) By the manufacturer specifically for outdoor installation or installation in structures not normally intended for habitation by humans or domestic animals (e.g., garages); and
 - (c) To heat building space and/or water via distribution, typically through pipes of a fluid heated in the device, typically water or a water/antifreeze mixture.
- (2) Outdoor wood-fired boilers are also known as outdoor wood-fired furnaces, outdoor wood-burning appliances or outdoor hydronic heaters and the like. [Ord. 2009-5B]

Parcel—a continuous quantity of land in the possession of or owned by, or recorded as the property of, the same person or persons.

Parking lot—an area not within a building where motor vehicles may be stored for the purposes of temporary, daily or overnight off-street parking.

Parking, shared—the development and use of parking areas on two or more separate properties for joint use by the business on those properties.

Parking space—an unobstructed space or area other than a street or alley that is permanently reserved and maintained for the parking of one motor vehicle.

Pawnshop—a business which loans money to a person in exchange for personal property deposited as security. [Ord. 2005-5]

Permitted use—any use which is specifically authorized in a particular zoning district.

Personal services—any enterprise conducted for gain, which primarily offers services to the general public, such as shoe repair, valet service, watch repairing, barber shops, beauty parlors and related activities.

Personal-care home—a facility, as defined under current state licensing requirements, in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 consecutive hours for more than three adults who are not relatives of the operator of the facility and who require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self administration but who do not require hospitalization or care in a skilled nursing or intermediate care facility. [Ord. 2003-4]

Place of worship—a building used for religious services, including churches, synagogues, mosques and similar edifices.

Planned residential development—an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, with a development plan which does not correspond in lot size, bulk or type of dwelling density, lot coverage and required open space to the regulations established in any one residential district created, from time to time, under the provisions of this Chapter.

Planning Commission—the Planning Commission of Plains Township.

Principal use—the main use of land or structures, as distinguished from a secondary or accessory use.

Print shop—a retail establishment that provides duplicating services using photocopy, blue-print and offset printing equipment, including collating of booklets and reports.

Private—something owned, operated and supported by private individuals or a corporation, rather than by government, and not available for public use.

Public—something owned, operated and supported by the community or the residents for the use and benefit of the general public.

Public hearing—a formal meeting held pursuant to public notice by the Board of Commissioners, Planning Commission or Zoning Hearing Board, which is intended to inform and obtain public comment prior to taking action on a particular subject matter or development.

Public meeting—a forum held pursuant to notice under the Sunshine Act, 65 Pa.C.S.A. §§701 *et seq.* [A.O.]

Public notice—notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

Public uses—public parks and administrative, cultural and service buildings excluding public land or buildings primarily devoted to the storage and maintenance of equipment and materials.

Public utility facilities (essential)—telephone, electric and cable television lines, equipment structures; water or gas pipes, mains, valves or other structures, pumping stations; telephone exchanges and all other facilities, equipment and structures necessary for conducting a service by public utility, under the jurisdiction of the Pennsylvania Public Utility Commission, in accordance with §619 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10619, as amended.

Recreational facilities, commercial—recreational facilities operated as a business and open to the public for a fee.

Recreational facilities, private—recreational facilities other than commercial or public, not operated for a profit, and only open to its members and their guests.

Recreational facilities, public—recreational facilities operated as a nonprofit enterprise by a governmental entity or a nonprofit organization, and open to the general public.

Report—any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed to be a recommendation and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceedings upon request, with copies thereof provided at the cost of reproduction.

Research laboratory—a building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Residential neighborhood activity center—Use of a property where a residential development as uses and/or facilities, including swimming pools, tennis courts, playgrounds, club houses and other similar uses available to residents of the development and their guests. [Ord. 2015-6]

Restaurant—a business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in indispensable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

Restaurant, fast-food—an establishment that offers quick food service, which is accomplished through a limited menu of items already prepared or prepared, fried, or grilled quickly, such as a microwave oven. Orders are not generally taken at the customer's table and food is generally served in disposable wrapping or containers.

Retail sale establishments—a commercial establishment selling products as opposed to services or entertainment to the general public, which may include, but is not limited to, such items as appliances; automotive parts and services; building or plumbing supplies; crafts, fabrics and hobby supplies; clothing; footwear; dairy products; electronic and/or computer products and equipment; office supplies and copy services; floral arrangements; furniture; lawn and garden supplies; groceries; hardware supplies; music products and supplies; newspapers, books, periodicals and stationary products; paintings and photography products and supplies; pet stores (including veterinary services and overnight pet care facilities/boarding); pharmacy products; specialty gifts; sporting goods and supplies, including, but not limited to, guns and ammunition; membership/warehouse clubs such as Sam's and Costco; home improvement centers such as Lowe's and Home Depot; outdoor/ camping/hunting and fishing products, including the sale of all-terrain vehicles (ATV), off-road vehicles (ORV), recreational vehicles (RV), boats, travel trailers and other equipment of similar size whether engine operated or not; motor vehicle sales; and other establishments selling similar related products, including periodic promotional events. [Ord. 2015-6]

Retail sales establishment, specialty—retail operations that specialize in one type or line of merchandise. Such stores may include, but are not limited to, apparel stores; electronic stores; greenhouse and plant nursery; jewelry stores; vitamin/ health stores; bookstores; shoe stores; pet stores (including veterinary services; beauty supply stores; paint stores; office supply stores; grocery/organic/specialty food stores, including the sale of beer and wine; sporting goods stores; stationary stores; liquor stores; hunting, camping and fishing stores; movie theater; entertainment uses such as bowling alleys, outdoor play centers, and game centers; telecommunication stores; computer stores; antique stores; furniture and furnishings stores; home improvement centers; and similar establishments.[Ord. 2015-6]

Retail services establishment—establishments providing services or entertainment, as opposed to products, to the general public for personal or

household use, hotels and motels; finance: car wash; automobile and automotive repair centers; tire centers; fuel stations intended for car, motorcycle and light truck vehicle use; laundry and dry-cleaning drop off and pick-up stations, real estate and insurance; hair salons/beauty salons; day spas; personal services; motion pictures; charging stations for electronic vehicles; live theater; movie theater; entertainment uses such as bowling alleys, outdoor play centers and game centers; amusement and recreation services; health; educational; gun range and archery incidental to an outdoor hunting, fishing and camping store or sporting goods store; social services; museums, libraries and galleries; and health clubs/fitness center and gymnasiums. [Ord. 2015-6]

Right-of-way—a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer line or other special use.

Satellite dish antenna (noncommercial)—a device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrial and/or orbital based uses. This definition is meant to include, but not be limited to, what are commonly referred to as satellite earth stations. TVROs (television reception only satellite dish antennas) and satellite microwave antennas.

School—a facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools and high schools that are licensed by the state as such.

Seating capacity—the actual seating capacity of an area based upon the number of seats or one seat per 18 inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the most recent ICC Code. [A.O.]

Self-service storage facility—a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized, and controlled access stalls or lockers which are leased to individuals for the storage of the individual's property, possessions or wares.

Service station—any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication and minor repairs are conducted.

Setback—the required minimum horizontal distance between the building line and the related front, side or rear property line.

Sewage disposal, centralized—a sanitary sewage collection system, approved by the Pennsylvania Department of Environmental Protection, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal facility.

Sewage disposal, on-lot—any facility designed to biochemically treat sewage within the boundaries of an individual lot in accordance with the applicable rules and regulations of the Pennsylvania Department of Environmental Protection.

Sexually oriented uses—

Massage parlor—an establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Sexually oriented bookstore—an establishment that has as a substantial portion of its

stock-in-trade and offers for sale, for any form of consideration, any one or more of the following:

- (a) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or
- (b) Instruments, devices or paraphernalia that are designed for use in connection with specified sexual activities.

Sexually oriented entertainment—a nightclub, bar, tavern, restaurant, club or similar establishment that regularly features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

Specified anatomical areas—as used herein, specified anatomical areas means and includes any of the following:

- (a) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or
- (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities—as herein, specified sexual activities means and includes any of the following:

- (a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- (c) Masturbation, actual or simulated; or
- (d) Excretory functions as part of or in connection with any of the activities set forth as a “sexually oriented use”.

[Ord. 2007-5A]

Shopping center—a grouping of retail business and service uses on a single site with common parking facilities.

Sign—a structure or device designed or intended to convey information to the public in written or pictorial form.

Sign area—the entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than 24 inches apart.

Sign, billboard or off-premises advertising sign—a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Sign, freestanding—a sign supported by one or more upright poles, columns or braces placed

in or on the ground and not attached to any building or structure.

Sign, illuminated—a sign illuminated in any manner by an artificial light source.

Sign, portable—any sign not permanently affixed in the ground or to a building, including any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, service or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic.

Sign, projecting—any sign other than a wall sign that is attached to and projects from the wall or face of a building or structure, including an arcade/marquee sign.

Sign, pylon—an on-site freestanding sign, supported by a sign structure from the ground, which identifies businesses located on the same parcel or in the same development on which the sign is located. Pylon signs are designed such that the support structure and the sign face are designed as one architecturally unified and proportional element. [*Ord. 2015-6*]

Sign, roof—any sign erected upon, against, or directly above a roof or roof eaves, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eaves.

Sign, wall—a sign painted on the outside of a building or attached to and erected parallel to the face of a building and supported throughout its length by such building.

Sign, window—a sign painted, stenciled or affixed on a window, which is visible from a right-of-way.

Site plan—a plan prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses and features proposed for a specific parcel of land.

Skilled nursing facility—a facility, as defined under current state licensing requirements, that provides nursing care and related medical or other health services for a period of 24 hours or more for individuals not in need of hospitalization, but who because of age, illness or other infirmity, require high-intensity comprehensive planned nursing care. [Ord. 2003-4]

Social hall—a room or building used for friendly or convivial gatherings, normally owned and/or operated by a nonprofit or civic organization.

Soil erosion and sedimentation control plan—a plan that indicates necessary land treatment designed to effectively minimize soil erosion and sedimentation measures requiring approval by the Luzerne County Conservation District.

Solid waste or waste—any garbage, refuse, industrial, lunchroom or office waste or other material including solid, liquid, semisolid or contained in gaseous material, resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities, excluding “hazardous substances” as so defined by this Chapter and “hazardous waste”, as so defined by the Pennsylvania Department of Environmental Protection in 25 Pa.Code §271.1, as amended.

Solid waste facility—any facility operated pursuant to the laws of the Commonwealth of Pennsylvania governing the management, processing, treatment, storage, transfer and/or disposal of solid waste or waste, as so defined by this Chapter.

Special exception—a use which may only be permitted in a particular zoning district, by special approval, granted by the Zoning Hearing Board in accordance with the applicable provisions of this Chapter.

Story—that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above. A basement shall be counted as a story if its ceiling equals or exceeds five feet of the finished ground surface adjoining the exterior walls of such story.

Street—a public (dedicated) or private (undedicated) right-of-way, whether or not improved, intended for use by vehicular and pedestrian traffic.

Structure—any human-made object, the use of which requires an ascertainable stationary location on land, whether or not it is affixed to the land.

Subdivision—the division or redividing of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision; major—any subdivision which does not qualify or classify as a minor subdivision.

Subdivision; minor—a subdivision of a parcel of land into not more than six lots, which, has access, direct or indirect, to an existing public street or road and does not require

any expenditures for the extension of any street or the extension or creation of any public improvements, does not adversely affect the remainder of the parcel or adjoining property and does not conflict with the Comprehensive Plan.

Swimming pool—a water-filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool, having a depth of more than 30 inches, designed, used and maintained for swimming and bathing.

Timber harvesting—the cutting and removal of trees from their growing site, including the attendant operation of cutting and skidding machinery, for commercial purposes which does not involve any land development. [Ord. 2007-5A]

Tower—(see “antenna support structure, commercial”).

Townhouse—a residential structure constructed as a single entity containing a row of more than two single-family attached dwelling units but not more than seven single-family attached dwelling units, whereby each unit may be sold as an individual single-family attached unit, with each unit having a lot under individual or association ownership. Each unit shall have its own front and rear access to the outside and may have a common or public open space, such as an off-street parking area, yard area, recreational area or similar common area. No dwelling units shall be located over another unit and each unit shall be separated from another unit by one or more party walls without openings.

Township—Township of Plains, Luzerne County, Pennsylvania.

Transfer station—a facility which receives and temporarily stores solid waste at a location other than the generation site, which facilitates the bulk transfer of accumulated solid waste to a another facility or site for further processing and/or disposal of said solid waste. Said use shall be classified and regulated as a “solid waste facility”.

Truck repair and storage—a building and/or land used primarily for the maintenance and storage of large commercial vehicles.

Trucking facility—a structure, building and/or land consisting of a storage area, management and dispatch office and loading and unloading facilities connected with receipt or delivery of freight shipped by truck.

Variance—a waiver granted by the Zoning Hearing Board from the terms and requirements of this Chapter in accordance with §27-1509 of this Chapter.

Warehouse—a building used primarily for storage of goods and material.

Warehousing and distribution—a use engaged in storage, wholesale and distribution of manufactured products, supplies and equipment, excluding the bulk storage of material that are inflammable, explosive, hazardous or commonly recognized as offensive.

Watercourse—a permanent or intermittent stream, river, brook, creek, or channel or ditch for collection and conveyance of water, whether natural or human-made.

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

Wind energy facility—a commercial electricity-generating facility consisting of one or more wind turbines under common ownership or operating control that includes substations, MET towers, cables/wires and other building accessories to such facility, whose main purpose is to supply electricity to off-site customer(s). [Ord. 2007-5A]

Wireless commercial communication site—a tract or parcel of land containing a commercial antenna, its support structure, accessory building(s) and parking.

Yard—an open space that lies between the principal building and the nearest lot line. Such yard is unoccupied and unobstructed from the ground up except for accessory buildings or projections which are expressly permitted by this Chapter.

Yard, front—a space extending the full width of the lot between the principal building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

Yard, rear—a space extending the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building at the closest point to the rear lot line.

Yard, side—a space extending from the front yard to the rear yard between the principal building and the side lot line measured perpendicular from the side lot line to the closest point of the principal building.

Yard waste—leaves, grass clippings, garden residue, tree trimmings, chipped shrubbery and other vegetative material. [Ord. 2009-5B]

Zoning district—a portion of Plains Township illustrated upon the Official Zoning Map, within which certain uniform regulations and requirements apply under the provisions of this Chapter.

Zoning Hearing Board—the Zoning Hearing Board of Plains Township, Luzerne County, Pennsylvania.

Zoning Map—the official map which is part of this Chapter and indicates and delineates the zoning districts of Plains Township, Luzerne County, Pennsylvania.

Zoning Officer—the administrative officer appointed by the Board of Commissioners to administer and enforce this Chapter.

(Ord. 1998-1, 3/19/1998, §202; as amended by Ord. 2003-3, --/2003, §1; by Ord. 2003-4, 10/6/2003, §1; by Ord. 2005-5, 3/10/2005, §§1 and 2; by Ord. 2007-5A, 9/19/2007, §6; by Ord. 2009-5B, 5/14/2009, §§1 and 2; and by A.O.; by Ord. 2015-6, 9/10/2015, §1; by Ord. 2016-1, 2/11/2016, §1; Ord. 2017-1, 6/8/2017)

Part 3**General Regulations****§27-301. Attached Accessory Structures.**

Accessory structures which are attached to a principal structure shall be considered a part of the principal structure and shall comply with the same yard and lot requirements applicable to the principal structure.

(Ord. 1998-1, 3/19/1998, §301)

§27-302. Unattached Accessory Structures.

1. *Nonresidential.* When the principal use or structure is nonresidential, an unattached accessory structure shall comply with the front yard setback requirements applicable to the principal structure or use for the zoning district in which it is located and shall not be less than ten feet from any side yard lot line or rear yard lot line. An accessory structure to a principal use and/or structure which is classified as a special exception use, shall not be subject to the standards and regulations under Part 6, "Special Exceptions" of this Chapter, excluding the proposed construction, establishment or use of a structure which equals or exceeds 750 square feet of gross floor area.

2. *Residential.* When the principal structure is residential, unattached accessory structures shall only be erected within the rear yard or side yard areas of the lot subject to the following requirements:

A. The maximum height shall not exceed one and one-half stories or 15 feet, whichever is the lesser.

B. An accessory residential structure shall not exceed 1,000 square feet of floor area. An accessory structure which has a floor area which equals or exceeds 750 square feet shall not be located less than ten feet from a side lot line or the rear lot line. An accessory structure which has a floor area which is less than 750 square feet shall not be located less than five feet from a side lot line or the rear lot line. In cases where said accessory structure abuts a street or alley, a setback of ten feet shall be required.

(Ord. 1998-1, 3/19/1998, §302)

§27-303. Corner Lot Restriction.

On a corner lot there shall be provided on each side thereof, adjacent to a street, a yard setback equal in depth to the required front yard setback of the prevailing zoning district in which the corner lot is located.

(Ord. 1998-1, 3/19/1998, §303)

§27-304. Types of Residential Accessory Structures.

For residential lots, permitted accessory structures shall include noncommercial greenhouses, tool or lawn sheds, private garages or carports, private noncommercial swimming pools and noncommercial satellite antenna dishes.

(Ord. 1998-1, 3/19/1998, §304)

§27-305. Noncommercial Satellite Dish Antenna.

A noncommercial satellite dish antenna, as so defined in this Chapter, shall be deemed an accessory use, permitted by right in all zoning districts. Granting approval for the establishment and/or construction of a satellite dish antenna shall not restrict or imply to restrict the use or

development of another zoning lot. The height of a noncommercial satellite dish antenna, including any supporting device, measured from ground level to its highest point of elevation, in all R Zoning Districts shall not exceed 35 feet. Noncommercial satellite dish antennas in all other zones shall be exempt from meeting height requirements.

(Ord. 1998-1, 3/19/1998, §305)

§27-306. Residential Accessory Structures in a Nonresidential Zone.

In cases when a residential structure is a nonconforming use, located in a nonresidential zone, the proposed erection of an accessory residential structure shall be deemed exempt from classification as an expansion of a nonconforming use, but shall be subject to the regulations contained under §27-302 Subsection 2. of this Chapter.

(Ord. 1998-1, 3/19/1998, §306)

§27-307. Private Noncommercial Swimming Pools.

Swimming pools shall be located in either the rear yard or side yard of the property on which it is an accessory use. The swimming pool and any accessory structures thereto, shall have a minimum setback of ten feet from any rear or side yard lot line. All swimming pools having a surface area of 30 square feet or greater and capable of containing water to a depth, at any point, of 18 inches or greater, shall be enclosed in accordance with the following Paragraphs:

A. *In-ground pools.* The pool or the entire property on which the pool is located, shall be enclosed with a permanent fence being six feet in height, which includes a gate secured with a lock. Shrubs, hedges or other vegetative cover shall not be considered to be a fence.

B. *Above-ground pools.* An above-ground pool shall be enclosed with a permanent fence not less than four feet in height which includes a gate secured with a lock in accordance with the above requirements of Paragraph A. above or in lieu of a fence, a barrier not less than four feet in height. Said barrier may include the pool wall and any extension thereto which equals or exceeds a height of four feet. Access into a pool which includes a deck shall be secured by a gate with a lock. Pools without access from a deck, shall include retractable steps or any similar device which prohibits uncontrolled access into the pool when not in use. Shrubbery, hedges or other vegetative cover shall not be considered as a barrier.

Decks which are attached to the pool shall not project into any required yard setback for the pool.

(Ord. 1998-1, 3/19/1998; as added by Ord. 2002-3, 11/14/2002)

§27-308. Lots Divided by Zoning Boundaries.

If a zoning district boundary line divides a lot held in single and separate ownership prior to the effective date of this Chapter, placing 85 percent or more of the lot area in a particular zoning district, the location of such district boundary line may be construed to include the remaining 15 percent or less of the lot so divided.

(Ord. 1998-1, 3/19/1998, §308)

§27-309. Projections into Required Yards.

The following projections shall be permitted into required yards and shall not be considered in the determination of yard setback requirements or building coverage:

A. *Terraces or patios.* Provided that such terraces or patios are located in the rear yard or side yard, are not under roof, without walls or other form of enclosure and are not closer than five feet to any adjacent lot line.

B. *Projecting architectural features.* Such as bay windows, cornices, eaves, fireplaces, chimneys, window sills or other similar architectural features; provided that any of the

aforementioned features do not extend more than two feet into any required setback.

C. *Porches and decks.* Provided such porches or decks are located in the rear yard or side yard, and that such does not exceed four and one-half feet in depth as extended from the structure.

D. *Handicapped ramps.* May be constructed without meeting any applicable front and/or rear yard setback requirements in any zoning district, but shall have a minimum side yard setback of not less than five feet.

(Ord. 1998-1, 3/19/1998, §309)

§27-310. Exceptions to Height Limitations.

The height limitations of this Chapter shall not apply to church spires, belfries, cupolas, domes, chimneys, flagpoles, water towers, skylights or to any accessory mechanical appurtenances and/or equipment usually located above the roof level.

(Ord. 1998-1, 3/19/1998, §310)

§27-311. Required Access.

Every building or structure hereafter erected shall have access to or be located upon a lot adjacent to a public or private street.

(Ord. 1998-1, 3/19/1998, §311)

§27-312. Land Development Approval for Certain Uses.

1. In addition to zoning approval, the following uses are classified as a “land development”, requiring approval under the applicable provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

2. 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.

B. A single nonresidential building on a lot or lots regardless of the number of occupants or tenure.

C. A subdivision of land.

D. Any nonresidential use of land, with or without structures, which encompasses two or more acres of land, including grading and/or the backfilling of land, earth moving activities, and/or removal of vegetative cover. Agricultural uses of land and/or related agricultural activities shall be specifically excluded.

E. 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.

F. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into more than three residential units. Any conversion, described above, which results in not more than three residential units shall be deemed as a land development if the units are intended to be a condominium.

G. The development of a mobile home park or the expansion of an existing mobile home park.

H. A single residential structure containing more than five residential units.

3. The development of any accessory building, including farm buildings, on a lot or lots which are subordinate to an existing principal building shall not be classified as a “land development”.

(Ord. 1998-1, 3/19/1998, §312; as amended by Ord. 2009-5B, 5/14/2009, §3)

§27-313. Visibility at Intersections and Private Driveways.

1. *Intersection of streets.* On any corner lot no visual obstruction between two and one-half feet and eight feet in height, excluding street signs, utility poles or traffic signs, shall be erected or maintained within the triangle formed by the intersection of centerlines of intersecting street right-of-way lines adjacent to the corner lot and a line projected between points on each of those adjacent centerlines for a minimum distance of 20 feet from their intersection.

2. *Private driveways.* No visual obstruction between two and one-half feet and eight feet in height shall be erected or maintained within the triangle formed between the intersection of centerlines of a street right-of-way line and a depth of ten feet along the centerline of the street right-of-way and a depth of ten feet along the centerline of a private driveway.

(Ord. 1998-1, 3/19/1998, §313)

§27-314. Fences and Walls.

The posts and/or structural supports of a fence shall be located within the interior yard space to be enclosed.

A. *Residential.* Fences and walls to be constructed within a residential zoning district or upon a lot in any other type of zoning district which contains a residential property, shall be permitted according to the following Subparagraphs:

(1) *Front yard.* The maximum height of any fence or wall in a front yard shall not exceed four feet in height above the adjacent ground level.

(2) *Side and rear yards.* The maximum height of any fence or wall located in a side yard or rear yard shall not exceed six feet in height.

(3) *Materials.* All fences shall be constructed with materials recognized by the fencing industry and designed to provide a permanent enclosure. No barbed wire or other potentially injurious material shall be contained upon the fence or as part of the material to construct the fence.

B. *Nonresidential.* Fences to be constructed within any commercial zoning district shall not exceed eight feet in height above the adjacent ground level. Fences to be constructed within any industrial zoning district shall not exceed ten feet in height above the adjacent ground level.

C. *Exemptions.* The provisions of this Section shall not be applied to prevent the construction of a chain link in excess of ten feet in height, designed as an enclosure to a public park, a public playground or similar outdoor recreational facility.

(Ord. 1998-1, 3/19/1998, §314)

§27-315. Public Utilities.

With the exception of storage yards, the provisions and regulations of this Chapter shall not apply to any existing or proposed building or extension thereof, used or to be used by a public utility corporation deemed necessary for the convenience or welfare of the public in accordance with §619 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10619, as amended.

(Ord. 1998-1, 3/19/1998, §315)

§27-316. Sewage Disposal.

1. *On-lot sewage.* The provision of sewage service to any proposed use and/or development of property shall be consistent with the Township's Act 537 Sewage Facility Plan. Any use or development of property which proposes to utilize on-lot sewage disposal shall secure approval from the Township's Sewage Enforcement Officer in accordance with the applicable governing standards

of the Pennsylvania Department of Protection prior to the issuance of a zoning permit.

2. *Holding tanks.* The use of a holding tank shall be expressly prohibited to service any use and/or development.

(Ord. 1998-1, 3/19/1998, §316)

§27-317. Performance Standards.

All nonresidential land uses shall comply with the following standards. In order to determine whether a proposed use will conform to the requirements of this Section, the Zoning Officer or the Zoning Hearing Board may require a detailed plan of the proposed construction or development, and a description of machinery or techniques to be used during operations of the proposed use.

A. *Fire protection.* Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

B. *Electrical disturbance.* No activity shall cause repetitive or continuous electrical disturbance adversely affecting the operation of other electrical equipment in the vicinity.

C. *Noise.* Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

D. *Smoke.* The maximum amount of smoke emission permissible shall be determined by use of the Standard Ringleman Chart issued by the U.S. Bureau of Mines. No smoke of a shade darker than No. 2 will be allowed.

E. *Air pollution.* No pollution of air by fly ash, dust, vapors or other substance shall be permitted which is potentially harmful to health, animals, vegetation or other property.

F. *Glare.* Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

G. *Erosion.* No erosion by wind or water shall be permitted which will carry soil or other material on to adjoining properties.

H. *Water discharge.* Water discharge of materials and substances shall be subject to the governing standards established by the State Department of Environmental Protection.

(Ord. 1998-1, 3/19/1998, §317)

§27-318. Highway Occupancy Permit.

Zoning approval for any proposed use and/or development of a property, which includes the construction and/or relocation of a driveway onto a State Legislative Route, a county road or a Township road shall be conditioned upon the applicant securing a highway occupancy permit from the applicable Board of Commissioners and/or agency.

(Ord. 1998-1, 3/19/1998, §318)

§27-319. Mobile Homes.

The removal of a mobile home, as defined in Part 2, from a property with the intent to replace it with another mobile home may be permitted in accordance with the following standards:

A. The property owner shall provide the Zoning Officer with written notice of his or her intent to replace the structure and the date on which the current mobile home will be removed from the lot.

B. The placement of the new mobile home upon the lot shall be in conformance with all applicable setback requirements and area requirements for the zoning district in which it is located.

C. A new mobile home shall be located upon the lot in conformance with all applicable

building standards and connected with all utilities, including sewage, and ready for occupancy within 180 days from the date on previous mobile home was removed.

(*Ord. 1998-1, 3/19/1998, §319; as amended by Ord. 2007-5A, 9/19/2007, §7*)

§27-320. Uses Not Addressed Within Chapter.

Whenever, in any zoning district established under this Chapter, a use is neither specifically permitted nor denied and/or the Zoning Officer is unable to classify a subject use and an application is made by a landowner to the Zoning Officer for such use, he or she shall refer the application to the Zoning Hearing Board and Planning Commission to hear and decide such request as a special exception. The Board shall have the authority to permit or deny the proposed use in accordance with the standards governing special exception applications, if the Board makes an initial determination that the proposed use is similar to and compatible with permitted uses in the district and in no way is in conflict with the general purposes and intent of this Chapter. The burden of proof shall be upon the applicant to demonstrate that:

- A. The proposed use is similar to and compatible with permitted uses in the district.
- B. The proposed use would not be detrimental to the public health, safety and welfare of the neighborhood.
- C. The proposed use meets the standards and criteria for special exceptions as contained in Part 6 of this Chapter.

(*Ord. 1998-1, 3/19/1998, §320*)

§27-321. Conflicting Regulations.

In the event that any provisions within this Chapter are found to be in conflict with another provision of this Chapter, and/or any other ordinance, law or regulation of the Township, state or United States government, the most restrictive shall apply.

(*Ord. 1998-1, 3/19/1998, §321*)

§27-322. Outdoor Fuel Burning Furnaces.

An outdoor fuel burning furnace shall be deemed to be an accessory structure permitted in all zoning districts, as a special exception use, thereby requiring approval from the Zoning Hearing Board and subject to the standards as set forth in Part 8.

(*Ord. 1998-1, 3/19/1998; as added by Ord. 2007-5A, 9/19/2007, §8*)

§27-323. Exemptions for Certain for Side Yard Setbacks.

1. Any structure proposed to be subdivided, containing two or more units, residential or nonresidential, shall be exempted from the governing side yard setback requirements under this Chapter relative only to interior side yards. When a side yard of a proposed subdivision is directly attached to another unit within the structure, subdivision approval shall exempt the property from requesting and/or securing an interior side yard variance from the Zoning Hearing Board.

2. Any structural portion of a building, such as a deck, patio, porch or similar feature which is need of repair to the point of replacement shall be exempt from complying with the applicable setback requirements when all of the following conditions exist:

- A. The use of the building represents a use permitted by right in the district in which it is located.
- B. There are no outstanding zoning or building code violations against the owner of the property.
- C. The structural replacement shall be the exact same location and structural replacement shall be the same size and height, or less, than that which is being replaced.

D. A photograph of the subject property, taken prior to the start of work, must be submitted to the Zoning Officer with a completed zoning permit application, along with any other information deemed necessary by the Zoning Officer to process the application.

(*Ord. 1998-1*, 3/19/1998; as added by *Ord. 2007-5A*, 9/19/2007, §9)

§27-324. General Nuisance.

The use, operation and/or condition of any property found to be a “general nuisance” as so defined in Part 2 of this Chapter shall constitute a violation of this Chapter and shall be subject to the violation procedures and penalties as set forth in §27-1304, “Enforcement Procedures” of this Chapter.

(*Ord. 1998-1*, 3/19/1998; as added by *Ord. 2009-5B*, 5/14/2009, §4)

Part 4**Zoning Map and Zoning Districts****§27-401. Official Zoning Map.**

Plains Township is hereby divided into zoning districts, as shown on the Official Zoning Map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Chapter, together with all future notations, references and amendments.

(Ord. 1998-1, 3/19/1998, §401)

§27-402. Changes to Official Zoning Map.

Any changes to the location of zoning district boundaries or other matters portrayed upon the Official Zoning Map shall be undertaken in accordance with the applicable provisions contained within Part 14 of this Chapter and the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10101 *et seq.*, as amended. Such changes shall be provided upon the Official Zoning Map promptly after the enactment of the subject amendment by the Plains Township Board of Commissioners.

(Ord. 1998-1, 3/19/1998, §402)

§27-403. Interpretation of Boundaries.

For the interpretation of zoning district boundaries, the following subsections shall apply if or when a determination is not made by the Zoning Officer.

A. *Zoning Hearing Board.* If uncertainty exists as to the boundary of any zoning district shown upon the Official Zoning Map, the Zoning Hearing Board shall determine the location of such boundary according to the guidelines set forth in Paragraph B. below.

B. *Guidelines.*

(1) Zoning district boundary lines are intended to follow or parallel the centerline of streets, streams and railroads; and the lot or property lines as they exist on a recorded deed or plan in the Luzerne County Recorder of Deeds Office at the time of adoption of this Chapter, unless such zoning district boundary lines are fixed by dimensions as shown on the Official Zoning Map.

(2) Where a zoning district boundary is not fixed by dimensions and where it approximately follows lot lines, and does not scale more than ten feet therefrom, such lot lines shall be construed to be such boundaries unless specifically shown otherwise.

(3) If the guidelines as stated above fail to provide and establish the boundary of a zoning district, a survey of the property or area of land in question shall be made by a registered surveyor, with the cost of the survey paid by the party who is questioning or contesting the boundary location.

(Ord. 1998-1, 3/19/1998, §403)

§27-404. Classes of Zoning Districts.

For the purpose of this Chapter, Plains Township is hereby divided into zoning districts as designated below:

- A. R-1 Single-Family Residential District.
- B. R-2 Two-Family Residential District.
- C. R-3 Multi-Family Residential District.
- D. B-1 Neighborhood Commercial District.
- E. B-2 General Community District.

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- F. B-3 Highway Commercial District.
 - G. B-4 Commercial/Institutional District. [*Ord. 2003-4*]
 - H. B-5 Commercial Recreational District. [*Ord. 2007-5A*]
 - I. C-1 Conservation District.
 - J. I-1 Industrial District.
 - K. PRD Planned Residential Development District.
 - L. MU Mixed Use District.

(*Ord. 1998-1*, 3/19/1998, §404; as amended by *Ord. 2003-4*, 10/6/2003, §2; and by *Ord. 2007-5A*, 9/19/2007, §3)

Part 5**Zoning District Regulations****§27-501. R-1 Single-Family Residence District.**1. *Permitted uses.*

- A. Single-family detached dwellings.
- B. No-impact home-based businesses (as defined in Part 2, also see Part 8).
- C. Forestry (as defined in Part 2, also see Part 8).
- D. Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
- E. Accessory uses to the above.

[Ord. 2007-5A]

2. *Uses permitted by special exception.*

- A. Home occupations.
- B. Public recreational facilities.
- C. Day care center.
- D. Day care home.
- E. Community center, as defined in Part 2 of this Chapter.
- F. Public uses (except storage yards).
- G. Accessory uses to the above.

[Ord. 2009-5B]

H. Bed and breakfast. [Ord. 2016-1]

3. *Conditional uses.* Planned residential development (see Part 7).

4. *Dimensional regulations.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

A. *Minimum lot area.* Each principal building, or use shall be located upon a lot having a minimum lot area of not less than:

- (1) Eleven thousand two hundred and fifty square feet when serviced by central sewers.
- (2) One acre when serviced by on-lot sewage disposal and governed by the applicable standards of the Pennsylvania Department of Environmental Protection.

B. *Minimum lot width.*

- (1) Seventy-five feet for lots serviced by central sewers.
- (2) One hundred and fifty feet for lots with on-lot sewage disposal.

C. *Front yard.* The minimum front yard shall be not less than 30 feet in depth as measured from the front lot line.D. *Rear yard.* The rear yard shall be not less than 30 feet in depth as measured from the rear lot line.E. *Side yard.* The combined side yards shall be not less than 20 feet, with not less than ten feet on each side.F. *Lot coverage.* Not more than 30 percent of the lot area shall be covered with buildings or structures.

G. *Building height.* The maximum height of any building shall not exceed two and one-half stories or 35 feet.

5. *Supplementary regulations.* (See Part 8.)

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 1998-1*, 3/19/1998, §501; as amended by *Ord. 2007-5A*, 9/19/2007, §§10 and 11; and by *Ord. 2009-5B*, 5/14/2009, §5; by *Ord. 2016-1*, 2/11/2016, §2)

§27-502. R-2 Two-Family Residence District.

1. *Permitted uses.*

- A. Single-family detached dwellings.
- B. Two-family dwellings.
- C. No-impact home-based businesses (as defined in Part 2, also see Part 8).
- D. Forestry (as defined in Part 2, also see Part 8).
- E. Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
- E. Accessory uses to the above.

[*Ord. 2007-5A*]

2. *Uses permitted by special exception.* (See Part 6.)

- A. Community center, as defined in Part 2 of this Chapter.
- B. Day care center.
- C. Day care homes.
- D. Group residence.
- E. Home occupations.
- F. Place of worship.
- G. Public recreational facilities.
- H. Public uses.
- I. Accessory uses to the above.

[*Ord. 2009-5B*]

J. Bed and breakfast. [*Ord. 2016-1*]

3. *Conditional uses* (see Part 7). None.

4. *Dimensional regulations.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

A. *Minimum lot area.* Each principal building, structure and/or use shall be located upon a lot having a minimum lot area of not less than:

- (1) Eleven thousand two hundred and fifty square feet for a single-family detached residential dwelling when serviced by central sewers.
- (2) Fifteen thousand square feet for a two-family dwelling, when serviced by central sewers, with an additional 3,500 square feet for each additional unit.
- (3) One acre when serviced by on-lot sewage disposal and governed by the applicable standards of the Pennsylvania Department of Environmental Protection.

B. *Minimum lot width.*

- (1) Seventy-five feet when the minimum required lot size is not less than 11,250 square feet.
- (2) One hundred feet when the minimum required lot size is not less than 15,000 square feet.
- (3) One hundred and fifty feet for lots with on-lot sewage disposal.

C. *Front yard.* The minimum front yard shall be not less than 30 feet in depth as measured from the front lot line.

D. *Rear yard.* The rear yard shall be not less than 30 feet in depth as measured from the rear lot line.

E. *Side yard.* The combined side yards shall be not less than 16 feet, with not less than eight feet on each side.

F. *Lot coverage.* Not more than 30 percent of the lot area shall be covered with buildings or structures.

G. *Building height.* The maximum height of any building shall not exceed two and one-half stories or 35 feet.

5. *Supplementary regulations* (see Part 8).

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 1998-1*, 3/19/1998, §502; as amended by *Ord. 2005-5*, 3/10/2005, §3; by *Ord. 2007-5A*, 9/19/2007, §§12 and 13; and by *Ord. 2009-5B*, 5/14/2009, §5; by *Ord. 2016-1*, 2/11/2016, §2)

§27-503. R-3 Multi-Family Residence District.

1. *Permitted uses.*

- A. Single-family detached dwellings.
- B. Two-family dwellings.
- C. Townhouses as defined in Part 2 of this Chapter.
- D. No-impact home-based businesses (as defined in Part 2, also see Part 8).
- E. Forestry (as defined in Part 2, also see Part 8).
- F. Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
- G. Public school.
- H. Accessory uses to the above.

[*Ord. 2007-5A*]

2. *Uses permitted by special exception.*

- A. Boarding or rooming house.
- B. Community center, as defined in Part 2 of this Chapter.
- C. Day care center.
- D. Day care homes.
- E. Group residence.
- F. Home occupations.
- G. Multiple family dwellings.
- H. Place of worship.

- I. Public recreational facilities.
- J. Public uses.
- K. Accessory uses to the above.

[*Ord. 2009-5B*]

- L. Bed and breakfast. [*Ord. 2016-1*]

3. *Conditional uses* (see Part 7). Mobile home parks, including expansions of existing mobile home parks.

4. *Dimensional regulations*. Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

A. *Minimum lot area*. Each principal building, structure and/or use which shall be connected to central sewers shall be located upon a lot having a minimum lot area of not less than:

- (1) Eleven thousand two hundred and fifty square feet for a single-family detached residential dwelling when serviced by central sewers.
- (2) Fifteen thousand square feet for a two-family dwelling, when serviced by central sewers, with an additional 3,500 square feet for each additional unit.
- (3) One acre when serviced by on-lot sewage disposal and governed by the applicable standards of the Pennsylvania Department of Environmental Protection.

B. *Minimum lot width*.

- (1) Seventy-five feet when the minimum required lot size is not less than 11,250 square feet.
- (2) One hundred feet when the minimum required lot size is not less than 15,000 square feet.
- (3) One Hundred and fifty for lots with on-lot sewage disposal.

C. *Front yard*. The minimum front yard shall be not less than 20 feet in depth as measured from the front lot line.

D. *Rear yard*. The rear yard shall be not less than 30 feet in depth as measured from the rear lot line.

E. *Side yard*. The combined side yards shall be not less than 16 feet, with not less than eight feet on each side.

F. *Lot coverage*. Not more than 45 percent of the lot area shall be covered with buildings or structures.

G. *Building height*. The maximum height of any building shall not exceed three stories or 40 feet.

5. *Supplementary regulations* (see Part 8).

6. *Subdivision and land development*. Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 1998-1*, 3/19/1998, §503; as amended by *Ord. 2005-5*, 3/10/2005, §4; by *Ord. 2007-5A*, 9/19/2007, §§14 and 15; and by *Ord. 2009-5B*, 5/14/2009, §5; by *Ord. 2016-1*, 2/11/2016, §2; *Ord. 2017-1*, 6/8/2017)

§27-504. B-1 Neighborhood Commercial District.

- 1. *Permitted uses*.

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- A. Retail commercial businesses that include:
- (1) Artist, music and hobby supplies.
 - (2) Automotive supplies.
 - (3) Clothing and clothing accessories.
 - (4) Convenience stores.
 - (5) Florist shops.
 - (6) Food/grocery.
 - (7) Forestry (as defined in Part 2; also see Part 8).
 - (8) Gas station.
 - (9) Greeting cards, newspapers, books, stationery and gift shops.
 - (10) Hardware, paint.
 - (11) Household goods and appliances.
 - (12) No-impact home-based businesses (as defined in Part 2; also see Part 8).
 - (13) Office equipment and supplies.
 - (14) Pharmaceutical products.
 - (15) Sporting goods.
 - (16) Variety goods.

[Ord. 2007-5A]

- B. Service-oriented business including, or similar to:
- (1) Day care centers.
 - (2) Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
 - (3) Health clubs.
 - (4) Laundromats.
 - (5) Medical offices and clinics.
 - (6) Personal services.
 - (7) Professional offices.
 - (8) Restaurants.
 - (9) Taverns.
- C. Recreation and entertainment related business including, or similar to:
- (1) Public recreational facilities.
 - (2) Nonprofit social halls, clubs and community centers.
- D. Residential uses:
- (1) Single-family detached dwellings.
 - (2) Single-family attached two-family dwellings.
 - (3) Dwelling over and/or attached to business.
 - (4) Accessory uses to the above.
- E. Accessory uses to all uses permitted by right.
2. *Uses permitted by special exception.*
- A. Commercial recreational facilities.
 - B. Entertainment facilities.
 - C. Funeral homes.

- D. Group residences.
- E. Multi-family dwellings.
- F. Private recreational facilities.
- G. Public uses.
- H. Rooming or boarding homes.
- I. Accessory uses to the above.

[Ord. 2009-5B]

3. *Conditional uses* (see Part 7). None.

4. *Dimensional regulations*. Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

A. *Minimum lot area*.

- (1) None, subject to the lot being serviced by centralized sewers.
- (2) One acre when serviced by an on-lot sewage disposal system.

B. *Minimum lot width*.

- (1) None, subject to the lot being serviced by centralized sewers.
- (2) One hundred feet, when the required minimum lot size is one acre.

C. *Front yard*. The minimum front yard shall be not less than ten feet in depth as measured from the front lot line.

D. *Rear yard*. The rear yard shall be not less than 20 feet in depth as measured from the rear lot line; a rear yard setback of 35 feet shall be required when the adjoining rear lot contains a residential use or a residential zoning district.

E. *Side yard*. The side yard shall be not less than ten feet on each side when the adjoining lot contains a nonresidential use; a side yard setback of not less than 20 feet shall be required for any side yard when adjoining lot contains a residential use or where it abuts a residential zoning district.

F. *Lot coverage*. Not more than 50 percent of the lot area shall be covered by buildings or structures.

G. *Building height*. The maximum height of any building shall not exceed two and one-half stories or 35 feet.

5. *Supplementary regulations*. See Part 8.

6. *Subdivision and land development*. Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 1998-1, 3/19/1998, §504; as amended by Ord. 2007-5A, 9/19/2007, §§16 and 17; and by Ord. 2009-5B, 5/14/2009, §5)

§27-505. B-2 General Commercial District.

1. *Permitted uses*.

A. Retail commercial businesses uses that include:

- (1) Artist, music and hobby supplies.
- (2) Automotive supplies.
- (3) Clothing and clothing accessories.

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- (4) Commercial greenhouses, nurseries and garden shops.
 - (5) Convenience stores.
 - (6) Equipment sales and repair.
 - (7) Florist shops.
 - (8) Food/grocery.
 - (9) Forestry (as defined in Part 2; also see Part 8).
 - (10) Gas station.
 - (11) Greeting cards, books and stationery.
 - (12) Hardware.
 - (13) Household goods and appliances.
 - (14) Lumber yards.
 - (15) No-impact home-based businesses (as defined in Part 2; also see Part 8).
 - (16) Office equipment and supplies.
 - (17) Pharmaceutical products.
 - (18) Sporting goods.
 - (19) Variety goods.

[Ord. 2007-5A]

B. Service-oriented business including, or similar to:

- (1) Animal hospital/veterinarian clinic.
- (2) Automotive sales.
- (3) Banks.
- (4) Day care centers.
- (5) Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
- (6) Funeral homes.
- (7) Health clubs.
- (8) Medical offices and clinics.
- (9) Motels and hotels.
- (10) Personal services.
- (11) Private garage (storage of vehicles).
- (12) Professional offices.
- (13) Repair garage.
- (14) Restaurants.
- (15) Taverns.

C. Recreation and entertainment related business including, or similar to:

- (1) Entertainment facilities.
- (2) Public recreational facilities.
- (3) Social halls, clubs and community centers.

D. Residential uses:

- (1) Dwelling over and/or attached to business group residences.
- (2) Accessory uses to the above.

E. Accessory uses to all uses permitted by right.

2. *Uses permitted by special exception.*

- A. Boarding or rooming homes.
- B. Car wash.
- C. Cemeteries.
- D. Cleaning, laundry and dyeing plants.
- E. Commercial recreational facilities.
- F. Contractors yards.
- G. Entertainment facilities.
- H. Go-cart racing.
- I. Multi-family dwellings.
- J. Outdoor storage (as defined in Part 2 of this Chapter).
- K. Printing, lithographing or publishing plants.
- L. Private recreational facilities.
- M. Public uses.
- N. Stone or monument works.
- O. Tire retreading and recapping.
- P. Trucking facilities and terminals.
- Q. Accessory uses to the above.

[Ord. 2009-5B]

3. *Conditional uses* (see Part 7). Any use permitted by right or by special exception shall be deemed a conditional use if it involves either of the following:

- A. The initial or cumulative disturbance which equals or exceeds 87,120 square feet of surface area.
- B. The initial or cumulative construction, placement or installation which equals or exceeds 43,560 square feet of buildings, structures and/or other impervious surface area.

4. *Dimensional regulations.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

- A. *Minimum lot area.*
 - (1) Ten thousand square feet, subject to the lot being serviced by centralized sewers.
 - (2) One acre when serviced by an on-lot sewage disposal system.
- B. *Minimum lot width.* Seventy-five feet.
- C. *Front yard.* The minimum front yard shall be not less than ten feet in depth as measured from the front lot line.
- D. *Rear yard.* The rear yard shall be not less than 20 feet in depth as measured from the rear lot line; a rear yard setback of 35 feet shall be required when the adjoining rear lot contains a residential use or where it abuts a residential zoning district.

E. *Side yard.* The side yard shall be not less than five feet on each side when the adjoining lot contains a nonresidential use; a side yard setback of not less than 15 feet shall be required for any side yard when adjoining lot contains a residential use or where it abuts a residential zoning district.

F. *Lot coverage.* Not more than 50 percent of the lot area shall be covered by buildings or structures.

G. *Building height.* The maximum height of any building shall not exceed three stories or 40 feet.

5. *Supplementary regulations.* See Part 8.

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 1998-1*, 3/19/1998, §505; as amended by *Ord. 2007-5A*, 9/19/2007, §§18 and 19; and by *Ord. 2009-5B*, 5/14/2009, §5)

§27-506. B-3 Highway Business District.

1. *Permitted uses.*

A. Retail commercial businesses that include:

- (1) Building, lumber or plumbing supplies.
- (2) Clothing and clothing accessories.
- (3) Commercial greenhouses, nurseries and garden shops.
- (4) Convenience stores.
- (5) Electronic equipment and products, both sales and repairs.
- (6) Equipment sales and repair.
- (7) Florist shops.
- (8) Food/grocery.
- (9) Forestry (as defined in Part 2; also see Part 8).
- (10) Gas station.
- (11) Greeting cards, books and stationery.
- (12) Hardware.
- (13) Household goods and appliances.
- (14) No-impact home-based businesses (as defined in Part 2; also see Part 8).
- (15) Office equipment and supplies.
- (16) Pet shops.
- (17) Pharmaceutical products.
- (18) Sporting goods.
- (19) Variety goods.

[*Ord. 2007-5A*]

B. Service-oriented business including, or similar to:

- (1) Automotive repair shops.
- (2) Automotive sales.
- (3) Banks, credit unions and similar uses.
- (4) Car wash.

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- (5) Day care centers.
 - (6) Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
 - (7) Funeral homes.
 - (8) Greenhouses, nurseries and garden supplies.
 - (9) Health clubs.
 - (10) Medical clinics.
 - (11) Nursing homes.
 - (12) Outdoor storage as defined in Part 2.
 - (13) Personal services.
 - (14) Private garage (storage of vehicles).
 - (15) Professional offices.
 - (16) Public uses.
 - (17) Repair garage.
 - (18) Research and testing facilities.
 - (19) Restaurants.
 - (20) Taverns.
 - (21) Veterinary hospitals.
 - (22) Warehouse and distribution facilities.
 - (23) Warehousing, including self-storage facilities.
 - C. Recreation and entertainment related business including, or similar to:
 - (1) Entertainment facilities.
 - (2) Commercial recreational facilities.
 - (3) Private recreational facilities.
 - (4) Public recreational facilities.
 - (5) Social halls, clubs and community centers.
 - [Ord. 2003-3]
 - D. Specified public land use:
 - (1) Municipal/county, state or federal buildings or uses.
 - (2) Public schools.
 - (3) Public owned parking facilities (as defined in §2-202 as *parking lot*).
 - (4) Public art gallery.
 - E. Residential uses:
 - (1) Single-family detached dwellings.
 - (2) Two-family dwellings.
 - (3) Multi-family dwellings.
 - (4) Dwelling over and/or attached to business.
 - F. Accessory uses to all uses permitted by right.
 - 2. *Uses permitted by special exception.*
 - A. Car wash.
 - B. Home occupations.
 - C. Hotels/motels.

- D. Light industry (as defined in Part 2).
- E. Public uses.
- F. Trucking facilities and terminals.
- G. Wireless commercial communication sites and support structures.
- H. Accessory uses to the above.

[Ord. 2007-5A]

3. *Conditional uses* (see Part 7):

A. *Shopping center*. Any use permitted by right or by special exception shall be deemed a conditional use if it involves either of the following:

- (1) The initial or cumulative disturbance which equals or exceeds 87,120 square feet of surface area.
- (2) The initial or cumulative construction, placement or installation which equals or exceeds 43,560 square feet of buildings, structures and/or other impervious surface area.
- (3) Any use which utilizes and/or stores any hazardous substances as so defined in Part 2 of this Chapter.

[Ord. 2007-5A]

4. *Dimensional regulations*. Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

A. *Minimum lot area*:

- (1) Fifteen thousand square feet, subject to the lot being serviced by centralized sewers.
- (2) One acre when serviced by an on-lot sewage disposal system.

B. *Minimum lot width*:

- (1) *Nonresidential uses*. One hundred feet.
- (2) *Residential uses*. Seventy feet.

C. *Front yard*. The minimum front yard shall be not less than 35 feet in depth as measured from the front lot line.

D. *Rear yard*. The rear yard shall be not less than 40 feet in depth as measured from the rear lot line.

E. *Side yard*. The side yard shall be not less than 15 feet on each side when the adjoining lot contains a nonresidential use; a side yard setback of not less than 30 feet shall be required for any side yard when adjoining lot contains a residential use or where it abuts a residential zoning district.

F. *Lot coverage*. Not more than 40 percent of the lot area shall be covered by buildings or structures.

G. *Building height*. The maximum height of any building shall not exceed three stories or 40 feet. [Ord. 2003-3]

5. *Supplementary regulations*. See Part 8.

6. *Subdivision and land development*. Any property proposed to be divided into parcels or developed in accordance with the definitions of a "subdivision" or "land development", as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 1998-1, 3/19/1998, §506; as amended by Ord. 2000-1, 2/10/2000, §1; by Ord. 2003-3, --/2003, §§2, 3, 4 and 7; by Ord. 2005-5, 3/10/2005, §5; and by Ord. 2007-5A, 9/19/2007, §§20, 21

§27-507. C-1 Conservation District.

1. *Permitted uses.*
 - A. County parks.
 - B. Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
 - C. Single-family detached dwellings.
 - D. Public recreational facilities.
 - E. Greenhouse, nurseries and garden shops.
 - F. State game lands.
 - G. Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
 - H. County parks.
 - I. Hospitals as defined in §20-202.
 - J. Forestry (as defined in Part 2; also see Part 8).
 - K. No-impact home-based businesses (as defined in Part 2; also see Part 8).
 - L. Schools (as defined in Part 2 of this Chapter).
 - M. Accessory uses to the above.

[*Ord. 2007-5A*]

2. *Uses permitted by special exception.*
 - A. Animal hospitals or clinics.
 - B. Animal kennels.
 - C. Cemeteries.
 - D. Home occupations.
 - E. Mobile homes constructed with and anchored to a permanent foundation.
 - F. Outdoor wood-fired boiler (as an accessory use, also see Part 8).
 - G. Private recreational facilities.
 - H. Public uses.
 - I. Sewage disposal plants.
 - J. Utility buildings and storage yards.
 - K. Wireless commercial communication sites and support structures.
 - L. Accessory uses to the above.

[*Ord. 2009-5B*]

3. *Conditional uses* (see Part 7).
 - A. Mobile home parks.
 - B. Planned residential development.
 - C. Extraction of natural resources.
 - D. Wind energy facility.
 - E. Any use permitted by right or by special exception shall be deemed a conditional use if it involves either of the following:
 - (1) The initial or cumulative disturbance which equals or exceeds 87,120 square feet of surface area.

- (2) The initial or cumulative construction, placement or installation which equals or exceeds 43,560 square feet of buildings, structures and/or other impervious surface area.

[Ord. 2007-5A]

4. *Dimensional regulations.* A principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including but not limited to state regulations and supplementary regulations contained in Part 8 of this Chapter. [Ord. 2009-5B]

- A. *Minimum lot area.* Each principal building or use shall be located upon a lot having a minimum lot area of not less than two acres. [Ord. 2009-5B]
- B. *Minimum lot width.* Each lot shall have a lot width not less than 200 feet.
- C. *Front yard.* The minimum front yard shall be not less than 50 feet in depth as measured from the front lot line.
- D. *Rear yard.* The rear yard shall be not less than 50 feet in depth as measured from the rear lot line.
- E. *Side yard.* The side yard shall be not less than 25 feet on each side.
- F. *Lot coverage.* Not more than 20 percent of a lot shall be covered by buildings. Total impervious cover shall not exceed 30 percent.
- G. *Building height.* The maximum height of any building shall not exceed two and one-half stories or 35 feet.

5. *Supplementary regulations.* See Part 8.

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or a “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 1998-1, 3/19/1998, §507; as amended by Ord. 2000-6, 9/14/2000; by Ord. 2007-5A, 9/19/2007, §§23, 24 and 25; and by Ord. 2009-5B, 5/14/2009, §§5, 6 and 7; Ord. 2017-1, 6/8/2017)

§27-508. I-1 General Industrial District.

1. *Permitted uses.*

- A. Automotive sales.
- B. Contractors’ offices, shops and storage yards (for commercial uses which sell products such as: lumber, building, heating, plumbing, electrical, masonry, fencing and related material).
- C. Electronic equipment and products, both sales and repairs.
- D. Equipment sales and repairs.
- E. Forestry (as defined in Part 2; also see Part 8).
- F. Gas station.
- G. Gas station, limited-service.
- H. Light industry (as defined in Part 2).
- I. Lumberyards.
- J. Machine shops and sheet metal shops.
- K. No-impact home-based businesses (as defined in Part 2, also see Part 8).
- L. Outdoor storage as defined in Part 2.
- M. Print shops.

- N. Public uses.
- O. Public utility facilities.
- P. Repair garages.
- Q. Stone or monument works.
- R. Tire retreading and recapping.
- S. Trucking facilities and terminals.
- T. Warehouse and distribution facilities.
- U. Warehousing, including self-storage facilities.
- V. Accessory uses to the above.

[Ord. 2007-5A]

- 2. *Uses permitted by special exception.*
 - A. Bulk fuel storage.
 - B. Wireless commercial communication sites and support structures.

[Ord. 2009-5B]

- 3. *Conditional uses* (see Part 7).
 - A. Automotive wrecking yards.
 - B. Extraction, excavation and/or removal of natural resources.
 - C. Heavy industrial uses (as defined in Part 2).
 - D. Junkyards.
 - E. Solid waste facilities.
 - F. Staging areas.
 - G. Transfer station.
 - H. Any use permitted by right or by special exception shall be deemed a conditional use if it involves either of the following:
 - (1) The initial or cumulative disturbance which equals or exceeds 87,120 square feet of surface area.
 - (2) The initial or cumulative construction, placement or installation which equals or exceeds 43,560 square feet of buildings, structures and/or other impervious surface area.
 - (3) Any use which utilizes and/or stores any hazardous substances as so defined in Part 2 of this Chapter.

4. *Dimensional regulations.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

- A. *Minimum lot area.*
 - (1) Twenty thousand square feet subject to the lot being serviced by centralized sewers.
 - (2) One acre when serviced by an on-lot sewage disposal system.
- B. *Minimum lot width.* Each lot shall have a lot width not less than 100 feet.
- C. *Front yard.* The minimum front yard shall be not less than 50 feet in depth as measured from the front lot line.
- D. *Rear yard.* The rear yard shall be not less than 50 feet in depth as measured from the rear lot line. When abutting any R District, a buffer area as so defined within Part 2 of this Chapter shall be required within the required rear yard setback.

E. *Side yard.* The side yard shall be not less than 25 feet on each side. When abutting any R District, a buffer area as so defined within Part 2 of this Chapter shall be required within the required side yard setback.

F. *Lot coverage.* Not more than 50 percent of the lot area shall be covered by buildings or structures.

G. *Building height.* The maximum height of any building shall not exceed three stories or 40 feet.

5. *Supplementary regulations.* See Part 8.

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or a “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 1998-1*, 3/19/1998, §508; as amended by *Ord. 2000-1*, 2/10/2000, §2; by *Ord. 2007-5A*, 9/19/2007, §§26 and 27; and by *Ord. 2009-5B*, 5/14/2009, §5)

§27-509. B-4 Commercial/institutional District.

1. *Permitted uses.*

A. Retail commercial businesses that include:

- (1) Convenience stores.
- (2) Food/grocery.
- (3) Forestry (as defined in Part 2; also see Part 8).
- (4) Gas station.
- (5) Greeting cards, books and stationery.
- (6) No-impact home-based businesses (as defined in Part 2, also see Part 8).
- (7) Office equipment and supplies.
- (8) Pharmaceutical products.
- (9) Accessory uses to the above.

[*Ord. 2007-5A*]

B. Service-oriented businesses that include:

- (1) Banks, credit unions and similar uses.
- (2) Continuing care facilities.
- (3) Day care centers.
- (4) Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
- (5) Health clubs.
- (6) Hospitals.
- (7) Intermediate care facilities.
- (8) Medical clinics.
- (9) Motels and hotels.
- (10) Personal services.
- (11) Personal-care homes.
- (12) Professional offices.
- (13) Restaurants.

- (14) Skilled nursing facilities.
 - (15) Taverns.
 - (16) Veterinary hospitals.
 - (17) Accessory uses to the above.
 - C. Recreation and entertainment related business including, or similar to:
 - (1) Public recreational facilities.
 - (2) Social halls, clubs and community centers.
 - (3) Accessory uses to the above.
 - D. Specific public land use:
 - (1) Municipal/county, state or federal buildings or uses.
 - (2) Public schools.
 - (3) Public owned parking facilities (as defined in §20-202 as *parking lot*).
 - (4) Public art gallery.
 - (5) Accessory uses to the above.
 - 2. *Uses permitted by special exception.*
 - A. Public uses.
 - B. Wireless commercial communication sites and support structures.
 - C. Accessory uses to the above.
- [Ord. 2009-5B]
- 3. *Conditional uses* (see Part 7):
 - A. Any use which utilizes and/or stores any hazardous substances as so defined in Part 2 of this Chapter.
 - B. Methadone treatment facility.
 - C. Institutional uses.
 - D. Any use permitted by right or by special exception shall be deemed a conditional use if it involves either of the following:
 - (1) The initial or cumulative disturbance which equals or exceeds 87,120 square feet of surface area.
 - (2) The initial or cumulative construction, placement or installation which equals or exceeds 43,560 or more square feet of buildings, structures and/or other impervious surface areas.

[Ord. 2007-5A]

- 4. *Dimensional regulations.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.
 - A. *Minimum lot area.* Each principal building or use shall be located upon a lot having a minimum lot area of not less than 20,000 square feet, subject to the lot being serviced by centralized sewers.
 - B. *Minimum lot width.* Each lot shall have a lot width of not less than 100 feet.
 - C. *Front yard.* The minimum front yard shall be not less than 50 feet in depth as measured from the front lot line.
 - D. *Rear yard.* The rear yard shall be not less than 50 feet in depth as measured from the rear lot line.
 - E. *Side yard.* The side yard shall be not less than 25 feet on each side in cases where the

adjoining lot contains a nonresidential use; a side yard setback of not less than 35 feet shall be required for any side yard in cases where the adjoining lot contains a residential use or where it abuts a residential zoning district.

F. *Lot coverage.* Not more than 40 percent of the lot area shall be covered by buildings or structures.

G. *Building height.* The maximum height of any building shall not exceed five stories or 75 feet.

5. *Supplementary regulations.* See Part 8.

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 1998-1*, 3/19/1998; as added by *Ord. 2003-4*, 10/6/2003, §3; and as amended by *Ord. 2007-5A*, 9/19/2007, §§28, 29 and 30; and by *Ord. 2009-5B*, 5/14/2009, §5; *Ord. 2017-1*, 6/8/2017)

§27-510. B-5 Commercial Recreational District.

1. *Permitted uses.*

A. Retail commercial businesses that include:

- (1) Banquet halls.
- (2) Convenience stores.
- (3) Convention centers.
- (4) Entertainment facilities (as defined in Part 2).
- (5) Forestry (as defined in Part 2, also see Part 8).
- (6) Gas station.
- (7) Movie theaters and live performance theaters.
- (8) No-impact home-based businesses (as defined in Part 2).
- (9) Private recreational facilities (as defined in Part 2).
- (10) Retail stores.
- (11) Accessory uses to the above.

B. Service-oriented businesses that include:

- (1) Bars and taverns.
- (2) Billboard signs.
- (3) Day care centers, including facilities in which daycare services are rendered.
- (4) Essential public utility facilities as defined in Part 2 of this Chapter (excluding storage yards).
- (5) Health clubs.
- (6) Motels and hotels.
- (7) Night clubs.
- (8) Personal services.
- (9) Professional offices.
- (10) Restaurants.
- (11) Accessory uses to the above.

C. Recreation and entertainment related businesses including or similar to:

- (1) Horse racing facility with related wagering (as defined in Part 2).

- (2) Private recreational facilities (as defined in Part 2).
- (3) Accessory uses to the above.
- 2. *Uses permitted by special exception.*
 - A. Wireless commercial communication sites and support structures.
 - B. Accessory uses to the above.

[Ord. 2009-5B]

- 3. *Conditional uses.*
 - A. Sexually oriented uses (as defined in Part 2).
 - B. Pawn shops.
 - C. After hours club. [Ord. 2016-1]
 - D. Bottle clubs. [Ord. 2016-1]

4. *Dimensional regulations.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter.

- A. *Minimum lot area.* Each principal building or use shall be located upon a lot having minimum lot area of not less than 15,000 square feet, subject to the lot being serviced by centralized sewers.
- B. *Minimum lot width.* Each lot shall have a lot width of not less than 100 feet.
- C. *Front yard.* The minimum front yard shall be not less than 50 feet in depth as measured from the front lot line.
- D. *Rear yard.* The rear yard shall be not less than 50 feet in depth as measured from the rear lot line.
- E. *Side yard.* The side yard shall be not less than 25 feet on each side in cases where the adjoining lot contains a nonresidential use; a side yard setback of not less than 40 feet shall be required for any side yard in cases where the adjoining lot contains a residential use or where it abuts a residential zoning district.
- F. *Lot coverage.* Not more than 60 percent of the lot area shall be covered by buildings or structures.
- G. *Building height.* The maximum height of any building shall not exceed 20 stories.

5. *Supplementary regulations.*

6. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as provided in Part 2 of this Chapter, shall also be subject to the governing regulations and provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 1998-1, 3/19/1998; as added by Ord. 2007-5A, 9/19/2007, §5; and as amended by Ord. 2009-5B, 5/14/2009, §5; by Ord. 2016-1, 2/11/2016, §3)

§27-511. MU Mixed Use District.

1. *Purpose.* The purpose of this District is intended to encourage creativity and flexibility in the development of larger tract land by relaxing the rigidity of the strict separation of land uses which may be otherwise compatible with the overall site development of a property.

- 2. *Permitted nonresidential use.*
 - A. Retail commercial businesses that include:
 - (1) Retail sale establishments.
 - (2) Retail sales establishment, specialty.

- (3) Accessory uses to the above.
- B. Service-oriented businesses that include:
 - (1) Hotels, motels, bed and breakfast inns.
 - (2) Professional offices.
 - (3) Retail services establishment.
 - (4) Service offices.
 - (5) Laundry and dry-cleaning service (exclusively for pick-up and delivery of laundry and/or dry cleaning without any cleaning service equipment upon the premises).
 - (6) Child-care uses.
 - (7) Gymnasiums, health/fitness centers.
 - (8) Automobile service station.
 - (9) Commercial radio antennas and support structures.
 - (10) Accessory uses to the above.
- 3. *Permitted residential uses.*
 - A. Two-family dwelling.
 - B. Multi-family dwelling.
 - C. Townhouses.
 - D. Residential neighborhood activity center.
 - E. Accessory uses to the above.
- 4. *Dimensional regulations - nonresidential uses.*
 - A. *Generally.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including, but not limited to, state regulations and supplementary regulations contained in Part 8 of this Chapter 27.

B. *Nonresidential uses.*

- (1) *Minimum lot area.* Each principal building or use shall be located upon a lot having a minimum lot area or lease area of not less than 15,000 square feet.
 - (2) *Minimum lot width.* If applicable, each lot or leased area shall have a lot width of not less than 100 feet. *
 - (3) *Front yard.* The minimum front yard shall be not less than 50 feet in depth as measured from the front lot line. *
 - (4) *Rear yard.* The rear yard shall be not less than 50 feet in depth as measured from the rear lot line. * In cases where the rear lot line of a nonresidential structure borders the boundary of an R-1 Zoning District, a rear yard setback of 75 feet shall be required along with a vegetative screening consisting of two staggered rows of evergreen trees planted with the spacing distance between trees not less than eight feet or greater than ten feet. Said trees shall be not less than six feet in height at the time of planting. The owner of the property shall be responsible to maintain the required vegetation within the buffer area, including the replacement of any trees which are damaged, die, removed by whatever means or otherwise fail to grow.
 - (5) *Side yard.* No interior sideyard setback distances shall apply among any principal buildings of a development which is classified as a “land development”. In all other cases a side yard setback distance of not less than 25 feet on each side shall be required.
 - (6) *Lot coverage.* Not more than 65 percent of the lot area shall be covered by buildings or structures. Impervious surfaces shall not be considered with such calculations
 - (7) *Building height.* The maximum height of any building shall not exceed ten stories.
- * In the case of leased space under a land development application, the lot width and the front and the rear yard setback requirements shall be based upon measurement applicable to the principal lot, which may include two or more leased areas and not from the description of the leased space within the principal lot of record.

5. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as defined in Plains Township Subdivision and Land Development Ordinance, shall be subject to the governing regulations and provisions of Chapter 22.

6. *Dimensional regulations.*

A. *Generally.* Each principal building, structure and/or use shall be governed by the following regulations, unless more restrictive standards are applicable, including but not limited to state regulations and supplementary regulations contained in Part 8 of this Chapter 27. See §27-802 Subsection 29. for dimensional regulations governing structures containing multi-family dwelling units and §27-802 Subsection 30. for dimensional regulations governing townhouse.

B. *Residential uses.*

- (1) *Minimum lot area.* Each principal building, structure and/or use shall be located upon a lot having a minimum lot area of not less than 10,000 square feet.
- (2) *Minimum lot width.* Each lot shall have a lot width of not less than 100 feet.
- (3) *Front yard.* The minimum front yard shall be not less than 20 feet in depth as measured from the front lot line.
- (4) *Rear yard.* The rear yard shall be not less than 30 feet in depth as measured from the rear lot line.
- (5) *Side yard.* The combined side yards shall be not less than 16 feet, with not less than eight feet on each side.
- (6) *Lot coverage.* Not more than 45 percent of the lot area shall be covered with buildings or structures.
- (7) *Building height.* The maximum height of any building shall not exceed stories three stories or 40 feet.
- (8) *Neighborhood activity center.* Use of property where a residential development has uses and/or facilities (including pools, tennis courts, playgrounds, clubhouses, golf courses and other similar uses) available to residents of the development and their guests.

7. *Supplementary regulations.* See Part 8.

8. *Subdivision and land development.* Any property proposed to be divided into parcels or developed in accordance with the definitions of a “subdivision” or “land development”, as defined in Plains Township Subdivision and Land Development Ordinance shall be subject to the governing regulations and provisions of Chapter 22.

9. *Sign regulations.* The following types of signs shall be permitted within the MU District. All signs shall be classified according to type and use as provided herein:

- A. *Business sign.* A sign which communicates information concerning a business, profession, commodity, service, entertainment or development which is sold, offered, prepared, manufactured or conducted upon the zoning lot where the sign is located.
- B. *Billboard or off-premises advertising sign.* A sign which communicates information concerning a subject, business, profession, activity, commodity, service, entertainment or development not related to, sold, offered, prepared or manufactured on the zoning lot where the sign is located.
- C. *Institutional sign.* A sign which identifies a use pertaining to a school, church, hospital or other institution of a similar public or semipublic nature.
- D. *On-site directional and/or informational sign.* A sign commonly associated with, and limited to, information and directions necessary for visitors entering or exiting a property, including signs marking entrance and exits, parking areas, circulation direction, restrooms and pick-up and delivery areas. Other than company logos, such signs shall contain no advertising material.

E. *Pylon sign.* A pylon sign shall mean an on-site freestanding sign, supported by a sign structure from the ground, which identifies businesses located on the same parcel or in the same development on which the sign is located.

10. *Construction types of signs.* All signs shall be classified according to construction types. The following types shall be permitted within the MU District:

A. *Freestanding sign.* A sign not attached or applied to a principal building but supported by another structure, including structures designed for the sign itself and accessory structures.

B. *Wall sign.* A sign attached, painted or affixed to the wall of a principal structure or accessory structure, not projecting over any public right-of-way and not extending more than two feet from the building or structure.

C. *Projecting sign.* A sign which projects outward or extends more than two feet from the building or structure.

11. *Setback for freestanding signs.* The minimum side yard setback and rear yard setback for any freestanding sign shall be the same as the minimum side yard or rear yard setback for a principal structure in the zoning district in which the sign is located. The minimum front yard setback, with the exception of §27-1004, Paragraph G., On-Site Directional and/or Informational Sign and §27-1004, Paragraph H., Billboard Sign or Off-Premise Advertising Sign shall be not less than 25 percent of the required setback for a principal structure in the zoning district in which the sign is located. If an existing building has a front yard setback which is less than ten feet, any proposed new sign shall be attached flat against the building as a wall sign.

12. *Prohibited signs.* The following types of signs shall be prohibited within the MU District:

A. Air- and gas-filled devices.

B. Awning and canopy signs.

C. Banners unless permitted as special temporary sign.

D. Bench signs.

E. Signs which display obscene text, copy, message, pictures, forms or structures.

F. Flashing, blinking, traveling signs or lights, excluding any reader board or other sign identifying retail commercial businesses or service-oriented businesses.

G. Portable, mobile or trailer signs.

H. Roof signs.

I. Sidewalk, sandwich signs and A-frame signs.

J. Signs affixed to utility poles, trees, street markers, and fence posts or placed on any curb, sidewalk, fence, hydrant, bridge or other surface located on public property or over or across any public street.

K. Signs that advertise or promote illegal activities.

L. Signs that are erected, located or maintained in such a manner as to interfere with safe and free ingress or egress of any door or emergency exit or fire escape.

M. Spectacular signs, including feather flag signs.

N. Swinging or projecting sign.

O. Signs which obstruct sight of motorists or pedestrians so as to create safety hazards for motorists or pedestrians.

13. *Pylon sign.* In an integrated grouping of commercial uses which is classified as a “land development”, in addition to permitting each individual use to display signage, a pylon sign shall be permitted which identifies uses located on the same parcel or in the same development on which the sign is located. Not more than two pylons signs shall be permitted. A such sign shall not exceed 2,000

square feet in area nor exceed a maximum height of 125 feet above the existing grade.

14. *Maximum area of signage.* The maximum area of a business sign and/or the cumulative amount of all signage for a property located in the MU District shall not exceed five square feet of signage for each linear foot of frontage along a public road or a public right-of way. In the case of corner properties, the frontage along both sides shall be included in calculating the maximum square feet of permitted signage. Wall signs, pylon signs and temporary signs shall be excluded from such calculations.

(Ord. 2015-6, 9/10/2015, §4)

Part 6**Special Exceptions****§27-601. Purpose.**

The purpose of a use classified as a special exception is to provide expressed standards for regulating unique or special characteristics of certain uses which may otherwise allow such uses to be permitted by right within their respective zoning district, as provided in Part 5, Zoning District Regulations.

(Ord. 1998-1, 3/19/1998, §601)

§27-602. General Provisions.

The authority for approving or denying applications for uses permitted by special exception shall be vested in the Zoning Hearing Board in accordance with the provisions contained in Part 15. Decisions by the Zoning Hearing Board shall be made pursuant to the standards and criteria set forth in this Part (§27-1504), the respective zoning district in which the use is located, all other applicable regulations of this Chapter, other ordinances of the Township and any applicable state and/or federal regulations. All applications for special exception uses which involve new construction shall be initially referred to the Plains Planning Commission for its review and comment along with any recommendation it may wish to render to the Zoning Hearing Board.

(Ord. 1998-1, 3/19/1998, §602)

§27-603. Site Plan.

Uses classified as a special exception shall file, in addition to a zoning permit, a site plan at a scale of not greater than one inch equal 50 feet, which shall be submitted to the Zoning Officer. Such plan shall provide all applicable information required for the Zoning Hearing Board to render a decision including, but not limited to, the following:

- A. The location and size of all buildings and structures, both principal and accessory.
- B. The location of all off-street parking areas and/or loading areas.
- C. The location of all open space areas, including buffer areas and fencing, if applicable.
- D. Traffic access to the site and internal traffic circulation within the site.
- E. All streets, both public and private, within 500 feet of the site.
- F. Contours of the site for each five feet of change in elevation, based upon a field survey of the site, with the name of the person or firm who conducted the survey and the date of the survey.
- G. The location, nature and terms of any existing or proposed easements on the site and any easements both on-site and off-site which are used or intended to be used for access to the site.
- H. Streams, ponds, watercourses, wetlands or any other type bodies of water, including natural or human-made drainage swales, located on the site or within 500 feet of the site.
- I. The location of any residential structure within 500 feet of any property boundary line of the subject site.
- J. The map, block and lot number of the subject parcel.
- K. A location map at a scale of not greater than one inch equals 2,000 feet, indicating the relation of the site to its geographic proximity within the Township.
- L. A narrative outline which fully describes the proposed use of the site and the pertinent

operational aspects and features of the proposed use.

(*Ord. 1998-1, 3/19/1998, §603*)

§27-604. General Standards.

The general standards contained herein, in addition to all other applicable regulations, shall be utilized in the review of applications and plans for any use which is classified as a special exception:

- A. The proposed use shall not jeopardize the objectives of the community development objectives of this Chapter nor shall it adversely affect the health, safety and welfare of the public and/or the environment.
- B. Public services and facilities such as streets, sewage disposal, water, police and fire protection shall be adequate for the proposed use.
- C. Existing and future streets and access to the site shall be adequate for emergency services, for avoiding undue congestion, and for providing for the safety and convenience of pedestrian and vehicular traffic.
- D. The relationship of the proposed use to other activities existing or planned in the vicinity shall be harmonious in terms of the location and size relative to the proposed use, and the nature and intensity of the operation involved.
- E. The relationship of the proposed use to other activities existing or planned in the vicinity shall be harmonious in terms of the character and height of buildings, walls and fences so that the use, development and value of adjacent property is not impaired.
- F. The proposed use shall not be more objectionable in its operation in terms of noise, fumes, smoke, vapors, gases, odors, heat, glare, vibration, lighting or electrical disturbances than would be the operation of any permitted use in the district nor shall it constitute a general nuisance as so defined in Part 2 of this Chapter.
- G. Any other reasonable conditions and safeguards, in addition to those expressed in this Chapter, may be imposed by the Zoning Hearing Board in the interest of protecting the health, safety and welfare of the public.

(*Ord. 1998-1, 3/19/1998, §604*)

§27-605. Impact Analysis.

In considering an application for a special exception, the Zoning Hearing Board shall have the authority to require the applicant to prepare an impact analysis on a particular aspect of the subject application and/or potential effect of the subject application in relationship to surrounding properties in accordance with the definition of said term as provided within Part 2 of this Chapter. The cost of preparing and/or providing such information shall be borne by the applicant.

(*Ord. 1998-1, 3/19/1998, §605*)

Part 7**Conditional Uses****§27-701. Purpose.**

The purpose of a use classified as a conditional use is to provide expressed standards to regulate uses classified as such in particular zoning districts, as provided in Part 5 of this Chapter.

(Ord. 1998-1, 3/19/1998, §701)

§27-702. Conditional Use Application Fee.

As part of the conditional use application fee, which shall be established the Board of Commissioners, the applicant shall be responsible to reimburse the Township for all reasonable and necessary consulting fees which are incurred by the Township to review plans, reports, data, studies and any other information related to an application for a conditional use permit.

(Ord. 1998-1, 3/19/1998, §702)

§27-703. General Provisions.

The authority for approving or denying applications for uses permitted as a conditional use shall be vested in the Board of Commissioners, with the Township Planning Commission having the authority to review and submit their recommendations to the Board of Commissioners. Decisions by the Board of Commissioners shall be made in accordance with standards and criteria set forth in this Part, any studies and reports required within the context of an impact analysis, as so defined in Part 2 of this Chapter, the respective zoning district in which the use is located, all other applicable regulations of this Chapter, other ordinances of the Township and all applicable state and/or federal regulations.

(Ord. 1998-1, 3/19/1998, §703)

§27-704. Application and Site Plan.

A conditional use application, and 15 copies of said application shall be submitted to the Zoning Officer along with 15 of a site plan which includes the following information.

A. The site plan shall be at a scale of not greater than one inch equals 50 feet. Such plan shall, at minimum, indicate:

- (1) The location and size of all buildings and structures, both principal and accessory, open space, parking areas, traffic access and circulation.
- (2) All public or private streets within 1,000 feet of the site.
- (3) Contours of the site for each two feet of change in elevation, based upon a field survey of the site, with the name of the person or firm who conducted the survey and the date of survey.
- (4) Streams, ponds, watercourses, wetlands or any other bodies of water, including natural or human-made drainage swales located both on the site and within 500 feet of the site.
- (5) The location, nature and terms of any existing or proposed easements on the site and any existing or proposed easements both on-site and off-site which are used or intended to be used for access to the site.
- (6) The location, type and height of any required screening.
- (7) The location of all structures within 200 feet of any property line boundary of the

subject site.

(8) The map, block and lot number of the subject parcel.

(9) A location map at a scale of not greater than one inch equals 2,000 feet, indicating the relation of the site to its geographic proximity within the Township.

(10) A narrative outline which fully describes the proposed use of the site and the pertinent operational aspects and features of the proposed use.

(11) Any other information required by the Board of Commissioners for determining the conformance of the conditional use with the regulations for that particular use.

(Ord. 1998-1, 3/19/1998, §704)

§27-705. Procedural Requirements in Rendering a Decision.

1. Prior to approving or denying an application for a conditional use, the Board of Commissioners shall conduct a public hearing pursuant to public notice. The Board of Commissioners shall submit the application for the proposed conditional use to the Township Planning Commission, not less than 30 days prior to the public hearing, to allow the Planning Commission to submit any such recommendations as they may deem appropriate.

2. The required public hearing shall be held and conducted in accordance with the same procedural guidelines which govern the Zoning Hearing Board under Part 15 of this Chapter. The term "Board of Commissioners" shall replace the term "Zoning Hearing Board" in relevant passages of said Part.

3. The Board of Commissioners shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before the Board of Commissioners. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefor. Conclusions based on any provisions of the ordinance or any other ordinance, rule or regulation, shall contain a reference to the provisions relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.

4. If the Board of Commissioners fails to render a decision within 45 days after the last hearing or fails to hold the required hearing within 60 days from the date of the applicant's request for hearing, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of their failure of the Board of Commissioners to meet or render a decision as hereinabove provided, the Board of Commissioners shall give public notice of said

decision within ten days from the last day it could have met to render a decision in the same manner as required by public notice. If the Board of Commissioners fails to provide such notice, the applicant may do so.

5. Nothing contained within this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him or her no later than the day following its date.

6. The Board of Commissioners shall grant an approval for a conditional use upon its determination that adequate evidence and information has been provided, which indicates the applicant's proposal meets the general and specific requirements for the type of conditional use in question, and any additional conditions and safeguards deemed necessary to protect the public health, safety and general welfare.

(Ord. 1998-1, 3/19/1998, §705)

§27-706. General Standards.

The general standards contained herein, shall be utilized in the review of applications and plans for any use which is classified as a conditional use.

- A. The proposed use shall not jeopardize the community objectives of this Chapter nor shall it adversely affect the health, safety and welfare of the public and/or the environment.
- B. Public services and facilities such as streets, sewage disposal, water, police and fire protection shall be adequate for the proposed use.
- C. Existing and future streets and access to the site shall be adequate for emergency services, for avoiding undue congestion, and for providing for the safety and convenience of pedestrian and vehicular traffic.
- D. The relationship of the proposed use to other activities existing or planned in the vicinity shall be harmonious in terms of location and size relative to the proposed operation and the nature and intensity of the operation involved.
- E. The relationship of the proposed use to other activities existing or planned in the vicinity shall be harmonious in terms of the character and height of structures, buildings, walls and fences, so that the use, and development of adjacent property is not impaired.
- F. The proposed use shall not be more objectionable in its operation in terms of noise, fumes, odors, vibration or lighting that would be the operations of any permitted use in the district.
- G. The submission of an environmental impact statement for all nonresidential conditional uses in accordance with §27-708 of this Chapter, and all subsections thereunder.
- H. The submission of any reports and/or studies within the context of the definition "impact analysis" as contained within Part 2 of this Chapter, which conclusively demonstrates that the proposed use or development will not have a negative impact upon the particular subject or subjects as set forth by the Board of Commissioners including, but not limited to, the interest of protecting the health, safety and welfare of the public and environmental features and characteristics of the site and/or surrounding areas. In its review of an impact analysis, the Board of Commissioners shall have the discretion to retain the services of firms or agencies which have expertise within the subject or subjects addressed therein.

(Ord. 1998-1, 3/19/1998, §706)

§27-707. Classified Conditional Uses.

The following uses/developments are classified as conditional uses within Part 5 of this Chapter:

- A. Any use permitted by right or special exception, involving the initial or cumulative disturbance of 87,120 or more square feet of surface area including, but not limited to, the excavation of land, grading and/or the backfilling of land not related to the extraction of natural resources.
- B. Any use permitted by right or special exception, involving the initial or cumulative construction, installation or placement of 43,560 or more square feet of buildings, structures and/or other impervious surface areas.
- C. Any use which utilizes and/or stores any hazardous substances as so defined in Part 2 of this Chapter.
- D. Automotive wrecking yards.
- E. Extraction, excavation and/or removal of natural resources.
- F. Heavy industry (as defined in Part 2).
- G. Institutional uses.
- H. Junkyards.
- I. Methadone treatment facilities.

- J. Mobile home parks, including expansions of existing mobile home parks.
- K. Pawn shops.
- L. Planned residential developments.
- M. Sewage treatment facilities.
- N. Sexually oriented uses (as defined in Part 2).
- O. Shopping center.
- P. Solid waste facilities.
- Q. Staging areas.
- R. Transfer station.
- S. Wind energy facility.

(*Ord. 1998-1*, 3/19/1998, §707; as amended by *Ord. 2003-3*, --/2003, §§5 and 6; by *Ord. 2003-4*, 10/6/2003, §4; and by *Ord. 2005-5*, 3/10/2005, §6)

§27-708. Environmental Impact Statement.

In addition to all other requirements, an environmental impact statement shall be required for any nonresidential use and/or development which is classified as a conditional use. Upon a written request from the applicant, the Board of Commissioners, at its sole discretion, may exempt a nonresidential use from the submission of an environmental impact statement, in whole or in part, upon a determination that certain information is not applicable to the proposed use and/or development. The burden of proof that certain information is not applicable to the proposed use and/or development shall rest with the applicant in addressing the basis for the requested exemption. The purpose of the environmental impact statement is to disclose the environmental consequences of a proposed action. This requirement is designed to protect the natural environment with respect to water quality, water supply, soil erosion, pollution of any kind, flooding and waste disposal. The intent is to preserve trees and vegetation, to protect watercourses, air quality, aquifers and the quality of life throughout Plains Township and its environs. An environmental impact statement shall include a response to the following items and said proposed use/development shall further comply with all other applicable standards and requirements of this Chapter:

- A. *Soil types.*
 - (1) U.S.D.A. soil types (illustrated upon map).
 - (2) Permeability of soil on the site.
 - (3) Rate of percolation of water through the soil for every five acres.
- B. *Surface waters.*
 - (1) Distance of site from the nearest surface water and head waters of streams.
 - (2) Sources of runoff water.
 - (3) Rate of runoff from the site.
 - (4) Destination of runoff water and method of controlling down stream effects.
 - (5) Chemical additives to runoff water on the site.
 - (6) Submission of a soils erosion and sedimentation control plan meeting the requirements of the Luzerne County Conservation District.
 - (7) A stormwater management plan which shall be developed in coordination with the soils erosion and sedimentation plan.
- C. *Ground cover including trees.*
 - (1) Extent of existing impervious ground cover on the site.

- (2) Extent of proposed impervious ground cover on the site.
- (3) Extent of existing vegetative cover on the site.
- (4) Extent of proposed vegetative cover on the site.
- D. *Topography.*
 - (1) Maximum existing elevation of site.
 - (2) Minimum existing elevation of site.
 - (3) Maximum proposed elevation of site.
 - (4) Minimum proposed elevation of site.
 - (5) Description of the topography of the site and all proposed changes in topography.

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- E. *Groundwater.*
- (1) Average depth to seasonal high water table.
 - (2) Minimum depth to water table on site.
 - (3) Maximum depth to water table on site.
- F. *Water supply.*
- (1) The source and adequacy of water to be provided to the site.
 - (2) The projected water requirements (G.P.D.) for the site.
 - (3) The uses to which the water will be put.
- G. *Sewage system.*
- (1) Sewage disposal system (description and location on the site of system).
 - (2) Expected content of sewage effluents (human waste, pesticides, detergents, oils, heavy metals, other chemicals).
 - (3) Projected daily volumes of sewage.
 - (4) Affected sewage treatment plants present capacity and design capacity.
- H. *Solid waste.*
- (1) Estimated quantity of solid waste to be developed and/or processed on the site during and after construction.
 - (2) Method of disposal and/or processing of solid waste during and after construction.
 - (3) Plans for recycling of solid waste during and after construction.
- I. *Air quality.*
- (1) Expected changes in air quality due to activities at the site during and after construction.
 - (2) Plans for control of emissions affecting air quality.
- J. *Noise.*
- (1) Noise levels, above existing levels, anticipated to be generated at the site, (source and magnitude), during and after construction.
 - (2) Proposed method for control of additional noise on-site during and after construction.
- K. *Impact of proposed use/development.* A description of the impacts on the environment and mitigating factors shall be provided for the following:
- (1) Existing plant species, (upland and marine), and effects thereon.
 - (2) Existing animal species and effects thereon.
 - (3) Existing wild fowl and other birds and effects thereon.
 - (4) Effects of drainage and runoff.
 - (5) Effects on groundwater quality.
 - (6) Effects on surface water quality.
 - (7) Effects on air quality.
 - (8) Alternatives to proposed use/development, consistent with the zoning of the site.
 - (9) Effects on sites of historic significance.
 - (10) Projected amount and type of traffic to be generated and the effects of the same on public roads and highways.
- L. *Impact upon critical areas.* The applicant shall define, describe and identify upon a map, critical areas as defined in Part 2 of this Chapter. A statement of any potential impact upon critical areas shall be provided by the applicant, including, but not limited to, adverse

impacts which cannot be avoided and/or mitigated as a resulting effect of the development.

M. *Other governmental jurisdiction.* A list of all licenses, permits and other approvals required by county, state or federal law and the status of each.

N. *Review procedure of environmental impact statement.*

(1) Upon receipt of an environmental impact statement, the Board of Commissioners shall promptly forward the environmental impact statement to the Township Planning Commission, the Township Engineer and any other agency, firm or individual which the Board of Commissioners may desire for their consultation and input.

(2) The Planning Commission shall review the applicant's environmental impact statement and provide the Board of Commissioners with its comments and recommendations within 30 days from the date of its submission to the Planning Commission.

(3) The Board of Commissioners shall have the discretion to retain the expertise of appropriate parties in their review of the environmental impact statement. All fees and costs incurred for such consultation shall be paid by the applicant.

(4) A determination by the Board of Commissioners of a potential adverse impact which may result shall constitute sufficient basis for the denial of a conditional use permit.

(Ord. 1998-1, 3/19/1998, §708)

§27-709. Solid Waste Facility—Supplementary Regulations.

1. *Conformance to the following.* A solid waste facility shall conclusively demonstrate conformance to all of the following items:

A. The applicant shall provide a comprehensive soil analysis and groundwater report which shall conclusively demonstrate that the proposed design, construction and operation of the solid waste facility shall not pollute surface or groundwater, nor otherwise cause any potential health or environmental hazard. Said report shall be jointly signed and certified by the applicant and the consultant, who prepares the report, attesting to the accuracy of information and the validity of said report.

B. The applicant shall sign an agreement prepared by the Township Solicitor, prior to final approval of the application for a conditional use permit which shall specify all the terms and conditions of approval, including the Township's authority to revoke the permit for the violation of any terms and/or conditions under which the application was approved. Prior to formal action to revoke the conditional use permit, the Board of Commissioners shall convene a public hearing, pursuant to public notice, to consider testimony and evidence relative to the alleged violations. Based upon the testimony and evidence provided, the Board of Commissioners shall render a decision.

C. The land area and/or parcel of land on which the solid waste facility is located shall not exceed 25 acres, whether developed initially or cumulatively.

D. The applicant of a proposed solid waste facility shall provide conclusive evidence, based upon a mining report, soil analysis, test borings and any other appropriate technical data which conclusively demonstrates that the subsurface conditions beneath any area to be utilized as a landfill is capable of sustaining the bearing load of projected and/or planned quantity of material to be deposited and/or disposed of upon the site. The applicant and the person, party or firm providing such evidence shall jointly sign and certify the accuracy and validity of the information and data which is provided as conclusive evidence.

E. Any application for a conditional use permit for a solid waste facility, which includes the operation of a landfill, shall include a proposed reuse of the property and/or area utilized as a landfill upon the cessation of landfill activities. The proposed reuse of the property shall not be inconsistent with §27-105 of this Chapter.

F. The applicant shall be required to create an escrow fund to finance the proposed and planned reuse and development of any area utilized as a landfill based upon the projected life expectancy of any area within the solid waste facility which is utilized as a landfill. Such fund shall be funded while the property is still being used for a landfill with annual increment payments. The annual increment payment shall be based upon the estimated cost of the proposed reuse of the site divided by the number of years which the landfill is expected to operate. Such fund shall be separate and distinct from any funding and/or bonding requirement pursuant to closure activities.

G. A solid waste facility may conduct and operate all approved functional aspects within the facility from the hours of 7:00 a.m. to 3:00 p.m. from Monday through Friday. Said facility shall not conduct and/or operate any approved functional aspects associated with the facility on Saturdays, Sundays and all legally recognized holidays by the federal government and/or the Commonwealth of Pennsylvania.

H. The entire site of a solid waste facility shall be enclosed with industrial type gauge fencing which shall be ten feet in height. All gates shall be closed and locked at the end of business hours. There shall be no advertising of any kind displayed upon the fence.

I. No operations and/or activities permitted within a solid waste facility shall be permitted within 1,000 feet of any property line boundary and/or within 2,500 feet of any residences and/or zoning district in which residences are a permitted use.

J. All solid waste facilities and staging areas which store the solid waste at any stage prior to disposal at an approved facility shall maintain the aforesaid solid waste within a completely enclosed building. Storage of materials, supplies or solid waste in motor vehicles, trucks, trailers or other containers normally used to transport the materials shall not be permitted unless the aforesaid motor vehicles, trucks, trailers or other containers shall be stored within a completely enclosed building.

K. A solid waste facility shall provide for treatment and disposal of all liquid effluent and discharges generated by the facility due to the storage, washing or other process used in treating and/or processing the solid waste. Any water discharge from the facility after being treated by the wastewater treatment system shall meet all applicable regulations and requirements of the Pennsylvania Department of Environmental Protection. [A.O.]

L. All stormwater collected on the site shall be treated by the facility's wastewater treatment system. Parking of motor vehicles containing solid waste or motor vehicles which have not been properly cleaned and washed shall only be permitted in completely enclosed buildings, handling areas or parking areas in which containment of spillage, leakage or other contaminants is provided.

M. The owner and/or operator of any solid waste facility shall be required to monitor the ground and surface water in the vicinity of the facility. Water testing shall be conducted every three months on any stream within 500 feet of any areas used for the storage or disposal of solid waste, if water drainage from the facility is discharged into said stream. For each testing period, two testing samples shall be collected: one sample shall be taken from the stream at a point upstream of the facility drainage area and one sample shall be taken from the stream at a point below the facility drainage area. In addition, the well location, if applicable, located on the premises shall also be sampled every three months. All water samples shall be collected and analyzed by an independent party which is a certified water analysis laboratory for hydrocarbons or other parameters deemed appropriate by the Township Commissioners, and the results shall be provided to the Township. If said samples exceed the limits established by the Pennsylvania Department of Environmental Protection, the facility shall immediately cease operation until such time as the source of the contamination has been identified and totally corrected. [A.O.]

N. The area or areas upon which any permitted operations and/or activities within a solid

waste facility are conducted shall be entirely screened. Such screening shall consist of a variety of evergreen trees, approved by the Board of Commissioners, planted not more than six feet apart and being not less than eight feet in height at the time of planting. Said screening shall be located not greater than 300 feet from the operations and/or activities which are subject to being screened. The applicant and/or operator of the facility shall be responsible to maintain such screening, including the replacement of any trees which are damaged, die or otherwise fail to grow.

O. The applicant shall provide a detailed narrative which fully describes the daily operations of all permitted functions and activities within the proposed solid waste facility, including the projected daily volume and tonnage of refuse being accepted for processing and/or disposal.

P. The applicant shall submit to the Board of Commissioners, a copy of his or her commercial policy of liability insurance covering third party claims for property damage and personal injury.

Q. Vehicular access for ingress, egress and regress to a solid waste facility shall be solely limited to private access roads, constructed in accordance to the design standards of as so provided within Part 8 of the Plains Township Subdivision and Land Development Ordinance. Such private access roads shall only have access to a State Legislative Route with no permitted access to or from any local streets and/or roads.

R. The owner and or operator of a solid waste facility shall provide an emergency response plan to address potential hazards associated with its operations. Said plan shall be submitted for review and comment to the local fire companies which serve Plains Township.

S. Any solid waste facility which processes sludge, prior to its final disposal, shall be designed to include a liner in accordance with the applicable standards of the Department of Environmental Protection for the liner within a proposed landfill.

T. Any solid waste facility which includes incineration shall be designed and operated in a manner to limit emissions by not less than ten percent below the applicable allowable emission standards of the Department of Environmental Protection or the Environmental Protection Agency, based upon the more restrictive regulations for reducing and/or limiting air pollution. Any emissions stack or similar structure shall not exceed 150 feet in height.

U. The applicant shall in addition to other required information and data provide an impact analysis which address the impact of the proposed operation and activities of a solid waste facility in relationship to the following items:

- (1) All streets and roads which shall and/or are likely to be utilized for means of access to and from the site, including projected truck traffic which shall be generated in relationship to the projected daily volume of waste being transported to the solid waste facility.
- (2) The suitability of the site for the proposed operations and activities of the solid waste facility in relationship to the soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features which are located both on-site and off-site of the facility.
- (3) The impact, both on-site and off-site, of the proposed operations and activities of the solid waste facility on the soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features regarding the degree to which these are protected or destroyed, the tolerance of these resources to the proposed development and any adverse environmental impacts.
- (4) The impact of the proposed operations and activities of the solid waste facility upon any locations and/or structures of historical and/or cultural significance within 3,000 feet to any property boundary line of the facility.
- (5) The impact of the proposed operations and activities of the solid waste facility upon the preservation of agriculture and other land uses which are essential to the public health and welfare.

2. *Mitigation of adverse impacts.* In the event that any information, data and/or impact analysis indicates a projected and/or potential adverse impact, the applicant shall fully mitigate such impact. A determination of a potential adverse impact which may result, based upon the environmental impact statement or the Board of Commissioners' review of the same shall constitute sufficient basis for the denial of a conditional use permit.

3. *Land development approval required.* In addition to the regulations contained within this Part, a solid waste facility shall be subject to the applicable regulations and provisions as contained within the Plains Township Subdivision and Land Development Ordinance [Chapter 22]. The application process for a conditional use permit and a land development may be submitted concurrently by the applicant.

4. *Host municipality fee.* A host municipality fee shall be executed between Plains Township

and applicant, owner and/or operator of a solid waste facility prior to the commencement of construction of said facility.

(Ord. 1998-1, 3/19/1998, §709; as amended by A.O.)

§27-710. Excavation of Natural Resources.

Extraction, excavation, removal and/or surface mining of coal and/or coal by products and the extraction, excavation and/or removal of other natural resources including sand, gravel, rock, topsoil and peat moss shall be considered a temporary use, subject to the following requirements:

- A. *Map.* Submission of a map which outlines the entire proposed area subject to be the proposed extraction, excavation, removal and/or surface mining of coal or coal by products. Said map shall contain surface features showing the location of buildings, dwellings, places of worship, schools, railroads, highways and lot lines of public and semipublic uses within a distance of 500 feet from the perimeter of the proposed use. In addition, said map shall indicate the proposed maximum depth of any excavation.
- B. *Bond, backfilling and fees.* The applicant shall provide documentation that all applicable state requirements relative to providing a bond which guarantees the restoration and backfilling any land proposed to be excavated or otherwise disturbed has been secured.
- C. *Insurance.* That a certificate of insurance with limits of \$100,000 per person and \$300,000 per accident for personal injuries, and \$300,000 for property damage, be filed with the Board of Commissioners both for the benefit of all persons who might be injured or suffer property damage as a result of the operations, and to save Plains Township and its officials harmless from any and all claims, suits or demands caused by any operations of the subject use.
- D. *Distance provisions.* The perimeter of any excavation under this Section shall not be nearer than 500 feet from any building, property line or street, except that owned by the excavator.
- E. *Timing.* Blasting, if permitted by the Board of Commissioners, shall occur only between the hours of 9:00 a.m. and 4:00 p.m. local time and in accordance with regulations promulgated by and under the supervision of a representative of the Pennsylvania Department of Environmental Protection. The applicant shall provide the Township with not less than a 24-hour advance notice.

- F. *Location of processing equipment.* To reduce airborne dust, dirt and noise, all structures for sorting, crushing, grinding, loading, weighing, washing and other operations shall be not less than 1,000 feet from the right-of-way of any street, and/or 1,000 feet from any residential building or the boundary of a residential zoning district.
- G. *Drainage.* All excavations both during operations and after completion shall be adequately drained to prevent the formation of pools of water. Adequate measures shall be taken prior to any excavation and fully documented prior to approval of the operation.
- H. *Limitation on land area.* The extraction, excavation, removal and/or surface mining of coal or the reclamation of coal by products shall not exceed ten acres in area on any lot or tract of land.
- I. *Compliance with state requirements.* Final and/or unconditional approval under the provisions of this Chapter will not be issued until all required licenses and/or permits have been properly secured from the Pennsylvania Department of Environmental Protection.

(Ord. 1998-1, 3/19/1998, §710)

§27-711. Sexually Oriented Uses.

1. No sexually oriented use, as so defined in Part 2 of this Chapter, shall be located less than 1,000 feet from any of the following uses:

- A. A residential dwelling.
- B. A place of worship.
- C. A public or quasi-public use or structure.
- D. A zoning boundary of any residential zoning district.

2. Measurements of the required distance shall be made in a straight line, from the nearest portion of the structure or premises of an adult use, to the nearest property line of the above noted uses. The structure and/or premises of an adult use, including all off-street parking areas shall be completely have a buffer area, as defined in Part 2, around the entire property, excluding points of vehicular access. The owner of the property shall be responsible to maintain the required vegetation within the buffer area, including the replacement of any trees which are damaged, die, removed by whatever means or otherwise fail to grow.

(Ord. 1998-1, 3/19/1998, §711; as amended by Ord. 2007-5A, 9/19/2007, §31)

§27-712. Mobile Home Parks.

The standards and regulations provided herein shall apply to both the development of new mobile home parks and the expansion of existing ones. The development of a mobile home park, including the expansion of an existing one, shall also be deemed as a subdivision or land development and shall be subject to applicable regulations of the Township's Subdivision and Land Development Ordinance [Chapter 22]. Customary accessory residential uses shall be permitted, along with common areas for use by residents of the mobile home park.

- A. All mobile home parks shall have a total land area of not less than ten acres.
- B. All mobile home parks shall be located on well-drained land with the average natural slope not exceeding ten percent.
- C. All mobile home parks shall have access to public streets or roads.
- D. All mobile home parks shall be serviced by an off-site sewage disposal system and a central water supply and distribution system.
- E. Mobile homes shall not be located on sites so that any portion of any mobile home is closer than 30 feet to any portion of any other mobile home or permanent building within the mobile home park.
- F. Access to mobile home sites shall be from interior driveways, access drives or private

streets and shall not be from public street or roads. Entrance roads shall have a paved cart-way width of at least 24 feet.

G. Every mobile home site shall be provided with a minimum of two off-street parking spaces.

H. All mobile home parks shall be provided with pedestrian walkways on at least one side of every street.

I. Each mobile home site shall have a minimum area of not less than 3,000 square feet and a minimum lot width of not less than 50 feet. The minimum front, rear and side setback for any mobile home shall be ten feet.

J. Every mobile home park shall provide a defined recreational site or sites which shall contain an area of land not less than five percent of the total gross land area within the boundaries of the mobile home park. All recreational sites shall be located in areas which are readily accessible to all residents of the mobile home park. A recreational development plan shall be provided which identifies passive and active recreational features to be provided upon the site, including recreational equipment, play apparatus, benches and all other features and facilities to be incorporated into the design of the recreational site. The location of the recreational site and the recreational development plan shall be subject to the review and approval of Board of Commissioners. The recreational site must be identified and approved by the Board of Commissioners prior to final approval of the development or expansion of a mobile home park. To guarantee the installation of all improvements to the site, the applicant shall be required to complete the installation of all such improvements prior to receiving an unconditional final approval or to post an irrevocable letter of credit in the amount of 110 percent of the estimated cost of improvements. The procedures and standards contained within §509 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10509, as amended, shall apply to posting the aforementioned irrevocable letter of credit. The procedures and standards within §510 of Act 247, 53 P.S. §10510, as amended, shall apply to the release of the irrevocable letter of credit upon the completion of the required improvements. The applicant shall be required to reimburse the Township for any engineering fees associated with the inspection of improvements to the site. Said reimbursement must be paid at the same meeting of the Board of Commissioners at which the applicant seeks final and unconditional approval of said improvements.

K. Each mobile home site shall be provided with a stand or pad consisting of two concrete strips to accommodate the supporting base or foundation of the mobile home.

- L. Every mobile home in the park shall be enclosed from the bottom of the mobile home to the ground or stand using industry-approved skirting material compatible with the home.
- M. Every mobile home shall be securely anchored or tied-down on at least the four corners and/or in accordance with the manufacturer's recommendations furnished with each home.
- N. The owner/operator of each mobile home park shall provide a refuse disposal plan.
- O. An approved soils erosion and sedimentation plan and a stormwater management plan shall be required prior to the unconditional approval for the development or expansion of a mobile home park.
- P. An approved Department of Environmental Protection planning module shall be required prior to the unconditional approval for the development or expansion of a mobile home park.

(Ord. 1998-1, 3/19/1998, §712)

§27-713. Planned Residential Developments.

1. *Purpose.* The purpose of this district, as stated in the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10101 *et seq.*, as amended, is to achieve the following:

- A. To ensure that the provisions of this Chapter, which are concerned with the uniform treatment of dwelling type, bulk, density and open space within each zoning district, shall not be applied to the improvement of land by other than lot-by-lot development in a manner which would distort the objectives of the ordinance.
- B. To encourage innovations in residential development and renewal so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings and by the conservation and more efficient use of open space ancillary to said dwellings.
- C. To provide greater opportunities for better housing and recreation for all who are or may become residents of the Township.
- D. To encourage a more efficient use of land and public services and to reflect changes in the technology of land development so that the economies so secured may ensure the benefits of those who need housing.
- E. To encourage more flexible land development which will respect and conserve natural resources such as streams, floodplains, groundwater, wooded areas and areas of unusual attractiveness in the natural environment.
- F. In aid of the purpose stated within this Section, to provide a procedure which can regulate the type, design and layout of a residential development to the particular site and particular demand for housing existing at the time of development in a manner consistent with the preservation of property values within existing residential areas. To assure that the increased flexibility of regulations over land development established hereby is carried out pursuant to sound, expeditious and fair administrative standards and procedures.

2. *Use regulations.* The principal permitted uses shall include:

- A. Single-family detached dwellings.
- B. Two-family dwellings.
- C. Townhouses.
- D. Accessory uses: customary accessory uses and buildings to the above shall be permitted in accordance with the applicable provisions of this Chapter.

3. *Density regulations.* The density of a planned residential development, based upon the existing residential zoning district in which the planned residential development is proposed to be established, shall not exceed the minimum lot area per dwelling unit as provided for in this Chapter, along with the corresponding maximum lot coverage requirements and required common open space

requirements as set forth in Subsection 6. of this Section.

4. *Dimensional regulations.* All planned residential developments shall be subject to the following:

A. *Minimum lot area.* A planned residential development shall have an area of not less than ten acres.

B. *Distance between buildings.* No buildings or structure, including porches, decks or balconies shall be less than 30 feet to any other building or structure.

C. *Setback requirements.* The minimum front, side and rear setbacks for a planned residential development shall each be not less than 50 feet to the property lines of adjoining properties. A planting strip of not less than 20 feet in width shall be along all property lines at the periphery of the development where necessary to preserve the privacy of neighboring residents. Land adjacent to a lake, pond, stream, wetlands or watercourse shall remain as permanent open space for a distance of not less than 100 feet from the water's edge, unless superseded by more restrictive standards.

D. *Common open space.* Not less than 20 percent of the total area of a Planned Residential Development, excluding streets and off-street parking areas, shall be designated, designed and devoted to common open space for the use and enjoyment of the residents therein.

5. *Development regulations.* A planned residential development shall be subject to the following standards and regulations:

A. *Requirements for improvements and design.* All improvements, including, but not limited to, streets, curbing, sidewalks, stormwater detention facilities, drainage facilities, water supply facilities, sewage disposal, street lighting, tree lawns and the like, unless otherwise exempted, shall be designed and constructed in conformance with the standards and requirements of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

B. *Sewage disposal.* Disposal of sanitary sewage shall be by means of centralized sewers and shall conform to the design standards of the Plains Township Subdivision and Land Development Ordinance [Chapter 22]. The proposed sewage collection system, and treatment facility shall require DEP approval as a prerequisite and/or condition to tentative approval of a development plan.

C. *Water supply.* The water supply may be an on-site or off-site system. If the water is to be provided by means other than private wells, owned and maintained by individual owners of lots within the planned residential development, evidence shall be provided that the planned residential development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the planned residential development in question shall be required. Whichever form is appropriate, shall be considered as acceptable evidence.

6. *Location/management of common open space.* Common open space within a planned residential development shall be designed as a contiguous area which shall be easily accessible to the residents. A planned residential development must insure that the common open space shall remain as such and be properly maintained by the developer's compliance with one of the following:

- A. Dedicate such land to public use, providing the Township will accept such dedication.
- B. Retain ownership and responsibility for maintenance of such land.
- C. Provide for and establish an organization for the ownership and maintenance of such land, which includes provisions that such organization shall not be dissolved nor shall it dispose of such land, by sale or otherwise (except to an organization conceived and established to own and maintain the common open space), without first offering to dedicate such land to the Township.

The Township shall utilize the appropriate procedures and remedies, as set forth in Article VII of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10701 *et seq.*, as amended, should an organization established to own and maintain common open space fail to do so in a reasonable order and conditioned in accordance with the development plan.

7. *Phasing of development.* A planned residential development may be constructed in phases subject to the following:

- A. The application for tentative approval shall cover the entire area to be developed with a schedule delineating all proposed phases, as well as the dates by which applications for final approval of each phase shall be filed. Such schedule shall be updated annually by the applicant on or before the anniversary date of the approval of the development plan, until all phases are completed and granted final approval by the Board of Commissioners. Any modification in the aforesaid schedule shall be subject to approval of the Board of Commissioners in its discretion. [A.O.]
- B. Not less than 15 percent of the total number of dwelling units to be constructed shall be included in the first phase.
- C. The second and any subsequent phases shall be completed in accordance with the tentatively approved plan, with each phase containing not less than 15 of the total number of dwelling units.
- D. The Board of Commissioners may impose further conditions upon the filing of any phase of a development plan, as it may deem necessary to assure the orderly development of the plan and/or to protect the public health, safety and welfare.

8. *Enforcement and modification of provisions of plan.* To further the mutual interest of the residents of the planned residential development and of the public in the preservation of the integrity of the development plan, as finally approved, and to ensure that modifications, if any, in the development plan shall not impair the reasonable reliance of said residents upon the provisions of the development plan, nor result in changes that would adversely affect the public interest, the enforcement and modifications of the provisions of the development as finally approved, whether those are recorded by plat, covenant, easement or otherwise, shall be subject to the following:

- A. Provisions of the development plan relating to the use, bulk and location of buildings

and structures; the quantity and location of common open space, except as otherwise provided herein; and, the intensity of use or the density of residential units shall run in favor of the Township and shall be enforceable in law or in equity by the Township, without limitation on any powers of regulation otherwise granted the Township by law.

B. All provisions of the development plan shall run in favor of the residents of the planned residential development, but only to the extent expressly provided in the development plan and in accordance with the terms of the development plan, and to that extent said provisions, whether recorded by plat, covenant, easement or otherwise, may be enforced at law or in equity by said residents acting individually, jointly or through an organization designated in the development plan to act on their behalf; provided, however, that no provisions of the development plan shall be implied to exist in favor of residents of the planned residential development except as to those portions of the development plan which have been finally approved and have been recorded.

C. All those provisions of the development plan authorized to be enforced by the Township under this Section may be modified, removed or released by the Township, except grants of easements relating to the service or equipment of a public utility, subject to the following conditions:

(1) No such modification, removal or release of the provisions of the development plan by the Township shall affect the rights of the residents of the planned residential development to maintain and enforce those provisions, at law or in equity, as provided in this Section.

(2) No modification, removal or release of the provisions of the development plan by the Township shall be permitted except upon a finding by the Board of Commissioners, after a review by the Board of Commissioners, following a public hearing pursuant to public notice, called and held in accordance with the provisions of this Section, that the same is consistent with the efficient development and preservation of the entire planned residential development, does not adversely affect either the enjoyment of land abutting upon or across the street from the planned residential development or public interest, and is not granted solely to confer a special benefit upon any person.

D. Residents of the planned residential development may, to the extent and in the manner expressly authorized by the provisions of the development plan, modify, remove or release their rights to enforce the provisions of the development plan, but no such action shall affect the right of the Township to enforce the provisions of the development plan in accordance with the provisions of this Section.

9. *Application for tentative approval.* The application for approval, tentative and final, of a planned residential development as provided for by this Chapter, shall be in lieu of all other procedures or approvals otherwise required by this Chapter and Subdivision and Land Development Ordinance [Chapter 22] of the Township, except where specifically indicated. The procedures herein described for approval or disapproval of a development plan for a planned residential development and the continuing administration thereof are established in the public interests in order to provide an expeditious method for processing a development plan for a planned residential development and to avoid the delay and uncertainty which would arise if it were necessary to secure approval, by a multiplicity of local procedures, of a plat of subdivision as well as approval of a change in the zoning regulations otherwise applicable to the property. An application for tentative approval shall be consistent with the following:

A. *Informal consultation.* The landowner and the Board of Commissioners may consult informally at a public meeting or work session concerning the proposed planned residential development prior to the filing of an application for tentative approval, provided that no statement or representation by a member of the Board of Commissioners shall be binding upon the Board of Commissioners. The informal consultation is intended to allow the land-

owner and Board of Commissioners to exchange comments and discuss issues which may be of particular significance to the site.

B. *Application and fee.* An application for tentative approval shall be filed by or on behalf of the landowner with the Zoning Officer. An application fee in an amount as established, from time to time, by resolution of the Board of Commissioners per housing unit, based upon total number of proposed housing units, shall be paid upon filing the required application.

[A.O.]

C. *Relationship to planning, zoning and subdivision.* All planning, zoning and subdivision matters relating to the platting, use and development of the planned residential development and subsequent modifications of the regulations relating thereto, to the extent such modification is vested in the Township, shall be determined and established by the Board of Commissioners.

D. *Required documentation.*

(1) The application for tentative approval shall include documentation illustrating compliance with all of the standards for a planned residential development and, where necessary, the Township shall order such documentation to aid them in their review.

(2) An original and 15 copies of the application shall be submitted along with 15 copies of each of the following:

(a) Any required study and/or report, prepared as an impact analysis, which may be required at the discretion of the Board of Commissioners. A determination of the need for any such study and/or report may be made at the time of the informal consultation or during the public hearing for consideration of tentative approval of the development plan.

(b) The development plan for the entire site, which shall include conformance to the requirements of this Chapter, along with the information and documentation noted herein:

- 1) The location, size and topography of the site and the legal nature of the landowner's interest in the land proposed to be developed.
- 2) The density of land use to be allocated to parts and/or phases of the site to be developed.
- 3) The location and size of common open space and the form of organization proposed to own and maintain the common open space.
- 4) The use and height, bulk and location of buildings and other structures.
- 5) The means and feasibility of proposals for the disposition of sanitary waste and stormwater.
- 6) The substance of covenants, grants or easement or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements or grants for public utilities.
- 7) Provisions for parking of vehicles and the location and width of proposed streets and any other form of public rights-of-way, excluding common open space.
- 8) The required modifications in the Township land use regulations as contained within this Chapter and Subdivision and Land Development Ordinance [Chapter 22], otherwise applicable to the subject property.
- 9) The feasibility of proposals for energy conservation and the effective utilization of renewable energy sources.
- 10) In the case of development plans which call for development over a period of years, a schedule showing the proposed timetable within which applications for final approval of all phases of the planned residential development are intended to be filed. This schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted.
- 11) A plan map at a scale of not greater than one inch equals 50 feet, with contours for each two-foot change in elevation. A location map shall also be provided at a scale of not greater than one inch equals 2,000 feet, indicating the relation of the site to its geographic proximity within the Township. The drafting standards applicable for a major subdivision and/or land development, as provided for within the Plains Township Subdivision and Land Development Ordinance [Chapter 22], shall apply.

E. *Statement of landowner.* The application shall also include a written statement by the landowner setting forth the reasons why, in his or her opinion, the planned residential development would be in the public interest and consistent with the community development objectives within §27-105 of this Chapter.

F. *Application and approval procedures in lieu of others.* The application for tentative and final approval of a development plan for a planned residential development prescribed herein shall be in lieu of all other procedures and approvals required by this Chapter and Subdivision and Land Development Ordinance [Chapter 22] of the Township, unless otherwise expressly stated.

G. *Referrals and review of plan.* The application for tentative approval shall be filed with the Zoning Officer, who shall be authorized to accept such applications under this Chapter. Copies of the application and tentative plan shall be referred to the agencies and officials identified in §22-304 Subsection 2. of the Township's Subdivision and Land Development Ordinance [Chapter 22] for their review and comment.

10. *Public hearings.*

A. Within 60 days after the filing of an application for tentative approval of a planned residential development pursuant to this Part, a public hearing pursuant to public notice on said application shall be held by the Board of Commissioners in the manner prescribed in the ordinance for the enactment of an amendment to this Chapter.

B. The Chairperson or in his or her absence, the Acting Chairperson, of the Board of Commissioners, may administer oaths and compel the attendants of witnesses. All testimony by witnesses shall be given under oath and every party of record at a hearing shall have the right to cross-examine adverse witnesses.

C. A verbatim record of the hearing shall be provided by the Board of Commissioners whenever such records are requested by any party to the proceedings, with the cost of making and transcribing such a record shall be paid by those parties wishing to obtain such copies. All exhibits accepted as evidence shall be properly identified and the reason for any exclusion shall be clearly noted in the record.

D. The Board of Commissioners may continue the public hearing as required provided that in any event, the public hearing or hearings shall be concluded within 60 days following the date of the first public hearing.

11. *Findings.*

A. The Board of Commissioners, within 60 days following the conclusion of the public hearing, or within 180 days after the date of filing the application, whichever occurs first, shall by official written communication to the landowner, either:

- (1) Grant tentative approval to the development plan as submitted.
- (2) Grant tentative approval subject to specified conditions not included in the development plan as submitted.
- (3) Deny the tentative approval to the development plan.

[Ord. 2005-5]

B. Failure to act within the prescribed time period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, that tentative approval is granted subject to conditions, the landowner may, within 30 days after receiving a copy of the official written communication of the Board of Commissioners, notify said Board of his or her refusal to accept all said conditions, in which case the Board of Commissioners shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not notify the Board of Commissioners of his or her refusal to accept all said conditions within 30 days after receiving a copy of the official written communication of the Board of Commissioners, tentative approval of the development plan, with all said conditions, shall stand as granted.

C. The grant or denial of tentative approval by official written communication shall include not only conclusions, but also findings of fact related to the specific proposal and shall set forth the reasons for the denial, and said communication shall set forth particulars in what respect the development plan would or would not be in the public interest including, but not limited to, findings of facts and conclusions based upon the following:

- (1) Those respects in which the development plan is or is not consistent with the community development objectives within §27-105 of this Chapter.
- (2) The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, density, bulk and use and the reasons why such departures are or are not deemed to be in the public interest.
- (3) The purpose, locations and amount of common open space in the planned residen-

tial development, the reliability of the proposals for maintenance and conservation of the common open space and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.

(4) The physical design of the development plan and the manner in which said design does or does not make adequate provisions for public services, (including, but not limited to, sewage, water and stormwater runoff) provide adequate control for vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.

(5) The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood or area of the Township in which it is proposed to be established.

(6) In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and of the residents of the planned residential development in the integrity of the development plan.

D. In the event a development plan is granted tentative approval, with or without conditions, the Board of Commissioners may set forth in the official written communication, the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for development over a period of years, the periods of time within which applications for final approval of each part or phase thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than 90 days. In the case of development plans which extend over a period of years, the time between applications for final approval of each part of the plan shall not be less than one year.

12. *Status of plan after tentative approval.*

A. The official written communication provided for in this Part shall be certified by the Township Secretary and filed in his or her office; a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed as an amendment to the Zoning Map, effective and so noted upon the Zoning Map upon final approval.

B. Tentative approval of a development plan shall not qualify a plan of the planned residential development for recording nor authorize development or the issuance of any zoning permit. A development plan, which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Township pending the application or applications for final approval, without the consent of the landowner, provided an application for final approval is filed or, in the case of development over a period of years, provided applications are filed within the periods of time specified in the official written communication granting tentative approval.

C. In the event that a development plan is given tentative approval and thereafter, but prior to the final approval, the landowner shall elect to abandon said development plan and shall so notify the Board of Commissioners in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development for which final approval has not been given shall be subject to those Township land use ordinances otherwise applicable thereto. The same shall be noted on the Zoning Map and in the records of the Township Secretary.

13. *Application for final approval.*

A. An application for final approval may be for all of the land included in a development

plan or, to the extent set forth in the tentative approval, a section thereof. Said application shall be made through the Zoning Officer and subject to approval by the Board of Commissioners within the time or times specified by the official written communication granting tentative approval. If the application for final approval is in compliance with the tentatively approved development plan, a public hearing shall not be required.

B. The application shall include all drawings, specifications for required improvements, covenants, easements, a financial guarantee and all other such requirements as specified under §§22-702, 22-703 and 22-704 of the Plains Township Subdivision and Land Development Ordinance [Chapter 22], as well as any conditions set forth in the official written communication granting tentative approval.

C. In the event that the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof, and as required by the ordinance and the official written communication of tentative approval, the Board of Commissioners shall, within 45 days of such filing, grant such development plan final approval.

D. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Board of Commissioners may refuse to grant final approval and shall, within 45 days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more said variations are objectionable and not in the public interest.

E. In the event of such refusal the landowner may either:

- (1) Refile his or her application for final approval without the variations to which the Board of Commissioners deemed objectionable and not in the public interest.
- (2) File a written request with the Board of Commissioners that it hold a public hearing on his or her application for final approval.

F. If the landowner wishes to take either of such alternate action, he or she may do so at any time within which he or she shall be entitled to apply for final approval, or within 30 additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within said time, he or she shall be deemed to have abandoned the development plan.

G. Any such public hearing shall be held pursuant to public notice within 30 days after the request for the hearing is made in writing by the landowner. The hearing shall be conducted in the manner prescribed in this Chapter for public hearings on applications for tentative approval. Within 30 days after the conclusion of the public hearing, the Board of Commissioners shall, by official written communication, either grant final approval to the development plan or deny final approval.

H. The grant or denial of final approval of the development plan shall, in cases arising under this Section, be in the form and contain findings required for an application for tentative approval as set forth in this Part.

I. A development plan, or any part thereof, which has been given final approval, shall be so signed and certified without delay by the Board of Commissioners. Said development plan shall be filed of record forthwith in the office of the Recorder of Deeds of Luzerne County before any development shall take place in accordance therewith. Upon filing of record of the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion in accordance with the time provisions as provided for under §22-106 and §22-107 of the Plains Township Subdivision and Land Development Ordinance [Chapter 22], said planned residential development or part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved,

shall be made except with the consent of the landowner. Upon approval of a final plat the developer shall record the plat within 90 days from the date of approval and post a financial security in accordance with

Part 7 of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

J. In the event that a development plan, or section thereof, is given final approval and thereafter the landowner shall abandon such plan or section thereof that has been finally approved, and shall so notify the Board of Commissioners in writing; or in the event the landowner shall fail to commence and carry out the planned residential development in accordance with the time provisions as provided for under §22-106 and §22-107 of the Plains Township Subdivision and Land Development Ordinance, after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the said property is resubdivided and is reclassified by enactment of an amendment to this Chapter in the manner prescribed for such amendments by this Chapter.

14. *Legal proceedings and enforcement remedies.* Any person, partnership or corporation, who or which has violated the provisions of this Part, shall be prosecuted in accordance with §§712.1 and 712.2 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10712.1, 10712.2, as amended.

(*Ord. 1998-1, 3/19/1998, §713; as amended by Ord. 2005-5, 3/10/2005, §8; and by A.O.*)

§27-714. Methadone Treatment Facility.

1. A methadone treatment facility shall be located upon a lot having an area of not less than 30,000 square feet, applicable for either new construction or for adaptive reuse of an existing structure.

2. Any proposed methadone treatment facility shall include with its submission of a zoning permit application, an operational narrative which accurately describes the nature of medical services to be offered and the names of the medical practitioners providing said services. A licensed physician, a MD or a DO, shall be on duty at the facility during the methadone treatment facility's hours of operation.

3. Prior to occupancy, any existing structure proposed for adaptive reuse as a methadone treatment facility shall be brought into compliance with all current building codes and all other applicable Township, county, state and federal regulations.

4. Any methadone treatment facility with direct access and/or frontage along a State Legislative Route shall include with its submission of a zoning permit application, a traffic impact analysis prepared by a professional licensed engineer with expertise in transportation and traffic planning. Such analysis shall address the following:

- A. The number of vehicle trips expected to be generated during an average weekday including both a.m. and p.m. peak hours of adjacent street traffic.
- B. The number and types of vehicles, with an origin or destination at the subject site, the need for which is generated by said use.
- C. The routes, roadways or streets to reach the methadone treatment facility.
- D. The impact of the levels of service at intersections within one-half mile of said methadone treatment facility.
- E. Recommended traffic control devices designed to mitigate any documented adverse impact on adjacent roadways.

5. A methadone treatment facility shall demonstrate its compliance with supplying the required number of off-street parking spaces as provided for in Part 11 of this Chapter. All off-street parking areas shall be adequately lighted, with a lighting plan included within the submission of the required site plan.

(Ord. 1998-1, 3/19/1998; as added by Ord. 2003-4, 10/6/2003, §5; and as amended by Ord. 2007-5A, 9/19/2007, §32)

§27-715. Wind Energy Facilities.

1. *Information to be submitted.* The applicant for a wind energy facility shall be required to submit the following information:
 - A. The applicant's and landowner's name and contact information.
 - B. The tax map numbers, existing use and acreage of the site parcel.
 - C. A survey map at an appropriate scale showing the proposed location of the wind energy facility (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences, schools, churches, hospitals, libraries, federal, state, county or local parks, and recognized historic or heritage sites within a distance of 2,000 feet or less from any property boundary.
 - D. Standard drawings of the wind turbine structure, including the tower, base and footings, drawings of access roads, and including an engineering analysis and certification of the tower, showing compliance with the applicable building code.
 - E. The make, model, picture and manufacturer's specifications, including noise decibels.
 - F. Data pertaining to the tower's safety and stability, including safety results from test facilities.
 - G. A completed environmental impact statement in accordance with §27-706 of this Chapter.
 - H. A project visibility map, based on a digital elevation model, showing the impact of topography upon visibility of the project from other locations, to a radius of three miles from the center of the project. The scale used shall depict the three-mile radius as no smaller than six inches, and the base map used shall be a published topographic map showing human-made features, such as roads and buildings.
 - I. No fewer than four, and no more than the number of proposed individual wind turbines, plus three color photos, no smaller than three inches by five inches, taken from locations within a three-mile radius from the site and to be selected by the Board of Commissioners, and computer-enhanced to simulate the appearance of the as-built site facilities as they would appear from these locations. [A.O.]
 - J. Copies of all proposed leases required to be secured by the applicant, if the applicant is not the sole owner of the parcel or parcels on which the wind energy facility is proposed to be constructed.
2. *Approval standards.* In addition to all other applicable criteria and requirements for approval of a conditional use, the following standards shall apply:
 - A. The minimum distance between the ground and any part of the rotor blade system shall be 30 feet.
 - B. To limit unauthorized access, a fence eight feet high with a locking portal shall be placed around the facility's tower base.
 - C. Wind energy facilities shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.
 - D. All wind turbines shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, overspeeding and excessive pressure on the tower structure, rotor blades and turbine components.
 - E. All power transmission lines from a wind turbine tower to on-site substations shall be underground.
 - F. Prior to issuance of a building permit, the applicant shall provide the Township proof

of a level of insurance to be determined by the Board of Commissioners in consultation with the Township's insurer, to cover damage or injury that might result from the failure of a tower or towers or any other part or parts of the generation and transmission facility. Said insurance must be maintained for the life of the wind energy facility, until such time that all components of the wind energy facility are decommissioned and/or removed. [A.O.]

G. Appropriate warning signs shall be posted. At least one sign shall be posted at the base of the tower warning of electrical shock or high voltage. A sign shall be posted on the entry area of fence around each tower or group of towers and any building, containing emergency contact information, including a local telephone number with 24-hour, seven days a week coverage. [A.O.]

H. Any wind energy facility found to be unsafe by the local enforcement officer or agent of the Township shall be repaired by the owner to meet federal, state and local safety standards or removed within six months. If any wind energy facility is not operated for a continuous period of 12 months, the Township will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the Township deems the timetable for corrective action as unreasonable, they must notify the landowner and such landowner shall remove the turbine within 120 days of receipt of notice from the Township.

I. The owner of a wind energy facility shall have it inspected at least every two years for structural and operational integrity by a licensed professional engineer, and shall submit a copy of the inspection report to the Township. If such report recommends that repairs or maintenance are to be conducted, the owner shall provide written to the Township with a written schedule for the repairs or maintenance.

3. *Siting and installation.* A wind energy facility shall:

A. Use existing roads to provide access to the facility site, or if new roads are needed, minimize the amount of land used for new roads and locate them so as to minimize adverse environmental impacts.

B. Combine transmission lines and points of connection to local distribution lines.

C. Connect the facility to existing substations, or if new substations are needed, minimize the number of new substations.

- D. All wiring between wind turbines and the wind energy facility substation shall be underground.
- E. The wind power generation facility, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth in the electric utility's then current service regulations applicable to wind power generation facilities and shall provide evidence of a signed interconnection agreement, or letter of intent, with the interconnecting utility company.
4. *Setbacks.*
- A. The minimum setback distance between each wind turbine tower and overhead utility or transmission lines, other wind turbine towers, electrical substations, meteorological towers and public roads shall be equal to no less than one and one-half times the sum of proposed structure height plus the rotor radius.
- B. The minimum setback distance for each wind turbine tower and all surrounding property lines and dwellings shall be not less than 1,500 feet.
- C. Each wind turbine shall be set back from the nearest public road a distance no less than 1.1 times its total height, determined at the nearest boundary of the underlying right-of-way for such public road.
- D. Each wind turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance no less than 1.1 times its total height, determined from the existing power line or telephone line.
5. *Nuisance issues.*
- A. Individual wind turbine towers shall be located so that the level of noise produced by wind turbine operation shall not exceed 55 dBA, measured at the site property line.
- B. No individual tower facility shall be installed in any location where its proximity with fixed broadcast, retransmission or reception antenna for radio, television or wireless phone or other personal communications systems would produce electromagnetic interference with signal transmission or reception.
6. *Environmental and visual.*
- A. Wind energy facilities shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.
- B. The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.
- C. Where wind characteristics permit, wind turbine towers shall be set back from the tops of visually prominent ridgelines to minimize the visual contrast from any public access.
- D. Wind turbine towers, the proposed structure height plus the rotor radius shall not exceed 250 feet.
- E. Towers shall be designed and located to minimize adverse visual impacts from neighboring residential areas, to the greatest extent feasible.
- F. Avoid, to the extent practicable, the creation of artificial habitat for raptors or raptor prey, such as:
- (1) Electrical equipment boxes on or near the ground that can provide shelter and warmth.
 - (2) Horizontal perching opportunities on the towers or related structures.
 - (3) Soil where weeds can accumulate.
- G. Wind turbine towers shall be set back at least 500 feet from any bodies of water including, but not limited to, lakes, ponds, streams, creeks and rivers.

H. Wind turbine towers shall be set back at least 500 feet from identified wetlands and its delineated boundaries.

I. Wind energy facilities shall provide conclusive documentation that the location and operation of the proposed facility will not adversely affect the wild life habitat, including, but not limited to, bats and birds of the region and associated migration routes.

7. *Traffic routes.*

A. (1) Construction of wind energy facilities poses potential risks because of the large size construction vehicles and their impact on traffic safety and their physical impact on ideal roads. Construction and delivery vehicles for wind energy facilities shall use traffic routes established as part of the application review process. Factors in establishing such corridors shall include:

- (a) Minimizing traffic impacts from construction and delivery vehicles.
- (b) Minimizing wind energy facilities related traffic during times of school bus activity.
- (c) Minimizing wear and tear on local roads.
- (d) Minimizing impacts on local business operations.

(2) Permit conditions may limit wind energy facilities related traffic to specified routes, and include a plan for disseminating traffic route information to the public.

B. The applicant is responsible for remediation of damaged roads upon completion of the installation or maintenance of a wind energy facility. A public improvement bond shall be posted prior to the issuance of any building permit in an amount, determined by the Township, sufficient to compensate the Township for any damage to local roads.

8. *Decommissioning and restoration requirements.*

A. The applicant shall include the following information regarding decommissioning of the project and restoring the site:

- (1) The anticipated life of the project.
- (2) The estimated decommissioning costs in current dollars.
- (3) The method and schedule for updating the costs of decommissioning and restoration.
- (4) The method of ensuring that funds will be available for decommissioning and restoration.

(5) The anticipated manner in which the project will be decommissioned and the site restored.

B. The Board of Commissioners shall require the applicant to provide an appropriate and adequate demolition bond for purposes of removing the wind energy facility in case the applicant fails to do so as required above. Proof of this bond shall be provided each year and shall be a continuing condition for the life of the project. [A.O.]

C. The sufficiency of the demolition bond shall be confirmed at least every five years by an analysis and report of the cost of removal and property restoration to be performed by a licensed professional engineer, the cost of same to be borne by the applicant. If said analysis and report determines that the amount of the bond in force is insufficient to cover the removal, disposal and restoration costs, the bond shall be increased to the amount necessary to cover such costs within ten days of the applicant's receipt of such report.

(*Ord. 1998-1*, 3/19/1998; as added by *Ord. 2007-5A*, 9/19/2007, §33; and as amended by A.O.)

Part 8**Supplemental Regulations****§27-801. Purpose and Intent.**

Certain uses of land and/or buildings, as specified herein, whether permitted by right, special exception and or conditional use, shall be subject to supplemental regulations in addition to those of the district in which the use is located.

(Ord. 1998-1, 3/19/1998, §801)

§27-802. Use Regulations.

1. *Animal hospital.* An animal hospital shall maintain all activities within a completely enclosed soundproof building, and no objectionable odors shall be vented outside the building. No animal hospital shall be located less than 25 feet from any property line.

2. *Animal kennels.* Animal kennels in which animals are kept, boarded or trained may be either enclosed buildings or a combination of buildings and open runways. If all activities are maintained within a completely enclosed building, no objectionable odors shall be vented outside the building. If open runways are used, the building and runways shall be located not less than 100 feet from all property lines. Where the property abuts a district having residences as a principal permitted use, the building and runways shall be not less than 200 feet from such property lines.

3. *Automobile related activities.*

A. *Automotive repairs (repair garage).* Activities including the repair of automobiles, trucks, snowmobiles and motorcycles shall be conducted within a completely enclosed building where adequate measures shall be taken to minimize noise, vibrations, fumes and glare. Only vehicles to be repaired on the premises or picked up by the vehicle's owner may be stored in the yard area. Where the operation abuts on the side or rear property line of a district having residences as a principal permitted use, a solid wall or substantial attractive fence six feet in height shall be constructed and maintained in good condition along such boundary. Outside lighting shall be directed away from adjacent properties.

B. *Automotive sales.* The outdoor display of new or used automobiles, shall be conducted within a completely enclosed building designed and constructed to minimize noise, fumes, vibrations and glare. Where an automotive sales use abuts a rear or side lot line of any district having residences as a principal permitted use, a solid wall or substantial, attractive fence six feet in height shall be constructed and maintained in good condition along such boundary. Outside lighting shall be directed away from adjacent properties.

C. *Car wash.* Appropriate drainage facilities for washing activities shall be provided. The site shall be sufficiently large to accommodate three cars per stall awaiting washing during peak periods so that lines along public streets are avoided. Such operations shall also comply with any applicable regulations of the Pennsylvania Department of Environmental Protection. Car wash operations abutting on the side or rear property lines of a district having residences as a principal permitted use shall provide a solid wall or substantial, attractive, tight fence being six feet in height and well maintained along such boundary. Outdoor lighting shall be directed away from adjacent activities. [A.O.]

D. *Gasoline service stations.* When a service station abuts on the rear or side lot line of a district having residences as a principal use, a solid wall or substantial attractive fence being six feet in height shall be constructed and maintained in good condition along such boundary. When a service station occupies a corner lot, the access driveways shall be located at least 60 feet from the intersection of the front and side street lines of the lot. All access driveways shall not exceed 25 feet in width. Gasoline pumps or other service appliances may

be located in the required front yard not to exceed 15 feet. All repairs, service, storage or similar activities in connection with the use shall be conducted within the building where adequate measures shall be taken to minimize noise, fumes and glare. Outside lighting shall be directed away from adjacent properties.

4. *Banks.* Banks and other similar financial offices shall provide sufficient space to accommodate parking, vehicular circulation areas for drive-in tellers, access areas for parking lots separated from drive-in areas, and areas for pedestrian traffic separated from vehicular traffic for safety. Access driveways shall be no more than 25 feet in width. Canopies over drive-through areas shall meet all yard setback requirements.

5. *Boarding house.* The property shall be limited to providing lodging for not more than four persons, excluding the owner of the property. Off-street parking spaces shall be provided for each person residing therein.

6. *Bulk fuel storage.* Bulk fuel storage shall be located on a tract of land not less than five acres. Storage tanks shall be located not less than 100 feet from any property line and shall be not less than 500 feet from any dwelling, school, church or similar use. Cylinder filling rooms, pumps, compressors and truck filling stations shall be located 250 feet from all property lines. The tank storage area shall be fenced with an eight feet high industrial gauge fence. If the storage property abuts on the side or rear property line containing a residence, the fence shall be screened from view by a dense growth of evergreens at least five feet in height at the time of planting. Bulk fuel storage facilities shall be developed in full compliance with all applicable federal, state and insurance regulations.

7. *Cemeteries.* A structure, grave or place of permanent burial shall be set back not less than 50 feet from the property line. The cemetery shall be enclosed by a fence, wall or shrubbery at least three feet in height. The interior roads shall have a minimum width of 12 feet and shall be properly maintained with either gravel or paving.

8. *Community center* (as defined in Part 2). Buildings utilized for such purposes shall not be less than 20 feet from any property line. Where the use abuts on the rear or side lot line on the side or rear property line of any R District, a solid wall or substantial attractive fence not less than six feet in height, designed to conceal and screen the use from adjoining properties, shall be constructed and maintained in good condition along such boundary. The provision of any outside lighting shall be directed away from adjacent properties.

9. *Contractors' storage yards.* Commercial or industrial uses utilizing outdoor storage space which exceeds an area of more than 2,000 square feet shall be located on a tract of land of not less than 25,000 square feet. Supplies stored outdoors shall be neatly arranged and no required yard areas shall be used for storage. There shall be a roadway 14 feet in width provided for in every 40 linear feet of stored materials. The roadway shall be kept passable for firefighting equipment. Where the operation abuts on the rear or side lot line of a district having residences as a principal permitted use, a solid wall or substantial fence being six feet in height shall be constructed and maintained in good condition along such boundary. Outside lighting shall be directed away from adjoining properties.

10. *Convenience store with gasoline pumps.* The property shall have a lot area of not less than 20,000 square feet. The principal structure as well as the canopy over gasoline pumps shall meet all the minimum setback requirements for all yards in the district in which it is located. Where the operation abuts on the rear or side lot line of a district having residences as a principal permitted use, a solid wall or substantial fence being six feet in height shall be constructed and maintained in good condition along such boundary. A parking area accommodating all spaces required by Part 11 shall be provided. Access driveways shall be no more than 25 feet wide at the street line, and in the case of a corner lot, access driveways shall be at least 60 feet from the intersection of the two streets, as measured from the right-of-way line. All lighting shall be directed away from adjoining property.

11. *Child care facilities.* All day care facilities, as so defined in Part 2 of this Chapter, shall comply with the following:

- A. The applicant or owner shall provide evidence of certification of compliance with all appropriate regulations of any designated state agency whose approval is required by the laws of the Commonwealth.
- B. Noise and all other possible disturbing aspects connected with such use shall be controlled to the extent that the operation of such use shall not unduly interfere with the use and enjoyment of properties in the surrounding area.
- C. All outdoor play areas shall be completely enclosed with a fence being six feet in height. Outdoor play activities shall be limited to the hours between 10:00 a.m. to 5:00 p.m. local time.
- D. The applicant shall provide evidence that vehicular traffic congestion will be avoided in “pick-up and drop-off points” utilized in transporting children to and from the facility.

12. *Dwelling over or attached to a business establishment.* Dwellings units may be permitted over or attached to business establishments in any zoning district. Such dwellings shall have private access and the required residence parking spaces in addition to commercial parking spaces as required by Part 11.

13. *Eating and drinking establishments.* All eating and drinking establishments shall meet the parking requirements as set forth in Part 11 of this Chapter. Access drives shall not exceed 25 feet in width and for those establishments located on a corner lot, no access drive shall be located less than 60 feet of an intersection, as measured from the right-of-way lines, from the intersection of the two abutting streets. Outside lighting shall be directed away from adjacent properties.

14. *Entertainment facilities.* Entertainment facilities as defined in Part 2 of this Chapter shall provide proper parking areas with vehicular circulation and access designed to minimize any potential traffic congestion. Such facilities shall not be closer than 20 feet from any boundary of a district having residences as principal permitted use, shall provide adequate screening from any residential district and shall be conducted entirely within an enclosed structure.

15. *Funeral home.* Funeral homes shall accommodate all of the parking areas required as provided in Part 11 of this Chapter. In addition, sufficient area shall be provided for vehicular circulation on the lot and for the assembly area for the procession beyond the street right-of-way line. Points of vehicular access to the site shall not create traffic hazards on the street. Loading and unloading areas for ambulances and hearses shall be within an enclosed building or shall be screened from view from adjacent properties by a solid wall or substantial, attractive fence being six feet in height. Outside lighting shall be directed away from adjacent properties.

16. *Group residence.* Any party wishing to establish and/or operate a “group residence”, in addition to all other applicable zoning regulations and/or requirements, shall be subject to the following supplemental requirements:

- A. The maximum occupancy of a group residence shall not exceed eight persons, excluding staff. The occupancy of said group residence shall be governed by the standards and requirements as provided for within the most recent housing code standards of the Pennsylvania Uniform Construction Code, 34 Pa.Code §§401 *et seq.*
- B. The group residence shall be under the jurisdictional and regulatory control of a governmental entity (county, state and/or federal).
- C. The applicant and/or operator of group residence shall provide written documentation from the applicable governmental entity which certifies said group residence complies with the location, supervised services, operation, staffing and management of all applicable standards and regulations of the subject governing program.
- D. The applicable requirements and standards which govern off-street parking for a single-family dwelling shall also govern for a group residence; however, two additional off-street parking spaces shall be provided any if there is any required staffing associated with the management and operation of a group residence.

17. *Home occupations.* A home occupation which is conducted within a dwelling unit or an existing accessory building to the dwelling shall be subject to the following provisions:

- A. The occupation shall be carried on wholly indoors, within the principal building or within a building accessory thereto.
- B. There shall be permitted a sign, not to exceed two square feet in surface area, placed flat against the building as a wall sign, and shall not be permitted above the first story level. No other exterior display or exterior storage of materials or any other exterior indication of the home occupation shall be permitted.
- C. There shall be no maintenance of a stock in trade or show windows or displays or advertising visible outside the premises.
- D. No articles shall be sold or offered for sale except those which are produced on the premises.
- E. There shall be no repetitive servicing by truck.
- F. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced.
- G. The home occupation shall be carried on only by members of the immediate family residing in the dwelling unit, plus not more than two additional employees. Licensed medical practitioners and attorneys may have more than two additional employees, subject to approval by the Zoning Hearing Board.
- H. The floor area devoted to a home occupation, regardless of where located on a lot, shall be equivalent to not more than 20 percent of the floor area of the dwelling unit.
- I. Each home occupation shall have off-street parking as indicated below, in addition to that required for the dwelling unit:
 - (1) Four spaces for each physician, dentist or other licensed medical practitioner.
 - (2) Two spaces for all other home occupations.

18. *Industrial activities.* In addition to the applicable requirements of this Chapter, all industrial activities and uses permitted by right, special exception and/or conditional use within the I-1 District shall comply with all regulations governing odors, fumes, dust, smoke, vibration, noise, sewage, industrial waste, fire hazards and any other of the activities and uses with side effects are deemed injurious to the public health, safety and welfare by the United States Environmental Protection Agency (EPA), the Pennsylvania Department of Environmental Protection (DEP) and the Pennsylvania Department of Labor and Industry. It shall be the responsibility of the applicant to provide the Zoning Officer with approval from all state and federal regulations governing the proposed use.

19. *Junkyards and automotive wrecking yards.* All junkyards and automotive wrecking yards existing at the effective date of this Chapter shall comply within one year after the adoption thereof. All new junkyards and automotive wrecking yards shall comply with the following:

- A. Such premises shall at all times be maintained so as not to constitute a nuisance or menace to the health of the community or residents nearby or a place for the breeding of rodents and vermin.
- B. Burning of any materials shall be prohibited.
- C. No oil, grease, tires or gasoline shall be burned at any time.
- D. No garbage, organic waste, rubbish, toxic materials and hazardous materials shall be stored on such premises.
- E. Whenever any motor vehicle shall be received on such premises as junk, all gasoline and oil shall be drained and removed therefrom.
- F. The storage of any combustible materials, such as gasoline, oil or related items, shall be placed in fireproof containers and stored within fireproof sheds.

- G. The manner of storage and arrangement of junk and the drainage facilities on the site shall be such as to prevent the accumulation of stagnant water upon the premises. A storm-water drainage plan shall be required.
- H. There shall be no stockpiling of motor vehicles, nor shall there be any junk piled higher than four feet.
- I. There shall be a roadway 14 feet in width provided for every 40 linear feet of junk. The roadway shall be kept open and unobstructed for proper access for fire fighting equipment and safety purposes.
- J. Junk shall not be stored within 100 feet of any adjoining property line or nearer than 100 feet to any adjoining or abutting street.
- K. All junkyards shall be completely screened from view on all sides by a buffer area as so defined in Part 2 of this Chapter. The required fence shall be not closer than 20 feet to any property line.
- L. Such premises may be open for business or any work in connection with the storage, processing and transportation or removal of junk only on Monday through Saturday from 8:00 a.m. to 4:00 p.m., local time.
20. *Motels and hotels.* Motels and hotels shall use shall require a minimum lot size of not less than two acres with a lot width of not less than 200 feet. The following requirements shall also apply:
- A. There shall be more than ten sleeping rooms.
 - B. Fifty percent or more of the gross floor area shall be devoted to sleeping rooms.
 - C. There may be club rooms, ballrooms and common dining facilities.
 - D. In the case of a corner lot, access drives shall be not less than 60 feet from the intersection of any two streets as measured from the intersection of their right-of-way lines.
21. *Nonprofit social halls, clubs and community centers.* Buildings utilized for such purposes shall not be less than ten feet from the property line, nor shall any designated parking area be within ten feet from a property line.
22. *Outdoor storage.* Outdoor storage, as defined in Part 2, when proposed as a principal use of land shall be enclosed with a chain link fence not less than six feet in height. A soil erosion and sedimentation control plan and stormwater drainage plan shall be required for all areas of impervious surface to be provided for such storage. A complete listing of all types of machinery, material and items to be stored therein shall be attached to the required zoning application. No hazardous substances, as so defined in Part 2 of this Chapter, shall be permitted upon the site.
23. *Place of worship.* A parking area shall accommodate all parking spaces as required in Part 11 of this Chapter. Access driveways shall be not greater than 25 feet in width. In the case of a corner lot, access driveways shall be not less than 60 feet from the intersection of the two streets, as measured from the intersection of their right-of-way lines. Where the parking area abuts existing residences on the side or rear property line, a buffer area, consisting of shrubbery or evergreen trees, being not less than four feet in height at the time of planting, shall be provided.
24. *Public uses.*
- A. *Municipal, police and fire buildings.* Where the parking area abuts the side or rear property lines of an adjoining residential use, a fence being six feet in height and a buffer area consisting of shrubbery or evergreen trees shall be provided.
 - B. *Public and private schools.* The size of a lot shall meet the minimum requirements as prescribed by the Pennsylvania Department of Education. Access to the site shall be from an arterial or collector street. Access driveways shall not exceed 25 feet in width. In the case of a corner lot, access driveways shall be not less than 60 feet from the intersection of the two streets, as measured from the intersection of their right-of-way. Loading and unloading areas, parking areas and circulation shall be provided in accordance with Part 11 of this Chap-

ter.

25. *Public utility buildings and structures.* Public utility facilities as defined in Part 2, shall conform to the following regulations for properties containing such uses:

- A. Access and parking shall be provided only for maintenance and servicing of such facilities.
- B. A chain-link fence and locked gate not less than eight feet in height shall surround the building or structures of such facilities.
- C. A buffer area not less than ten feet in depth and comprised of trees and/or shrubs designed to conceal such buildings or structures of such facilities.
- D. Outside lighting shall be directed away from adjacent properties.
- E. The location, design and operation of such facilities shall not adversely affect the character of any adjacent residential properties.

26. *Recreational facilities—(outdoors).* All such facilities, whether public, private or commercial, shall conform to the following regulations:

- A. No outdoor recreation activity shall be conducted closer than 50 feet to any property line.
- B. A buffer area, at least ten feet in depth and planted with trees, shrubs or other landscaping, shall surround the property except for access drives.
- C. Access drives shall be not greater than 25 feet in width; parking areas shall not be located within buffer areas.
- D. Storm drainage from the site shall be channeled to natural drainage courses and away from adjoining properties.

27. *Rooming house.* The property shall be limited to providing lodging for not more than four persons, excluding the owner of the property. Off-street parking spaces shall be provided for each person residing therein.

28. *Sewage disposal and sewage treatment plants.* The location and operation of a public or private sewage disposal and/or sewage treatment plant shall be in full compliance with the applicable regulations of the Pennsylvania Department of Environmental Protection. Written approval from DEP shall be secured prior to the installation of such facilities.

29. *Single residential structures, containing multi-family dwelling units.* Such structures shall contain a lot area of not less than 2,500 square feet for each dwelling. A minimum lot width of not less than 100 feet shall be required. Each side yard shall have a setback of not less than 15 feet.

30. *Townhouses and garden apartments.* Townhouses and/or garden apartments which are not being developed as part of a planned residential development, shall be subject to the following provisions and all applicable provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22]:

- A. Minimum lot width shall be 120 feet.
- B. Maximum percentage of building coverage on a lot per dwelling unit, exclusive of common or public open areas, shall be 40 percent.
- C. Minimum lot width per dwelling unit shall be 20 feet.
- D. Minimum lot depth per dwelling unit shall be 100 feet.
- E. Minimum lot area per dwelling unit shall be 2,000 square feet.
- F. Minimum front yard setback shall be 30 feet.
- G. Minimum side yard setbacks shall be 30 feet. Side yard setbacks shall be required only at the ends of rows of attached dwellings.

- H. Minimum rear yard setback shall be 30 feet.
- I. Minimum width of each dwelling unit shall be 20 feet.
- J. Maximum building height shall be three stories or 35 feet.
- K. Minimum distance between principal structures shall be 30 feet.
- L. Minimum front yard setback for off-street parking areas shall be ten feet.
- M. Minimum rear yard setbacks for off-street parking areas shall be 15 feet.
- N. Two off-street parking spaces shall be provided for each dwelling unit.
- O. Unattached accessory structures such as pools, garages, carports and sheds shall be prohibited in the front yard. Unattached accessory structures located in the side or rear yard shall have five feet side and rear yard setbacks. Attached accessory structures shall have the same setbacks as required for principal structures.

31. *Trucking facilities.* The property shall not be less than two acres in area. Access drives shall be no more than 25 feet in width; parking and loading areas shall conform to the regulations within Part 11. No truck parking or terminal operation shall be allowed within 50 feet of any lot line. Outside lighting shall be directed away from adjacent properties.

32. *Warehouse and distribution facilities.* All materials shall be stored within a completely enclosed building and yard areas shall be kept clear of junk, trash or other types of debris. Access drives shall not exceed 25 feet in width; parking and loading areas shall conform with the regulations of Part 11 of this Chapter. No warehouse activities, including parking and/or loading areas, shall be allowed within 20 feet of any property line.

33. *Warehouse (self-storage).* These facilities may be a building or group of buildings in a controlled-access and fenced compound, containing varying sizes of individual compartmentalized and controlled-access stalls or lockers for dead storage of customers' goods and personal property, with storage space available for rental to the general public. All storage shall be contained within a completely enclosed building or buildings. There shall be a minimum spacing of 25 feet between buildings for traffic circulation, parking and fire lane purposes. No activities including off-street parking shall be allowed within 20 feet of a property line abutting a district having residences as a principal permitted use. All outside lighting shall be directed away from adjacent properties.

34. *Wireless commercial communication site.*

A. *Structural integrity and safety.*

- (1) A commercial antenna support structure for a wireless commercial communication site shall be designed and constructed to meet or exceed all applicable standards of the American National Standards Institute, ANSI/EIA222-E Manual, as amended, and also to FAA standards for marking and lighting requirements of obstructions to air navigation as set forth within the most recent edition of Advisory Circular AC 70/7460-1H, including any amendments thereto.
- (2) A soil report complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA-222-E Manual, as amended, shall be submitted to document and verify the design specifications of the foundation for the commercial antenna support structure, and anchors for the guy wires, if used.
- (3) The operational use of a commercial antenna, as defined within this Chapter, including those mounted upon a support structure or to an existing structure, shall comply with all applicable rules and regulations of the FCC and the FAA.
- (4) The applicant or owner of a commercial antenna support structure shall provide a design certificate and an operational certificate, prepared by a professional engineer, which certifies compliance with the standards addressed in the above Subparagraphs (1), (2) and (3). The design certificate shall be submitted with the zoning application for

the proposed commercial antenna support structure. The operational certificate, shall include “as-built” drawings and written certification from the applicant’s professional engineer that all applicable regulations have been met.

B. *Height and setback requirements.*

(1) A commercial antenna which mounted upon an existing structure, including an existing building, shall not exceed the height of the existing structure by more than eight feet.

(2) A commercial antenna support structure shall be set back from any property line to a distance that is not less than 100 percent of the height of the antenna support structure measured in linear feet.

(3) Any building utilized as a component of a commercial enterprise in the collection and/or transmission telecommunication signals, radio signals, television signals, wireless phone signals or similar signals shall be completely enclosed by a fence, eight feet in height, with such building meeting the setback requirements for the zoning district in which it is located.

(4) A commercial antenna support structure or an antenna mounted upon an existing structure, shall be removed by the owner of the same with six months of the discontinuance of its use. The owner shall provide Plains Township with a copy of the notice to the FCC of intent to cease operations. The six-month period for the removal of the antenna support structure or an antenna mounted upon an existing structure shall commence on the date indicated for ceasing operations.

C. *Site plans.*

(1) A site plan in conformance with the governing standards of the Luzerne County Subdivision and Land Development Ordinance [Chapter 22], as amended, shall also be required when the location of a freestanding a commercial antenna support structure represents a described parcel of land subject to a lease, within an existing deed of record.

(2) A new site plan shall not be required when a proposed antenna is to be located on an existing freestanding a commercial antenna support structure.

D. *Supplemental standards and criteria.*

(1) The applicant shall demonstrate that the proposed antenna support structure complies with all applicable state and federal standards.

(2) The applicant shall demonstrate that the proposed commercial antenna and its support structure are safe and the surrounding properties will not be negatively affected by support structure failure, falling ice or other debris.

(3) All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers.

(4) A commercial antenna support structure shall be designed with excess capacity beyond the initial intended use in order to encourage secondary users to lease the balance of the capacity at reasonable rates. When a new antenna support structure is proposed, the applicant must demonstrate that all alternatives to the construction of a new antenna support structure have been exhausted.

(5) The applicant shall provide information on a proposed design of a commercial antenna support structure which shall minimize the visual impact for those residents in an immediate area and for those in the larger community who view it from a distance.

35. *Continuing care facility.* The following requirements shall apply for the development of a continuing care facility:

A. The minimum lot size shall be not less than 15 acres.

- B. The maximum number of dwelling units shall not exceed five units per acre with four intermediate or skilled nursing beds as the equivalent of one dwelling unit.
- C. The minimum setback distance from a public street shall not be less than 75 feet and the minimum setback distance to any property line shall be not less than 100 feet.
- D. The maximum lot coverage shall not exceed 40 percent of the lot area.
- E. Not less than 20 percent of the total lot area shall be designated as common open space.

[Ord. 2003-4]

36. *Forestry.*

A. In order to preserve forests and the environmental and economic benefits that they provide, it is the policy of Plains Township to encourage the owners of forest land to continue to use their land for forestry purposes, including the long-term production of timber, recreation, wildlife, historical and amenity values. The timber harvesting regulations set forth in this Section are intended to further this policy by:

- (1) Promoting good forest stewardship.
- (2) Protecting the rights of adjoining property owners.
- (3) Minimizing the potential for adverse environmental impacts.
- (4) Preserving historical and environmental sensitive areas.
- (5) Avoiding unreasonable and unnecessary restrictions of the right to practice forestry.

B. Forestry activities that include timbering operations that exceed five acres shall be conducted in accordance with the following requirements:

- (1) A zoning permit application shall be submitted to the Plains Township Zoning Officer prior to harvesting or otherwise removing trees on any tract of land larger than five acres.
- (2) Prior to the start of operations, a forestry management plan shall be prepared and filed with the submission of the zoning permit application. Said plan shall be prepared by a qualified forester or forest technician, with a four-year degree from an accredited college.
- (3) The forestry management plan shall be consistent with the Timber Harvesting Guidelines of the Pennsylvania Forestry Association.
- (4) Prior to the approval of the zoning permit application, an erosion and sediment control plan shall be submitted by the applicant to the Luzerne County Conservation District for its review, recommendation and approval.
- (5) Clear cutting shall be prohibited except on tracts of less than five acres.
- (6) When harvesting or otherwise removing on tracts larger than five acres, at least 30 percent of the forest cover (canopy) shall be kept and the residual trees shall be well distributed. At least 30 percent of these residual trees shall be composed of highest value species as determined and documented by the forestry management plan.
- (7) Clear cutting is prohibited on acres with slopes greater than 15 percent or within the 100-year floodway.

C. Any “forestry” operations that include any activities which encompass a land development shall be subject to securing land development approval in accordance with the governing provisions of the Plains Township Subdivision and Land Development Ordinance [Chapter 22].

[Ord. 2007-5A]

37. *No-impact home-based business.* A no-impact home-based business, as defined in Part 2 of

this Chapter, shall be permitted by right in all residential zoning districts and zoning districts in which residences are permitted as a principal permitted use, except that such permission shall not supersede any deed restriction, covenant or agreement restricting the use of the land, nor any master deed, bylaw or other document applicable to common interest ownership community. The following standards and criteria shall apply to a no-impact home-based business:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than the family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business, including, but not limited to, parking, signs or lights.
- E. The business activity shall not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with a residential use in the neighborhood.
- G. The business activity shall not occupy more than 25 percent of the habitable floor area.
- H. The business shall not involve any illegal activity.

[Ord. 2007-5A]

38. *Outdoor wood-fired boiler.* An outdoor wood-fired boiler shall be deemed to be an accessory structure permitted in a C-1 Conservation District. Outdoor wood-fired boilers shall only be located within a rear yard of a property. An outdoor wood-fired boiler shall comply with the following standards

- A. The property must have a lot area of not less than two acres.
- B. A safe flue or chimney shall be provided which has a minimum termination height of 25 feet above the natural ground level upon which the outdoor wood-fired boiler is located and be provided with a spark arresting device designed and approved for that purpose.
- C. A fan or blower attached to the appliance to increase the efficiency of the outdoor wood-fired boiler.
- D. An outdoor wood-fired boiler shall be located not less than 200 feet from any property line and not less than 40 feet to any principal structure or building located upon the property.
- E. The outdoor wood-fired boiler shall have an orange hang tag that signifies that it meets the EPA's standards for Phase 1 air emission levels of 0.60 pounds of fine particulates per million BTU heat input and qualifies for the EPS's voluntary program.
- F. All outdoor wood-fired boilers shall be installed, operated and maintained in strict conformance with the manufacturer's instructions and the regulations promulgated hereunder. In the event of a conflict, the regulations promulgated within this Section shall apply unless the manufacturer's instructions more restrictive, in which case the manufacturer's instructions shall apply.
- G. The owner of the outdoor wood-fired boiler shall produce the manufacturer's instructions for all devices that do not conform to the requirements of this Section.
- H. All outdoor wood-fired boilers may only be utilized for the sole purpose of furnishing heat to a structure or building and/or providing hot water during the time period of October 1 through May 1; and, subject to meeting the requirements of this Section.
- I. No homemade outdoor wood-fired boilers will be allowed.

J. Only natural clean wood may be burned in outdoor wood-fired boiler. Regardless of the manufacturer's instructions an outdoor wood-fired boiler shall not be used to burn any of the following materials:

- (1) Any material that does not meet the definition of clean wood.
- (2) Furniture.
- (3) Garbage.
- (4) Tires.
- (5) Lawn clippings or yard waste.
- (6) Wet or soggy wood.
- (7) Material containing plastic.
- (8) Material containing rubber.
- (9) Waste petroleum products.
- (10) Paints and paint thinners.
- (11) Chemicals.
- (12) Any hazardous waste.
- (13) Coal.
- (14) Glossy colored paper.
- (15) Construction and demolition debris.
- (16) Plywood.
- (17) Particleboard.
- (18) Salt water driftwood.
- (19) Manure.
- (20) Animal carcasses.
- (21) Asphalt products.

K. All storage of materials to be burned in the outdoor wood-fired boiler shall be neatly stacked and/or stored under cover and free from insects (termites, ants and the like) or any type of disease carrying rodents.

L. Ashes or waste cannot be accumulated in a large area on the property. They may be dispersed on the property as long as no accumulation can be seen (for example: spread in a driveway). Any large accumulation of ashes or waste must be disposed of weekly with the owner's trash.

[*Ord. 2009-5B*]

(*Ord. 1998-1*, 3/19/1998, §802; as amended by *Ord. 2003-4*, 10/6/2003, §6; by *Ord. 2007-5A*, 9/19/2007, §§34, 35 and 36; by *Ord. 2009-5B*, 5/14/2009, §8; and by A.O.)

Part 9**Nonconforming Lots, Uses, Structures and Buildings****§27-901. Intent.**

Within the zoning districts established by this Chapter, or subsequent amendments thereto, there may exist or will exist certain nonconforming uses of structures and/or land which if lawful before this Chapter was passed or amended, may be continued, subject to certain limitations, although such uses would be prohibited, regulated or restricted under the terms and provisions of this Chapter or subsequent amendments thereto.

(Ord. 1998-1, 3/19/1998, §901)

§27-902. Nonconforming Lots of Record.

1. In any zoning district, structures, both principal and accessory, maybe erected on any single lot of record at the effective date of adoption or amendment of this Chapter, notwithstanding limitations imposed by other provisions or regulations of this Chapter, even though such lots fail to meet the requirements for the area and/or width of the zoning district in which such lot is located. The erection of a structure on such a lot shall, however, conform to front, rear and side yard requirements for the zoning district in which such lot is located. Variances from the aforementioned yard requirements may be obtained only through action of the Zoning Hearing Board.

2. If two or more adjacent lots, with continuous frontage, in single ownership, are lots of record at the effective date of the adoption or amendment of this Chapter, and if such lots do not meet the required lot area and/or width requirements, such lots shall be considered to be an undivided parcel and no portions of such parcel shall be used or sold in a manner which further diminishes compliance with the required lot area and/or width requirement for the zoning district in which such lots are located.

(Ord. 1998-1, 3/19/1998, §902)

§27-903. Continuation of Nonconformity.

Any lawful nonconforming use and/or nonconforming structure may be continued except as otherwise provided in this Part, but any nonconforming use and/or structure shall not be enlarged, reconstructed, structurally altered or changed except as permitted by provisions of this Part.

(Ord. 1998-1, 3/19/1998, §903)

§27-904. Registration of Nonconforming Uses and Structures.

The Zoning Officer may prepare and maintain an accurate listing of all nonconforming uses and structures. The Zoning Officer or the property owner may initiate the process of certifying the nonconformity of a given property. The Zoning Officer shall issue a certificate of nonconformity where he or she finds the use or structure, although not in compliance with all applicable requirements of the zoning district in which it is located, to be a lawful nonconforming use or structure.

(Ord. 1998-1, 3/19/1998, §904)

§27-905. Changes of Nonconforming Uses.

The Zoning Hearing Board may grant a special exception to allow one nonconforming use to be changed to another nonconforming use, if the Board finds that all of the following provisions will be met:

- A. No structural alterations are made.
- B. The proposed change shall be less objectionable in external effects than that of the previous or existing nonconforming use, and shall be more consistent with its physical surrounding.
- C. There shall be no increase in traffic generation or congestion, including both vehicular and pedestrian traffic.
- D. There shall be no increase in the danger of fire or explosion.
- E. There shall be no increase in noise, smoke, dust, fumes, vapors, gases, heat, odor, glare, vibration, lighting or electrical disturbances.
- F. There shall be no increased threat to health by any reason, including that of rodent, vermin or otherwise.

(Ord. 1998-1, 3/19/1998, §905)

§27-906. Enlargement of Nonconforming Uses and Structures.

The Zoning Hearing Board may grant a special exception for the enlargement of a nonconforming use and/or structure, if the Board finds the following standards will be met:

- A. The enlargement will not replace a conforming use.
- B. The nonconforming structure and/or use, after enlargement, shall comply with the yard and lot coverage requirements applicable to the zoning district in which it is located.
- C. The use and/or structure, after enlargement, shall comply with all applicable off-street parking and/or loading requirements for said use and/or structure.
- D. Not more than one enlargement of a nonconforming use and/or structure shall be permitted.
- E. A nonconforming structure and/or use shall not be enlarged beyond the limits of the zoning lot on which it is located. Expansion to an adjoining lot shall be prohibited, even if such adjoining lot was in the same ownership at the effective date of the adoption of this Chapter.
- F. The enlargement shall not exceed 25 percent of the gross floor area or land area as it existed at the time the structure or use first became nonconforming.

(Ord. 1998-1, 3/19/1998, §906)

§27-907. Restoration of Use.

1. A nonconforming use and/or structure which has been damaged or destroyed by fire, explosion, windstorm, flood or other similar act or cause to the extent of more than 60 percent of its reproduction value at the time of the damage shall not be restored except in conformity with the regulations of the zoning district in which it is located.
2. When damage is less than 60 percent of its reproduction value, a nonconforming building or other structure may be repaired or reconstructed and used as before the time of the damage, provided such repairs or reconstruction are completed within one year of the date of such damage.
3. A conforming residential use, which is constructed on a lot that is nonconforming with respect to lot area, lot width and/or yard areas, may be reconstructed on the same lot subject to receiving approval from the Zoning Hearing Board for any necessary variances.

(Ord. 1998-1, 3/19/1998, §907)

§27-908. Termination of Nonconforming Use and/or Structure.

1. *Nonconforming use and/or structure.* A nonconforming use and/or structure shall not be reconstructed when damaged to an extent greater than 60 percent of its reproduction value at the time

of the damage and said nonconforming use and/or structure shall be deemed terminated.

2. *Change of nonconforming use.* Where a nonconforming use is changed into a conforming use, a nonconforming use shall not thereafter be resumed. A change of one nonconforming use, without approval by the Zoning Hearing Board, shall be considered an abandonment of the prior nonconforming use, which shall not thereafter be resumed.

3. *Abandonment of nonconforming use.* The right to a nonconforming use shall be terminated and a nonconforming use shall not be resumed if a nonconforming use is abandoned. A nonconforming use shall be deemed abandoned, if it is changed as set forth in Subsection 2. of this Section or if it is discontinued for a continuous period of one year and the owner of said property fails to obtain a certificate of intention in accordance with §27-909 of this Chapter which indicates his or her intent to resume the nonconforming use.

4. *Nonconforming mobile homes.*

A. The removal of a mobile home as a nonconforming use upon a property with the intent to replace it with another mobile home may be permitted in accordance with the following standards:

(1) The property owner shall provide the Zoning Officer with written notice of his or her intent to replace the structure and the date on which the current mobile home will be removed from the lot.

(2) The placement of the new mobile home upon the lot shall be in conformance with all applicable setback requirements and area requirements for zoning district in which it is located.

(3) A new mobile home shall be located upon the lot and connected with all utilities, including sewage, and ready for occupancy within 180 days from the date on previous mobile home was removed.

B. The removal of a mobile home as a conforming use upon a property with the intent to replace it with another mobile home shall be in conformance with all applicable setback requirements and area requirements for zoning district in which it is located.

5. *Unsafe structures.* If a nonconforming structure, containing a nonconforming use, becomes physically unsafe due to lack of maintenance or repairs and has been legally condemned, it shall not thereafter be restored, repaired or rebuilt except in conformity with uses permitted within the zoning district in which such structure is located.

(Ord. 1998-1, 3/19/1998, §908)

§27-909. Certificate of Intention for a Nonconforming Use.

1. A certificate of intention shall be required in any instance when a nonconforming use of a structure, building and/or land is to be discontinued for a period of more than one year and the owner or operator of the nonconforming use wishes to maintain a legal nonconforming status. A certificate of intention form shall be completed by the owner or operator of the discontinued nonconforming use. Said completed certificate of intention form shall be submitted to and approved by the Zoning Officer. The applicant shall indicate in writing the reason or basis for the discontinuation of the nonconforming use and the anticipated date on which the nonconforming use will resume.

2. A certificate of intention, as issued and approved by the Zoning Officer, shall be valid for a period of one year from the date of issuance. A certificate of intention may be renewed annually by the owner or operator of the nonconforming use. Failure to renew a certificate of intention shall constitute a deemed abandonment of the use and forfeiture of the legal nonconforming use status of the property.

(Ord. 1998-1, 3/19/1998, §909)

Part 10**Sign Regulations****§27-1001. Signs.**

Type and use of signs. All signs shall be classified according to type and use as provided herein:

- A. *Identification sign.* A sign which communicates the name and/or address of an occupant or a permitted home occupation upon the zoning lot on which the sign is located.
- B. *Business sign.* A sign which communicates information concerning a business, profession, commodity, service, entertainment or development which is sold, offered, prepared, manufactured or conducted upon the zoning lot where the sign is located.
- C. *Billboard or off-premises advertising sign.* A sign which communicates information concerning a subject, business, profession, activity, commodity, service, entertainment or development not related to, sold, offered, prepared or manufactured on the zoning lot where the sign is located.
- D. *Real estate sign.* A temporary sign, having an area not greater than eight square feet in area which advertises the sale, rental or development of the premises upon which the sign is located.
- E. *Construction sign.* A temporary sign erected on the premises on which construction is taking place, indicating the names of the firm or firms performing the construction activities, including names of any architectural firms and engineering firm associated with the project.
- F. *Subdivision/development sign.* A temporary real estate sign, not greater than 60 square feet in area, which advertises the sale of property within an approved subdivision or planned residential development.
- G. *Institutional sign.* A sign which identifies a use pertaining to a school, church, hospital or other institution of a similar public or semipublic nature.
- H. *On-site directional and/or informational sign.* A sign commonly associated with, and limited to, information and directions necessary for visitors entering or exiting a property, including signs marking entrance and exits, parking areas, circulation direction, restrooms and pick-up and delivery areas. Such signs shall contain no advertising material.
- I. *Bench sign.* A sign which communicates information concerning a subject, business, professional activity, commodity, service, entertainment or development not related to, sold, offered, prepared or manufactured on the zoning lot where sign is located and is attached to or constructed to form a sitting surface.
 - (1) *Size.* Signs affixed to benches may not exceed 18 inches high by six feet wide.
 - (2) *Identification.* Bench owners name and current phone number must appear on the bench.
 - (3) *Location.* Bench owners must provide signature of the property owner when applying for zoning permit for bench.

[Ord. 2011-3]

(Ord. 1998-1, 3/19/1998, §1001; as amended by Ord. 2011-3, 7/14/2011, §1001.1)

§27-1002. Construction Types.

All signs shall be classified according to construction types as provided herein:

- A. *Freestanding sign.* A sign (including bench signs) not attached or applied to a building, but supported by another structure, including structures designed for the sign itself and accessory structures. [Ord. 2011-3]

B. *Wall sign.* A sign attached, painted or affixed to the wall of a principal structure or accessory structure, not projecting over any public right-of-way and not extending more than two feet from the building or structure.

C. *Projecting sign.* A sign which projects outward or extends more than two feet from the building or structure.

(Ord. 1998-1, 3/19/1998, §1002; as amended by Ord. 2011-3, 7/14/2011, §1002)

§27-1003. Permitted Signs by Zoning District.

The establishment, erection or reconstruction of any sign shall be in accordance with the regulations as set forth herein:

A. *Identification sign.* Such signs shall be permitted in all zoning districts.

B. *Business signs.* Such signs shall be permitted in B-1, B-2, B-3, C-1 and I-1 Zoning Districts.

C. *Real estate signs.* Such signs shall be permitted in all zoning districts.

D. *Subdivision/development signs.* Such signs shall be permitted in all zoning districts and any PRD zoning district, upon the creation of such.

E. *Institutional signs.* Such signs shall be permitted in all zoning districts.

F. *On-site directional and/or informational sign.* Such signs shall be permitted in all zoning districts.

G. *Billboard signs.* Such signs shall be permitted as a special exemption use in a B-3 and I-1 Zoning District. [Ord. 2000-1]

(Ord. 1998-1, 3/19/1998, §1003; as amended by Ord. 2000-1, 2/10/2000, §3)

§27-1004. Area, Height and Setback Requirements.

The establishment, erection or reconstruction of permitted signs shall be governed by the following regulations:

A. *Identification sign.* An identification sign shall not exceed two square feet in area. Such a sign shall be set back not less than ten feet from the front lot line. The maximum height of an identification sign, if freestanding, shall not exceed ten feet in height, or if attached to a building shall not be higher than the first story of the building to which it is attached.

B. *Business sign.*

(1) A business sign shall not exceed area for the following Zoning Districts:

(a) *C-1 District.* Fifty square feet.

(b) *B-1 District.* Fifty square feet.

(c) *B-2 District.* Seventy-five square feet.

(d) *B-3 District.* Two hundred fifty square feet.

(e) *B-4 District.* Two hundred fifty square feet.

(f) *B-5 District.* Three thousand two hundred square feet.

(g) *I-1 District.* Two hundred fifty square feet.

[Ord. 2007-5A]

(2) In an integrated grouping of commercial or industrial uses which is classified as a "land development", in addition to permitting each individual business establishment to display a business sign, one sign shall be permitted on the lot, which indicates the name of the integrated grouping of commercial or industrial uses and/or the names of the business establishments located therein. Only one such sign shall be permitted on the lot and such sign shall not exceed 200 square feet in area. The maximum height of any

business sign shall not exceed 20 feet.

C. *Real estate sign.* A temporary real estate sign shall not exceed eight square feet in area and shall be located on the same lot on which the property is offered for sale or rental. The sign shall be set back not less than ten feet from the front lot line and shall be removed from the premises within 30 days after the sale or rental of the property.

D. *Subdivision/development sign.* A subdivision/development sign shall be considered a temporary real estate sign and shall not exceed 60 square feet in area. The sign shall be located on the same property on which lots and/or homes in the subdivision are offered for sale. Not more than one sign shall be erected in any subdivision, and such signs shall be set back not less than 35 feet from the front lot line. The sign shall be removed from the premises within 30 days after the last lot and/or home is sold.

E. *Construction sign.* A construction sign shall not exceed 40 square feet in area and shall be located upon the same property on which the construction activity is being conducted. An individual sign for each firm performing work upon the property shall be permitted. No sign shall be located within a public right-of-way or less than ten feet from any public right-of-way. All construction signs shall be temporary in nature and removed within 30 days following the completion of construction activity.

F. *Institutional sign.* An institutional sign for public and semipublic facilities, such as schools, churches, hospitals, libraries, colleges or other institutions of a similar nature shall not exceed 30 square feet in area. The maximum height of such signs shall not exceed the maximum height restriction established for a principal structure in the district in which the sign is located. An institutional sign shall be not less than ten feet from the front lot line.

G. *On-site directional and/or informational sign.* An on-site directional and/or informational sign shall not exceed six square feet in area. A front, rear or side yard setback of not less than five feet shall be required for such signs. The maximum height of such signs shall not exceed six feet.

H. *Billboard sign or off-premises advertising sign.* The following regulations shall apply to any billboard and/or off-premise advertising sign. The advertising surface area of any panel shall not exceed 300 square feet and not more than one double-faced panel shall be permitted on the same structure or standard.

- (1) Such a sign shall not be located within 200 feet of any residential structure or residential zoning district.
- (2) There shall be a minimum spacing distance of 1,000 feet between all such signs.
- (3) Such signs shall not be attached to a building nor shall such signs be permitted to project above the maximum height limitation for the zoning district in which it is located.

(Ord. 1998-1, 3/19/1998, §1004; as amended by Ord. 2007-5A, 9/19/2007, §37)

§27-1005. Number of Signs.

Excluding on-site directional and/or informational signs, not more than two signs shall be permitted on any property located in any zoning district. In the case of a property located upon a corner lot, a total of three signs may be permitted. The above limitations on signage shall not apply to properties in the B-4 District, B-5 District or the MU District.

(Ord. 1998-1, 3/19/1998, §1005; as amended by Ord. 2007-5A, 9/19/2007, §38; by Ord. 2015-6, 9/10/2015, §3)

§27-1006. Setback for Freestanding Signs.

The minimum side yard setback and rear yard setback for any freestanding sign shall be the same as the minimum side yard or rear yard setback for a principal structure in the zoning district in which

the sign is located. The minimum front yard setback, with the exception of §27-1004 Paragraph F., On-Site Directional and/or Informational Sign and §27-1004 Paragraph G., Billboard Sign or Off-Premises Advertising Sign shall be not less than 25 percent of the required setback for a principal structure in the zoning district in which the sign is located. If an existing building has a front yard setback which is less than ten feet, any proposed new sign shall be attached flat against the building as a wall sign.

(Ord. 1998-1, 3/19/1998, §1006)

§27-1007. Signs Related to Nonconforming Uses.

An existing sign related to a legally established nonconforming use shall be considered a nonconforming sign, which may be continued at its present dimensions and location, but shall not be enlarged. Where a nonconforming use is lawfully changed to another nonconforming use, a new sign shall be permitted being the same type and size as the previous sign. The new sign shall be erected on the property at the same location as the previous sign. The sign may be erected at a different location provided it meets all applicable regulations for the zoning district in which it is located.

(Ord. 1998-1, 3/19/1998, §1007)

§27-1008. Area Computation of Signs.

The area of a sign shall be construed to include all lettering, wording and accompanying design and symbols, together with the background including border and trim, whether open or enclosed on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. Computation of the area for particular signs shall be in accordance with the following regulations:

- A. *Wall sign.* For a sign painted upon or applied to a building, the area shall be considered to include all lettering, wording and accompanying design or symbols together with any backing associated with the sign.
- B. *Separate symbols.* Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
- C. *Double-face sign.* With the exception of a billboard, when computing the area of a double-face sign, only one sign shall be considered, provided both faces are identical.
- D. *Cylindrical sign.* The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.

(Ord. 1998-1, 3/19/1998, §1008)

§27-1009. Vertical Clearance.

A freestanding sign and a projecting sign shall have a vertical distance of not less than nine feet as measured from the lowest edge or point of the sign to the highest ground elevation located beneath the sign.

(Ord. 1998-1, 3/19/1998, §1009)

§27-1010. Prohibited Signs.

The following types of signs shall not be permitted in any zoning district:

- A. Signs which are located in such a position which endangers vehicular and/or pedestrian traffic by obscuring the site distance.
- B. Signs which by design and/or location may be confused with traffic signs or signals.
- C. Any sign located in or extending into a public right-of-way, including sidewalk areas,

except an official street sign or traffic control sign.

D. Any freestanding or projecting sign within an area bounded by the intersection of two public or private streets, for a distance of 20 feet along the centerline of the right-of-way of such streets from the point of their intersection.

E. Freestanding or projecting signs over any type of public right-of-way, including sidewalk areas.

F. Sequential, flashing or oscillating signs.

G. Signs which due to their construction and/or location would constitute a hazard or a potential danger to the community.

(*Ord. 1998-1, 3/19/1998, §1010*)

§27-1011. Permits Required.

A zoning permit shall be required for the erection, alteration or relocation of any sign which exceeds eight square feet in surface area. Real estate signs and construction signs shall be exempt from securing a zoning permit.

(*Ord. 1998-1, 3/19/1998, §1011*)

§27-1012. Violation; Penalty for Signs.

1. If the Code Enforcement Officer, Zoning Officer or Fire Inspector of the Township finds that any sign or advertising structure regulated under this Chapter within the Township to be unsafe, unsecure or menace to the public, abandoned or is maintained in a dilapidated condition or the area where it is located is not properly maintained or has been constructed or erected and is maintained in such a manner that it is in violation of this Chapter, then he, she or it shall be given written notice to the permittee and/or property owner or owners of the sign thereof of this violation. If the permittee, property owner or owner of the sign fails to remove, alter the structure or property maintain the area where the sign is located so as to comply with the standards herein set forth within ten days after such notice, such sign or advertising structure may be removed or altered to comply with this Chapter by the Code Enforcement Officer, Zoning Officer or Fire Inspector at the expense of the permittee, owner of the property or owner of the sign. The Code Enforcement Officer, Zoning Officer or Fire Inspector may cause any sign or advertising structure which is an immediate peril to person or property to be removed summarily and without notice. Any other removal or alternation shall not occur until after the ten-day notice to the owner. Any cost for repair of the sign or advertising structure or maintenance of the area where the sign or advertising structure is located shall be the responsibility of the permittee, property owner or sign owner and shall reimburse the Township within ten days of notice of this cost. If not reimbursed within that time period, the Code Enforcement Officer, Zoning Officer or Fire Inspector may remove or if not removed cover the sign or advertising structure which shall not be replaced until reimbursement is made to the Township.

2. Any person who violates, disobeys, omits, neglects or refuses to comply with or resists enforcement of any of the provisions of this Part shall be guilty of an offense and upon conviction in any court of competent jurisdiction shall be fined not less than \$25 nor more than \$500. Every such person shall be deemed guilty of a separate offense for every day such violation shall continue after notification thereof. [A.O.]

(*Ord. 1998-1, 3/19/1998; as added by Ord. 2004-6, 11-/2004; and as amended by A.O.*)

Part 11**Off-Street Parking and Loading****§27-1101. Purpose.**

Off-street parking, loading and unloading facilities shall be provided to lessen traffic congestion in the streets. The facilities required by these provisions shall be available throughout the hours of operation for the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes covered garage or carport or uncovered parking lot space located off the public right-of-way.

(Ord. 1998-1, 3/19/1998, §1101)

§27-1102. Size of Off-Street Parking Spaces.

Each off-street parking space shall have an area of not less than 162 square feet, being nine feet in width and 18 feet in length, exclusive of access drives or aisles.

(Ord. 1998-1, 3/19/1998, §1102)

§27-1103. Size of Off-Street Loading Spaces.

Each off-street loading space shall be not less than 50 feet in depth, 12 feet in width and provide an overhead clearance of not less than 14 feet. All loading areas shall be designed, constructed and used so that all vehicular maneuvering is contained within the lot and no vehicle shall be permitted to back into or out of the public right-of-way.

(Ord. 1998-1, 3/19/1998, §1103)

§27-1104. Dimensions and Design.

The dimension and design of off-street parking areas, including garages, shall comply with the following:

- A. Stall width shall be at least nine feet.
- B. Stall depth shall be at least 18 feet for angle parking and 20 feet for parallel parking.
- C. The minimum width of aisles providing access to stalls, with one-way traffic, varying with the angle of parking, shall be:

Angle of Parking	Minimum Aisle Width
Parallel	12 feet
30 degrees	11 feet
45 degrees	13 feet
60 degrees	18 feet
90 degrees	20 feet

- D. The minimum width for aisles providing access to stalls with two-way traffic shall be 24 feet.

(Ord. 1998-1, 3/19/1998, §1104)

§27-1105. Width of Access Driveways.

The width of a driveway intended to provide access to or from a property shall comply with the following:

- A. A minimum of nine feet for all single-family dwellings.
- B. A minimum of 12 feet for one-way traffic for all uses other than single-family dwellings.
- C. A minimum of 20 feet for two-way traffic for all uses other than single-family dwellings.
- D. A maximum of 20 feet at the street lines in residential districts and 30 feet in all other districts.

(Ord. 1998-1, 3/19/1998, §1105)

§27-1106. Number of Location of Access Driveways.

1. For the purpose of providing access to a property, driveways crossing a street line shall be 40 feet apart and shall be limited to two along each front, rear or side lot line. On all corner properties, there shall be a minimum distance of 30 feet from any driveway to the lot line fronting on the intersecting street.

2. There shall be adequate ingress or egress to all parking spaces. There shall be provided an access drive leading to off-street parking and/or loading areas. Such access drive shall not be less than ten feet in width for residential uses nor greater than 20 feet and not less than 20 feet, or greater than 30 feet for any nonresidential use. Access drives to such off-street parking and/or loading areas shall be limited to well defined locations, not to exceed two along each front, side or rear lot lines. For corner properties, all access drives shall be not less than 35 feet from the intersection of streets, as measured along the right-of-way lines.

(Ord. 1998-1, 3/19/1998, §1106)

§27-1107. Location of Off-Street Parking Areas.

The required off-street parking spaces for any type of use shall be located on the same lot as the principal use to which it is accessory. The required off-street parking may be permitted on another lot subject to the following requirements:

- A. The lot to be used for off-street parking and the lot on which the principal use is located shall be in the same zoning district.
- B. The lot to be used for off-street parking and the lot on which the principal use is located shall be held under the same ownership.
- C. The lot to be used for off-street parking shall be not less than 300 feet to any lot line on which the principal structure is located.

(Ord. 1998-1, 3/19/1998, §1107)

§27-1108. Expansion of Existing Use.

When an existing use of a building, structure or land is expanded, off-street parking and/or loading facilities shall be provided in accordance with the applicable provisions of this Chapter for the net increase of expansion based upon land area and/or gross floor area of the subject use.

(Ord. 1998-1, 3/19/1998, §1108)

§27-1109. Change of Use.

Whenever an existing use of a building, structure or land is changed to a different use, the required off-street parking and/or loading facilities shall be provided in accordance with the applicable provisions of this Chapter based upon the proposed change in use.

(Ord. 1998-1, 3/19/1998, §1109)

§27-1110. Grading, Pavement and Drainage of Off-street Parking Areas.

Off-street parking areas shall be graded in a manner to preclude standing surface water and to prevent damage to abutting properties and/or streets. Off-street parking areas shall be surfaced with a pavement structure of bituminous asphalt material or concrete. The need for any catch basins, including the design, location and material of the same may be referred to the Township Engineer for review and approval.

(Ord. 1998-1, 3/19/1998, §1110)

§27-1111. Screening.

Properties which contain off-street parking for ten or more vehicles and/or any amount of off-street loading, along a side yard or rear yard which abuts a residential district or residential use, shall be screened by a substantial, tight fence not less than six feet in height and a planting strip not less than five feet in depth, with shrubbery, plants or trees which are a minimum of three feet in height at the time of planting.

(Ord. 1998-1, 3/19/1998, §1111)

§27-1112. Lighting.

Any lighting used to illuminate off-street parking or loading areas shall be arranged to reflect the light away from adjoining properties and the public right-of-way.

(Ord. 1998-1, 3/19/1998, §1112)

§27-1113. Parking in Setback Yard Areas.

Required parking shall be permitted within the required front or side yard setbacks, provided that the minimum setback distance to any area used for off-street parking is not less than five feet to the nearest point of a side yard property line and not less than ten feet from the front yard property line. Any off-street parking areas for a nonresidential use, when abutting a residential zoning district or a residential property shall be set back a minimum of ten feet from the rear yard and any side yard.

(Ord. 1998-1, 3/19/1998, §1113)

§27-1114. Existing Structures and Uses.

Structures and uses in existence at the date of adoption of this Chapter shall not be subject to the off-street parking or off-street loading requirements, so long as a structure or use is not changed, altered or expanded. Existing off-street parking or off-street loading facilities provided prior to the adoption of this Chapter shall not be reduced below the minimum required in this Chapter.

(Ord. 1998-1, 3/19/1998, §1114)

§27-1115. Fractional Space.

When required parking computation results in fractions, any fraction less than one-half shall be disregarded and any fraction equal to or greater than one-half shall be construed to require a full space.

(Ord. 1998-1, 3/19/1998, §1115)

§27-1116. Multiple Activities or Uses.

In any instance where a nonresidential structure, building or use of land contains more than one defined use, the required parking for each specific use shall be provided.

(Ord. 1998-1, 3/19/1998, §1116)

§27-1117. Off-Street Parking Requirements.

Any structure, building or use of land hereafter erected, converted, enlarged or placed into use shall comply with the minimum off-street parking spaces as provided herein:

-
- A. *Single-family structure.* One space for each dwelling unit.
- B. *Two-family structure.* One space for each dwelling unit.
- C. *Multi-family residential, (including townhouses and garden apartments).* Two spaces for each dwelling unit.
- D. *Boarding house or rooming house.* One space for each guest room.
- E. *Home occupation.*
- (1) Four spaces for any medical practitioner.
 - (2) Two spaces for all other home occupations.
 - (3) The above requirements do not include those required for the dwelling unit.
- F. *Churches and similar places of worship.* One space for every four seats in the main assembly room or one space for each 12 feet of bench length; if fixed seating is not provided, one space for every 30 square feet of gross floor area.
- G. *Places of public or private assembly, including auditoriums, meeting halls and community centers.* One space for every four seats or one space for each 50 square feet of floor area when there is no fixed seating.
- H. *Schools, elementary and secondary.* One space for each staff member, plus one space for every 20 classroom seats.
- I. *College, commercial, business or vocational trade schools.* One space for each staff and/or faculty member, plus one space for every five classroom seats.
- J. *Nursery or day care schools.* One space for each employee, plus one space for every five children, based upon the maximum number of children which the facility is licensed to serve.
- K. *Hospitals/nursing homes.* One space for every five beds, plus one space for every two employees on the maximum working shift.
- L. *Medical or dental offices or clinics.* Six spaces for every doctor, dentist, chiropractor or other licensed medical practitioner.
- M. *Nonprofit social halls, clubs and lodges.* One space for every 100 square feet of gross floor area.
- N. *Public uses.* One space for every 200 square feet of gross floor area.
- O. *Public utility facilities.* Two spaces per facility; if the facility includes maintenance and/or storage yards then the required number of spaces shall be one for each employee assigned to work at such facility.
- P. *Outdoor recreational facilities.* In cases where such facilities include spectator seating, there shall be one space for every four seats; facilities which do not provide any spectator seating shall provide one space for every 2,000 square feet in the recreational site, plus an additional ten spaces, if there is a swimming pool and an additional two spaces if there is playground equipment.
- Q. *Retail businesses.* One space for every 300 square feet of gross floor area.
- R. *Eating and drinking establishments.* One space for every three seats, plus two spaces for every three employees based upon the maximum working shift.
- S. *Fast food restaurant.* One space for every 80 square feet of service or dining area, with a minimum of five spaces. A fast food restaurant with a drive-in window shall, in addition to the above requirements, provide eight stacking spaces for the drive-in window designated for the ordering station. Such spaces shall be designed in a manner not to impede pedestrian or vehicular circulation on the site or on any abutting street.
- T. *Entertainment facilities.* Such facilities as defined in Part 2 of this Chapter, shall re-

quire one space for every 200 square feet of gross floor area.

U. *Miniature golf*. Two spaces for each tee.

V. *Personal services*. As defined in Part 2 of this Chapter, such establishments shall provide one space for every 300 square feet of gross floor area; the following exceptions include:

(1) *Self-service coin-operated laundries and dry cleaners*. Shall provide one space for every two washing or drying machines.

(2) *Health clubs*. Shall provide one space for every 200 square feet of gross floor area; any such club which also serves food and/or beverages shall also comply with the parking requirements of any eating or drinking establishment.

W. *Animal hospital*. Five spaces for every veterinarian.

X. *Group residence*. One space for each two employees based upon the maximum working shift and one space for each two residents who are eligible to operate a vehicle.

Y. *Funeral homes*. Twenty spaces for each viewing parlor.

Z. *Professional offices*. One space for every 200 square feet of gross floor area.

AA. *Motels and hotels*. One space for each unit for guest accommodations plus one space for each three employees on the maximum working shift. Any such facility which also serves food and/or beverages shall also comply with the parking requirements of an eating or drinking establishment.

BB. *Self-storage warehouse*. One space for every ten stalls or lockers available for rental, plus one for each employee on the maximum working shift.

CC. *Gasoline service stations*. Two exterior spaces for each service bay, one space for each pump, plus one space for every 200 square feet of gross floor area which is used for the sale of retail goods, including food and/or beverages.

DD. *Automobile car washes*. One space for each employee on the maximum working shift.

EE. *Automotive sales*. One exterior space for every 600 square feet of gross interior floor space plus one additional space per each 5,000 square feet open sales or display area.

FF. *Automotive repairs*. One exterior space for every 200 square feet of gross interior floor area.

GG. *Equipment sales and repairs*. One exterior space for every 200 square feet of gross floor space.

HH. *Industrial, manufacturing, wholesale and warehouse establishments, truck terminals, research and testing facilities*. One space for every 1,000 square feet of gross floor area; plus one space for every two employees on the maximum working shift; in any case, however, the total parking area shall be not less than 25 percent of the total gross square feet of the building.

II. *Sexually oriented businesses*.

(1) *Sexually oriented bookstore*. One space for every 100 square feet of gross floor area, plus two additional spaces for every three employees based upon the maximum working shift.

(2) *Sexually oriented entertainment*. One space for every 100 square feet of gross floor area, plus:

(a) One additional space for every two seats and/or, one space for each 50 square feet of floor area when there is no fixed seating.

(b) Two additional spaces for every three employees based upon the maximum working shift.

(3) *Massage parlor*. One space for every 100 square feet of gross floor area, plus two

additional spaces for every three employees based upon the maximum working shift.

[*Ord. 2005-5*]

JJ. *Methadone treatment facility*. Twelve spaces for every doctor, licensed medical practitioner, and/or counselor; employed at the facility and one additional space for every 100 square feet of gross floor area. [*Ord. 2003-4*]

KK. *Pawn shop*. One space for every 100 square feet of gross floor area, plus one space for each employee. [*Ord. 2005-5*]

(*Ord. 1998-1, 3/19/1998, §1117; as amended by Ord. 2003-4, 10/6/2003, §7; and by Ord. 2005-5, 3/10/2005, §7*)

§27-1118. Parking for Other Nonresidential Uses.

Any commercial use or nonresidential use of a structure, building or land, not specifically listed within §27-1117 of this Chapter shall provide one off-street parking space for every 300 square feet of gross floor area or lot area.

(*Ord. 1998-1, 3/19/1998, §1118*)

§27-1119. Off-Street Loading Requirements.

All commercial and industrial establishments shall provide off-street loading, unloading and commercial vehicle storage space adequate for their needs. In no case shall a public right-of-way be used for the loading, unloading or storage of such vehicles.

(*Ord. 1998-1, 3/19/1998, §1119*)

§27-1120. Provision of Handicapped Parking Spaces.

1. Any business, individual or corporation that owns, leases or operates a facility which includes the provision of public accommodations and/or commercial facilities shall be governed by the provision of this Section. A facility which provides public accommodations shall include, but may not be limited to, the following:

- A. Places of lodging.
- B. Establishments serving food or drink.
- C. Places of exhibition or entertainment.
- D. Places of public gathering.
- E. Sales or rental establishments.
- F. Service establishments, stations used for specified public transportation.
- G. Places of public display or collection.
- H. Places of recreation.
- I. Places of education.
- J. Social service center establishments, and places of exercise or recreation.

2. A commercial facility shall include any business whose operations are open to the general public.

(*Ord. 1998-1, 3/19/1998, §1120*)

§27-1121. Design Features for Handicapped Parking Spaces.

1. The following provisions shall apply for required handicapped parking spaces:

- A. An area not less than five feet in width shall be provided between each handicapped parking space. Said area shall be marked and/or designed to prevent parking therein.

B. An area not less than eight feet in width shall be provided between each van accessible parking space. Said area shall be marked and/or designed to prevent parking therein.

C. Vehicular access to handicapped parking areas shall have a minimum vertical clearance of not less than nine and one-half feet.

D. An off-street parking area shall be designed to provide accessible routes from the handicapped parking areas to an accessible building entrance and to public streets and sidewalks which adjoin the off-street parking area.

2. Handicapped accessible spaces, serving a particular facility, shall be located on the shortest accessible route of travel from the parking area to an accessible entrance.

(Ord. 1998-1, 3/19/1998, §1121)

§27-1122. Signage for Handicapped Parking.

Handicapped accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility. Parking spaces designed for vans shall have an additional sign reading "Van Accessible" mounted below the accessibility sign. Such signs shall be located in a manner so they cannot be obscured by a vehicle.

(Ord. 1998-1, 3/19/1998, §1122)

§27-1123. Minimum Number of Handicapped Accessible Spaces.

When parking spaces are provided for self-parking by employees or visitors, or both, within the total number of off-street parking spaces required under §27-1117 and/or §27-1118 of this Chapter, the following table shall be used to determine the required number of handicapped accessible spaces.

Total No. Of Spaces	Required No. Of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total

(Ord. 1998-1, 3/19/1998, §1123)

Part 12**Floodplain Management****§27-1201. Statutory Authorization.**

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Floodplain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety and the general welfare of its citizenry.

(Ord. 2012-3, 8/9/2012, §1201)

§27-1202. Intent.

The intent of the regulations as set forth in this Part to:

1. Promote the general health, welfare, and safety of the community.
2. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
3. Minimize danger to public health by protecting water supply and natural drainage.
4. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
5. Comply with federal and state floodplain management requirements.

(Ord. 2012-3, 8/9/2012, §1202)

§27-1203. Applicability.

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

(Ord. 2012-3, 8/9/2012, §1203)

§27-1204. Abrogation and Greater Restrictions.

The regulations within this Part supersede 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 Article, the more restrictive shall apply.

(Ord. 2012-3, 8/9/2012, §1204)

§27-1205. Warning and Disclaimer of Liability.

1. The degree of flood protection sought by the provisions of this Part is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur or flood heights may be increased by natural causes, such as ice jams and bridge openings restricted by debris. This Part does not imply that areas outside any identified floodplain areas or that land uses permitted within such areas will be free from flooding or flood damages.

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

(Ord. 2012-3, 8/9/2012, §1206)

§27-1206. Definitions.

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

Accessory use or structure—a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Base flood—a flood which has a one percent chance of being equaled or exceeded in any given year (also called the “100-year flood”).

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

Basement—any area of the building having its floor below ground level on all sides.

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

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

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

Expansion to an existing manufactured home park or subdivision—the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

Flood—a temporary inundation of normally dry land areas.

Flood Insurance Rate Map (FIRM)—the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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

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

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

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

Highest adjacent grade—the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure—any structure that is:

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

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

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

Manufactured home park or subdivision—a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

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 November 2, 2012, and includes any subsequent improvements to such structures. Any construction started after May 6, 1977 and before November 2, 2012 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

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

Permit—the term permit as used throughout this Part shall mean a zoning permit which is required by the Plains Township Zoning Ordinance for the use of property as set forth in §27-1402 of Plains Township Zoning Ordinance. The regulations contained within this Part shall be deemed to be supplemental as an overlay to the underlying regulations contained in the zoning district in which a property is located.

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

Regulatory flood elevation—the base flood elevation (BFE) plus a freeboard safety factor of one and one-half feet.

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

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

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

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

Subdivision—the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Substantial damage—damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceeds 50 percent or more of the market value of the structure before the damage occurred.

Substantial improvement.

- (1) Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 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 any project for improvement of a structure to correct

existing violations of state or local health, sanitary or safety code specifications which have been identified by the local Code Enforcement Official and which are the minimum necessary to assure safe living conditions.

(2) Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this Part, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

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

Violation—the failure of a structure or other development to be fully compliant with the applicable floodplain management regulations of Plains Townships set forth in this Part. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 C.F.R. §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(4) or (e)(5) and within this Part is presumed to be in violation until such time as that documentation is provided.

(Ord. 2012-3, 8/9/2012, §1207)

§27-1207. Designation of the Floodplain Administrator.

The Zoning Officer is hereby appointed to administer and enforce the provisions of this Part and is referred to herein as the Floodplain Administrator.

(Ord. 2012-3, 8/9/2012, §1208)

§27-1208. Permits Required.

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

(Ord. 2012-3, 8/9/2012, §1209)

§27-1209. Duties and Responsibilities of the Floodplain Administrator.

1. The Floodplain Administrator shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this Part and all other applicable codes and ordinances.

2. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended) 35 P.S. §§750.1 *et seq.*; the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended) 32 P.S. §§693.1 *et seq.*; the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, §404, 33 U.S.C. §1344. No permit shall be issued until this determination has been made.

3. In the case of existing structures, prior to the issuance of any development/permit, the

Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss issues can be addressed before the permit is issued.

4. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He or she shall make as many inspections during and upon completion of the work as are necessary.

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

6. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the permit and report such fact to the Board of Supervisors for whatever action it considers necessary.

7. The Floodplain Administrator shall maintain all records associated with the requirements of this Part including, but not limited to, permitting, inspection and enforcement.

8. The Floodplain Administrator shall consider the requirements of the 34 PA Code and the 2009 EBC and the 2009 IRC or latest revisions thereof.

(Ord. 2012-3, 8/9/2012, §1210)

§27-1210. Application Procedures and Requirements.

1. Application for such a permit shall be made, in writing, to the Floodplain Administrator on forms supplied by Plains Township. Such application shall contain the following:

- A. Name and address of applicant.
- B. Name and address of owner of land on which proposed construction is to occur.
- C. Name and address of contractor.
- D. Site location including address.
- E. Listing of other permits required.
- F. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
- G. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

2. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:

- A. All such proposals are consistent with the need to minimize flood damage and conform to the requirements of this Part and all other applicable codes and ordinances.
- B. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
- C. Adequate drainage is provided so as to reduce exposure to flood hazards.
- D. Structures will be anchored to prevent floatation, collapse or lateral movement.
- E. Building materials are flood-resistant.
- F. Appropriate practices that minimize flood damage have been used.
- G. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities have been designed and/or located to prevent water entry or accumulation.

3. Applicants shall file the following minimum information plus any other pertinent

information as may be required by the Floodplain Administrator to make the above determination:

- A. A completed zoning permit application form.
- B. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 - (1) North arrow, scale and date.
 - (2) Topographic contour lines, if available.
 - (3) The location of all existing and proposed buildings, structures and other improvements, including the location of any existing or proposed subdivision and development.
 - (4) The location of all existing streets, drives and other access ways.
 - (5) The location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
- C. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - (1) The proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988.
 - (2) The elevation of the base flood.
 - (3) Supplemental information as may be necessary under 34 PA Code, the 2009 IBC or the 2009 IRC.
- D. The following data and documentation:
 - (1) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood elevation.
 - (2) Detailed information concerning any proposed floodproofing measures and corresponding elevations.
 - (3) Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an special floodplain area (See §27-1219 Subsection 2.) when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot at any point.
 - (4) (a) A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.
 - (b) Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.
 - (5) Detailed information needed to determine compliance with §27-1224 Subsection 6., Storage, and §27-1225, Development Which May Endanger Human Life, including:
 - (a) The amount, location and purpose of any materials or substances referred to in §§27-1224 Subsection 6. and 27-1225 which are intended to be used, produced, stored or otherwise maintained on site.
 - (b) A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in §27-1225 during a base flood.
 - (6) The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development".

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

E. Applications for permits required under this Section shall be accompanied by a fee payable to the Township based upon the governing fee schedule for the improvements addressed within the subject application. The applicant shall also be responsible for the payment of any other fees associated with any other permits that may be required in accordance with Subsection 1., Paragraph E. above.

(Ord. 2012-3, 8/9/2012, §1211)

§27-1211. Review by County Conservation District.

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

(Ord. 2012-3, 8/9/2012, §1212)

§27-1212. Review of Application by Others.

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

(Ord. 2012-3, 8/9/2012, §1213)

§27-1213. Changes.

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

(Ord. 2012-3, 8/9/2012, §1214)

§27-1214. Placards.

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

(Ord. 2012-3, 8/9/2012, §1215)

§27-1215. Start of Construction.

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

for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

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

(Ord. 2012-3, 8/9/2012, §1216)

§27-1216. Enforcement.

1. *Notices.* Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Part, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

- A. Be in writing.
- B. Include a statement of the reasons for its issuance.
- C. Allow a reasonable time not to exceed a period of 30 days for the performance of any act it requires.
- D. Be served upon the property owner or his or her agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state.
- E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Part.

2. *Penalties.* Any person who fails to comply with any or all of the requirements or provisions of this Part or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a misdemeanor and upon conviction shall pay a fine to Plains Township of not less than \$25 nor more than \$600, plus costs of prosecution. In addition to the above penalties, all other actions are hereby reserved including an action in equity for the proper enforcement of this Part. The imposition of a fine or penalty for any violation of, or noncompliance with, this Part shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered or relocated in noncompliance with this Part may be declared by the Board of Commissioners to be a public nuisance and abatable as such.

(Ord. 2012-3, 8/9/2012, §1217)

§27-1217. Appeals.

1. Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this Part, may appeal to the Zoning Hearing Board. Such appeal must be filed, in writing, within 30 days after the decision, determination or action of the Floodplain Administrator.

2. Upon receipt of such appeal the Zoning Hearing Board convene a hearing in accordance with the procedures set in §27-1506, Hearings.

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

(Ord. 2012-3, 8/9/2012, §1218)

§27-1218. Identification of Floodplain Areas.

1. The identified floodplain area shall be any areas of Plains Township classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated November 2, 2012, and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof including all digital data developed as part of the Flood Insurance Study.
2. The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by Plains Township and declared to be a part of this Part.
(Ord. 2012-3, 8/9/2012, §1219)

§27-1219. Description and Special Requirements of Identified Floodplain Areas.

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

1. The Floodway Area/District Identified as Floodway in the FIS which represents the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those special floodplain areas where no floodway has been identified in the FIS.
 - A. Within any floodway area, no encroachments, including fill, new construction, substantial improvements or other development shall not be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 - B. No new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection Regional Office.
2.
 - A. The AE Area/District without floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA and for which base flood elevations have been provided in the FIS but no floodway has been delineated.
 - B. No permit shall be granted for any construction, development, use or activity within any AE Area/District without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE than one foot at any point.
3.
 - A. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one percent annual chance flood elevations have been provided. For these areas, elevation and floodway information from other federal, state or other acceptable source shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.
 - B. In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations and the like shall be submitted in sufficient detail to allow a thorough technical review by the municipality.
4. The Shallow Flooding Area/ District shall be those areas identified as Zones AO and AH on the FIRM and in the FIS. These areas are subject to inundation by one-percent-annual-chance shallow

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

(Ord. 2012-3, 8/9/2012, §1220)

§27-1220. Changes in Identification of Area.

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

(Ord. 2012-3, 8/9/2012, §1221)

§27-1221. Boundary Disputes.

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

(Ord. 2012-3, 8/9/2012, §1222)

§27-1222. Technical Provisions.

1. Alteration or relocation of watercourse:

A. No encroachment, alteration or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office.

B. No encroachment, alteration or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.

C. In addition, the FEMA and Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.

2. Technical or scientific data shall be submitted by Plains Township to FEMA for a letter of map revision (LOMR) as soon as practicable but within six months of any new construction, development, or other activity resulting in changes in the BFE. The situations when a LOMR or a conditional letter of map revision (CLOMR) are required are:

A. Any development that causes a rise in the base flood elevations within the floodway.

B. Any development occurring in Zones A1-30 and Zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation.

C. Alteration or relocation of a stream (including, but not limited to, installing culverts and bridges).

3. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this Part and any other applicable codes, ordinances and regulations.

4. Within any identified floodplain area (see §27-1220), no new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse.

(Ord. 2012-3, 8/9/2012, §1223)

§27-1223. Elevation and Floodproofing Requirements.

1. *Residential structures.*

- A. In AE, A1-30 and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
- B. In A Zones, where there are no base flood elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with §27-1206 of this Part.
- C. In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.
- D. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401–405 as amended) shall be utilized.

2. *Nonresidential structures.*

- A. In AE, A1-30 and AH Zones, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
- (1) Is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water.
 - (2) Has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- B. In A Zones, where there no base flood elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with §27-1206 of this Part.
- C. In AO Zones, any new construction or substantial improvement shall have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.
- D. Any nonresidential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the WI or W2 space classification standards contained in the publication entitled “Floodproofing Regulations” published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.
- E. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCB 24 and 34 PA Code (Chapters 401–405 as amended) shall be utilized.

3. *Space below the lowest floor.*

- A. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term

“fully enclosed space” also includes crawl spaces.

B. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

- (1) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
- (2) The bottom of all openings shall be no higher than one foot above grade.
- (3) Openings maybe equipped with screens, louvers and the like or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. *Historic structures.* See §27-1206 for requirements for the substantial improvement of any historic structures.

5. *Accessory structures.* Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

- A. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material and equipment related to the principal use or activity.
- B. Floor area shall not exceed 750 square feet.
- C. The structure will have a low damage potential.
- D. The structure will be located on the site so as to cause the least obstruction to the flow of floodwaters.
- E. Power lines, wiring and outlets will be elevated to the regulatory flood elevation.
- F. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers and the like are prohibited.
- G. Sanitary facilities are prohibited.
- H. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - (2) The bottom of all openings shall be no higher than one foot above grade.
 - (3) Openings maybe equipped with screens, louvers and the like or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(Ord. 2012-3, 8/9/2012, §1224)

§27-1224. Design and Construction Standards.

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

1. *Fill.* If fill is used, it shall:
 - A. Extend laterally at least 15 feet beyond the building line from all points.
 - B. Consist of soil or small rock materials only. Sanitary landfills shall not be permitted.
 - C. Be compacted to provide the necessary permeability and resistance to erosion, scouring or settling.
 - D. Be no steeper than one vertical to two horizontal, feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Floodplain Administrator.
 - E. Be used to the extent to which it does not adversely affect adjacent properties.

2. *Drainage facilities.* Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall ensure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
3. *Water and sanitary sewer facilities and systems.*
 - A. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of floodwaters.
 - B. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
 - C. No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
 - D. The design and construction provisions of the UCC and FEMA #348, Protecting Building Utilities From Flood Damages and the International Private Sewage Disposal Code shall be utilized.
4. *Other utilities.* All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
5. *Streets.* The finished elevation of all new streets shall be no more than one foot below the regulatory flood elevation.
6. *Storage.* All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal or plant life, and not listed in §27-1225, Development Which May Endanger Human Life, shall be stored at or above the regulatory flood elevation and/or floodproofed to the maximum extent possible.
7. *Placement of buildings and structures.* All buildings and structures shall be designed, located and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
8. *Anchoring.*
 - A. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.
 - B. All air ducts, large pipes, storage tanks and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.
9. *Floors, walls and ceilings.*
 - A. Wood flooring used at or below the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
 - B. Plywood used at or below the regulatory flood elevation shall be of a “marine” or “water-resistant” variety.
 - C. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are “water-resistant” and will withstand inundation.
 - D. Windows, doors and other components at or below the regulatory flood elevation shall be made of metal or other “water-resistant” material.
10. *Paints and adhesives.*
 - A. Paints and other finishes used at or below the regulatory flood elevation shall be of

“marine” or “water-resistant” quality.

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

C. All wooden components (doors, trim, cabinets and the like) used at or below the regulatory flood elevation shall be finished with a “marine” or “water-resistant” paint or other finishing material.

11. *Electrical components.*

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

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

12. *Equipment.* 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.

13. *Fuel supply systems.* All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the system and discharges from the system into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.

14. *Uniform Construction Code Coordination.* The Standards and Specifications contained 34 PA Code (Chapters 401–405), as amended and not limited to the following provisions shall apply to the above and other Sections and Subsections of this Part, to the extent that they are more restrictive and/or supplement the requirements of this Part.

A. International Building Code (IBC) 2009 or the latest edition thereof: §§801, 1202, 1403, 1603, 1605, 1612, 3402 and Appendix G.

B. International Residential Building Code (IRC) 2009 or the latest edition thereof: §§R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

(Ord. 2012-3, 8/9/2012, §1225)

§27-1225. Development Which May Endanger Human Life.

1. A. 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 any of the following dangerous materials or substances.

(2) Will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises.

(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.

B. The following list of materials and substances are considered dangerous to human life:

(1) Acetone.

(2) Ammonia.

(3) Benzene.

(4) Calcium carbide.

(5) Carbon disulfide.

(6) Celluloid.

(7) Chlorine.

- (8) Hydrochloric acid.
- (9) Hydrocyanic acid.
- (10) Magnesium.
- (11) Nitric acid and oxides of nitrogen.
- (12) Petroleum products (gasoline, fuel oil and the like).
- (13) Phosphorus.
- (14) Potassium.
- (15) Sodium.
- (16) Sulphur and sulphur products.
- (17) Pesticides (including insecticides, fungicides and rodenticides).
- (18) Radioactive substances, insofar as such substances are not otherwise regulated.

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

3. Within any floodplain area, any new or substantially improved structure of the kind described in Subsection 1. above shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.

4. Where permitted within any floodplain area, any new or substantially improved structure of the kind described in Subsection 1. above shall be:

- A. Elevated or designed and constructed to remain completely dry up to at least one and one-half feet above base flood elevation.
- B. Designed to prevent pollution from the structure or activity during the course of a base flood elevation.

5. Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Floodproofing Regulations" (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

(Ord. 2012-3, 8/9/2012, §1226)

§27-1226. Special Requirements for Subdivisions.

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

(Ord. 2012-3, 8/9/2012, §1227)

§27-1227. Special Requirements for Manufactured Homes.

1. Within any FW (Floodway Area), manufactured homes shall be prohibited.
2. Within approximate floodplain or special floodplain area, manufactured homes shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
3. Where permitted within any floodplain area, all manufactured homes, and any improvements thereto, shall be:
 - A. Placed on a permanent foundation.
 - B. Elevated so that the lowest floor of the manufactured home is at least one and one-half

feet above base flood elevation.

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

4. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2009 International Residential Building Code or the U.S. Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing, 1984 Edition, draft or latest revision thereto shall apply and 34 PA Code Chapter 401-405.

5. Consideration shall be given to the installation requirements of the 2009 IBC, and the 2009 IRC or the most recent revisions thereto and 34 PA Code, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the units(s) proposed installation.

(Ord. 2012-3, 8/9/2012, §1228)

§27-1228. Special Requirements for Recreational Vehicles.

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

1. Be on the site for fewer than 180 consecutive days.
2. Be fully licensed and ready for highway use.
3. Meet the permit requirements for manufactured homes in §27-1227.

(Ord. 2012-3, 8/9/2012, §1229)

§27-1229. Prohibited Uses.

The development of the following uses and/or activities including new construction, expansion, enlargement and/or substantial improvement is hereby prohibited in any area of a designated 100-year floodplain:

1. Hospitals.
2. Nursing homes (public or private).
3. Jails, prisons or any similar detention facility.
4. Manufactured home park or manufactured home subdivision.

(Ord. 2012-3, 8/9/2012, §1230)

§27-1230. Existing Structures in Identified Floodplain Areas.

1. *Existing structures.* The provisions of this Part do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of §27-1231, Subsection 2. shall apply.

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

1. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the base flood elevation.
2. No expansion or enlargement of an existing structure shall be allowed within any Special Floodplain Area that would, together with all other existing and anticipated development, increase the BFE more than one foot at any point.
3. Any modification, alteration, reconstruction or improvement, of any kind to an existing structure, to an extent or amount of 50 percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Part.
4. The above activity shall also address the requirements of the 34 PA Code, as amended

and the 2009 IBC and the 2009 IRC.

5. 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 Part.

(Ord. 2012-3, 8/9/2012, §1231)

§27-1231. Variances.

1. *General.* If compliance with any of the requirements of this Article would result in an exceptional hardship to a prospective builder, developer or landowner, the Zoning Hearing Board of Plains Township may, upon request, grant relief from the strict application of the requirements.

2. *Variance procedures and conditions.* Requests for variances shall be considered by the Zoning Hearing Board of Plains Township in accordance with the procedures contained in §27-1217 of this Part and the following.

- A. No variance shall be granted for any construction, development, use or activity within any identified floodplain that would cause any increase the BFE.
- B. No variance shall be granted for any use, activity and/or development that is prohibited under §27-1229 of this Part.
- C. Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by §27-1225, Development Which May Endanger Human Life.
- D. If granted, a variance shall involve only the least modification necessary to provide relief.
- E. In granting any variance, the Zoning Hearing Board of Plains 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.
- F. Whenever a variance is granted, the Zoning Hearing Board of Plains Township shall notify the applicant in writing that:
 - (1) The granting of the variance may result in increased premium rates for flood insurance.
 - (2) Such variances may increase the risks to life and property.
- G. In reviewing any request for a variance, the Zoning Hearing Board of Plains Township shall consider, at a minimum, the following:
 - (1) That there is good and sufficient cause.
 - (2) That failure to grant the variance would result in exceptional hardship to the applicant.
 - (3) That the granting of the variance will:
 - (a) Neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense; nor
 - (b) Create nuisances, cause fraud on, or victimize the public or conflict with any other applicable state or local ordinances and regulations.
- H. A complete record of all variance requests and related actions shall be maintained by the Zoning Hearing Board of Plains Township. In addition, a report of all variances granted during the year shall be included in the annual report to the FEMA.

3. *Minimum resistance.* Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one percent annual chance flood. (Ord. 2012-3, 8/9/2012, §1232)

Part 13**Enforcement and Administration****§27-1301. Zoning Officer.**

1. *Appointment.* A Zoning Officer, who shall not hold any elected office within Plains Township, shall be appointed by the Board of Commissioners. The Zoning Officer shall meet qualifications established by Plains Township, which shall at minimum include, a working knowledge of municipal zoning.

2. *Duties and powers of the Zoning Officer.* It shall be the duty of the Zoning Officer to enforce the provisions of this Chapter in accordance with its literal terms and said officer shall not have the power to permit any construction, alteration or any use or change of use to land or structure which does not conform to the applicable provisions within this Chapter. The Zoning Officer's duties shall include, but are not limited to, the following:

- A. Receive and review all applications for zoning permits and to approve and issue zoning permits when warranted.
- B. Keep an official record of all business and activities, including all complaints of zoning violations of any of the provisions of this Chapter and the resulting action of said complaints.
- C. Conduct inspections of properties as required to fulfill his or her duties. In conducting such activities, the Zoning Officer may have access to any land, building or structure.
- D. Issue permits as authorized by the Zoning Hearing Board or the Planning Commission, pursuant to the requirements and applicable procedures of this Chapter or by written order of a court of proper jurisdiction.
- E. Issue certificates of zoning compliance in accordance with the terms and provisions of this Chapter.
- F. Issue certificates of nonconformity to nonconforming uses and/or structures and to maintain a listing of such as required.
- G. Maintain the Zoning Map, showing the current zoning districts of all land and the zoning text, including amendments thereto.
- H. Notify the Zoning Hearing Board of required and/or requested hearings based upon the completion of his or her review and processing of applications for a zoning permit. The submission of an application for a zoning permit to the Zoning Officer and his or her determination that a hearing before the Board is either required or requested shall be a prerequisite for any application being forwarded to the Zoning Hearing Board for consideration.
- I. Participate in proceedings before the Zoning Hearing Board and Planning Commission and at their request, furnish such facts, records and similar information which may assist them in rendering decisions.

(Ord. 1998-1, 3/19/1998, §1301)

§27-1302. Zoning Permit.

1. *Issuance of permit.* No building, structure or sign shall be erected, constructed, moved, added to or structurally altered, nor shall any land, structure or building be put to any use without first obtaining a zoning permit from the Zoning Officer. No application shall be submitted to or considered by the Zoning Hearing Board until the Zoning Officer has received an application for a zoning permit and has determined that an approval and/or review by the Zoning Hearing Board is required or requested by the applicant. No such permit shall be issued except in conformity with the provisions of

this Chapter or upon written order from the Zoning Hearing Board in the form of a special exception, variance or as otherwise provided for by this Chapter or any court of proper jurisdiction. Normal and routine maintenance and repairs to a structure shall be exempt from obtaining a zoning permit. Interior remodeling of a structure shall also be exempt from obtaining a zoning permit provided that such remodeling does not include structural alterations or result in a change in the use of the structure.

2. *Form of application.* All applications for permits shall be made in writing by the owner, his or her authorized agent or equitable owner and shall be filed with the Zoning Officer on forms prescribed by the same. All applications shall be accompanied by two sets of plans and information which includes, but is not limited to, the following:

- A. A plan drawn to scale, indicating the actual dimensions and shape of the lot to be built upon and a written statement that the applicant is the owner or authorized agent of the owner or equitable owner.
- B. The exact size and location on the lot of existing and/or proposed structures, buildings or signs, including proposed additions thereto.
- C. The number and type of dwelling units, if applicable.
- D. The amount and location of parking and/or loading facilities.
- E. The existing use and/or proposed use of the property.
- F. The height of the building, structure and/or sign.
- G. A detailed scale drawing of all signs, existing and proposed, indicating their location and how they are and/or will be affixed to the property.
- H. Existing and/or proposed access to the site.
- I. Any other information deemed necessary by the Zoning Officer to determine conformance with the provisions and regulations of this Chapter.

3. *Processing applications.* The Zoning Officer shall return one copy of the plans and accompanying information to the applicant upon marking such copies approved or denied and attested to the same by his or her signature. One copy of the plans and accompanying information shall be retained by the Zoning Officer and kept on file.

4. *Time period for processing application.* A zoning permit shall be approved or denied within 30 days from the date of receipt of a completed application and plans along with any additional information as required by the Zoning Officer. A zoning permit shall not be deemed complete, until all applicable and associated fees are paid in full. In cases of denial, the applicant shall be informed of his or her rights of appeal as prescribed within this Chapter. Such notice shall be in writing under the signature of the Zoning Officer.

5. *Expiration of zoning permit.* A zoning permit shall expire one year from the date of issuance, if the work described in said permit has not commenced, including permits authorized to be issued by the Zoning Hearing Board. If the work described within the zoning permit has commenced within the prescribed one-year period, the permit shall expire two years from the date of issuance. An extension of time may be granted as a variance from the Zoning Hearing Board.

6. *Revocation of permits.* The Zoning Officer may revoke a permit or approval issued in error under the provisions of this Chapter or in the case of any false statements or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other just cause as set forth in this Chapter.

(Ord. 1998-1, 3/19/1998, §1302)

§27-1303. Certificate of Zoning Compliance.

A certificate of zoning compliance, issued by the Zoning Officer, shall be required prior to the occupation for the use or change of use of any building, structure or land. It shall be unlawful to use and/or occupy any structure, building and/or land or portions thereof in any manner until a certificate

of zoning compliance has been issued and obtained from the Zoning Officer. Residential accessory structures uses shall be exempt from securing a certificate of zoning compliance.

A. *Applications.* All applications for a certificate of zoning compliance shall be made in writing on forms prescribed by the Zoning Officer and shall include all information necessary for the Zoning Officer to ascertain compliance with the subject zoning permit and this Chapter.

B. *Issuance of certificate of zoning compliance.* A certificate of zoning compliance shall not be issued until the Zoning Officer has certified the proposed use complies with all provisions and regulations of this Chapter or upon written order from the Zoning Hearing Board or any court of proper jurisdiction.

C. *Time limitation.* An application for a certificate of zoning compliance shall be approved or denied within 30 days after the Zoning Officer has been officially notified of either the completion of construction or the request to occupy and use land where no construction is involved.

(Ord. 1998-1, 3/19/1998, §1303)

§27-1304. Enforcement Procedures.

1. *Notice of violation.* If in the judgment of the Zoning Officer, it appears that a violation of this Chapter has occurred, the Zoning Officer shall initiate enforcement proceedings by sending a violation notice to the owner of record of the parcel of land on which the violation has occurred, to any person who has filed a written request to receive violation notices regarding the parcel of land and to any other person requested in writing by the owner of record. The violation notice shall include, but may not be limited to, the following:

A. The name of the owner of record and any other person against whom Plains Township intends to take action.

B. The location and/or address of the property in violation.

C. The specific violations with a description of the requirements which have not been met, citing in each instance the applicable Sections and provisions of this Chapter.

D. The date by which the steps for compliance must be commenced and the date by which the steps for compliance must be completed.

E. That the recipient of the violation notice has the right to appeal the violation notice and request a hearing on the same before the Zoning Hearing Board within 30 days from the issuance of the violation notice. Section 27-1506, "Hearings", shall govern the procedural process of any appeal of a violation notice.

F. Failure to comply with the notice within the specified time period, unless extended by an appeal to the Zoning Hearing Board, constitutes a violation, with a description of sanctions which shall result to correct or abate the violation.

2. *Causes of action.* In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Board of Commissioners or, with the approval of the Board of Commissioners, an officer or agent of Plains Township, or any aggrieved owner or tenant of real property who shows that his or her property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceedings to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation of this Chapter. When such action is instituted by a landowner or tenant, notice of that action shall be served upon Plains Township not less than 30 days prior to the time the action is begun by serving a copy of the complaint to the Board of Commissioners. No action may be taken until such notice has been given.

3. *Jurisdiction.* Magisterial district judges shall have initial jurisdiction over proceedings

brought under Subsection 4. of this Section. [A.O.]

4. *Enforcement remedies.*

A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceedings commenced by Plains Township or the Zoning Officer, shall pay a judgment of not more than \$500, plus all court costs, including reasonable attorney's fees incurred by Plains Township as a result of said proceedings. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, Plains Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge determining that there has been a violation and further determines that there has been a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation. In such cases, there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the magisterial district judge and thereafter each day that a violation continues shall

constitute a separate violation. All judgments, costs and reasonable attorney's fees collected for the violation of this Chapter shall be paid over to Plains Township. [A.O.]

B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

C. Nothing contained in this Section shall be construed or interpreted to grant any person or entity other than Plains Township the right to commence any action for enforcement pursuant to this Section.

(*Ord. 1998-1, 3/19/1998, §1304; as amended by A.O.*)

§27-1305. Schedule of Fees, Charges and Expenses.

The Board of Commissioners shall establish by resolution a schedule of fees, charges and expenses and collection procedures for zoning permits, certificates of occupancy, certificates of nonconformance, appeals to the Zoning Hearing Board, applications for conditional uses, amendments to this Chapter or Zoning Map and any other matters pertaining to the administration of this Chapter. The schedule of fees, charges and expenses shall be available for public inspection and may be altered or amended by resolution of the Board of Commissioners. No action shall be taken on any application, appeal or certificate until all related fees, charges and expenses have been paid in full. An application shall not be deemed as filed until completed and submitted with payment in full of appropriate fees.

(*Ord. 1998-1, 3/19/1998, §1305*)

Part 14**Amendments****§27-1401. Amendment Procedure.**

1. The provisions of this Chapter and the boundaries of the zoning districts as set forth upon the Zoning Map, may from time to time be amended by the Township Board of Commissioners in accordance with the provisions as set forth in the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10101 *et seq.*, as amended. Prior to adopting any amendment to this Chapter or to the Zoning Map, the following procedures shall be met:

A. Any proposed amendment, not initiated by the Township Planning Commission, shall be referred to the Township Planning Commission not less than 30 days prior to a public hearing before the Township Board of Commissioners to provide the Township Planning Commission an opportunity to submit any comments or recommendations regarding the proposed amendment.

B. Prior to voting on the enactment of any proposed amendment, the Township Board of Commissioners shall hold a public hearing pursuant to public notice. If, after any public hearing held upon a proposed amendment, said amendment is substantially changed, or is revised to include land not previously affected by the proposed amendment, the Township Board of Commissioners shall hold another public hearing before proceeding to vote on the amendment.

C. Any recommendation of the Township Planning Commission shall be submitted to the Township Board of Commissioners in writing.

D. Not less than 30 days prior to the public hearing, the Township Board of Commissioners shall submit the proposed amendment to the Luzerne County Planning Commission for its comments and recommendation. In addition to the proposed amendment, the Township Board of Commissioners shall submit the required fees charged by the Luzerne County Planning Commission for their review.

E. Proposed action shall not be taken until the Township Planning Commission and the Luzerne County Planning Commission comments and recommendations are submitted to the Township Board of Commissioners. If either Commission fails to act within 30 days, from its receipt of the proposed amendment, the Township Board of Commissioners may proceed without such recommendation.

F. If a proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by Plains Township at points deemed sufficient along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted not less than one week prior to the date of the public hearing.

2. In addition to posting the tract, written notice will be provided to the owners of all properties within a distance of 200 feet of any property boundary line of the property subject to the proposed zone change. It shall be the responsibility of the applicant to provide the Township with the names and mailing addresses of the true and correct owners of record based upon the records contained in the Luzerne County Tax Assessor's Office and a copy of the corresponding Tax Assessment Map of the true and correct owners of record whose properties fall within the required distance of 200 feet. While it shall be the intent of Plains Township to provide written notice to such owners who may be substantially interested in the proposed amendment to the Zoning Map, failure to do so, shall not invalidate an otherwise a duly enacted ordinance which provides for a change in the Zoning Map.

(Ord. 1998-1, 3/19/1998, §1401)

§27-1402. Applications for Amendments to the Text or Map.

The application for a proposed amendment, which is not submitted as a curative amendment, to the text of this Chapter or to the Zoning Map, shall be submitted in writing to the Zoning Officer, who shall process said application in accordance with §27-1401 of this Chapter. An application shall contain the following information when applicable:

- A. The applicant's name and address and/or the name and address of his or her authorized agent or the equitable owner.
- B. A signed statement by the owner of record attesting to the truth of the facts of all information contained within the application.
- C. A scaled plan of the area proposed to be rezoned, which indicates abutting streets, the zone classification of adjoining properties and the names and addresses of the true and correct owners of record based upon the records contained in the Luzerne County Tax Assessor's Office, for a distance (diameter) extending 200 feet from the area proposed to be rezoned.
- D. Plans, drawings and explanatory material, which describes in detail the applicant's proposed use and/or development of the property.
- E. Specify those Sections of this Chapter or areas upon the Zoning Map which will be affected by the proposed amendment.

(Ord. 1998-1, 3/19/1998, §1402)

§27-1403. Curative Amendments.

1. *Initiated by landowner.*

A. A landowner who desires to challenge on substantive grounds the validity of this Chapter or the Zoning Map, or any provision thereof, which prohibits or restricts the use or development of land in which he or she has an interest, may submit a curative amendment to the Township Board of Commissioners with a written request that his or her challenge and proposed amendment to cure the alleged defect, be heard and decided by the Township Board of Commissioners. In addition to the written request and proposed amendment, the landowner shall also submit plans, drawings and explanatory material, which describes in detail his or her proposed use or development. The Township Board of Commissioners shall commence a public hearing pursuant to public notice within 60 days of the landowner's request. The 60-day period shall not commence until all required information and material is submitted, along with all related fees.

B. The curative amendment and supporting information shall be referred to the Township Planning Commission and the Luzerne County Planning Commission for their review and comment not less than 30 days prior to the public hearing.

C. The public hearing before the Township Board of Commissioners shall be conducted in accordance with the procedures contained in §27-1506 of this Chapter and all references therein to the Zoning Hearing Board shall, for the purposes of this Section, be references to the Township Board of Commissioners. Public notice of the required public hearing shall include notice of the validity of those particular provisions of this Chapter and/or the Zoning Map which are in question, along with the place where the proposed amendment, plans, drawings, explanatory material and any other pertinent information may be examined by the public.

D. If the Township Board of Commissioners determines that a validity challenge has merit, it may accept a landowner's curative amendment, with or without revisions, or it may adopt an alternative amendment which will cure the challenged defects. The Township Board of Commissioners shall consider in addition to the proposed curative amendment,

plans, drawings and explanatory material the following items:

- (1) The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.
- (2) If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this Chapter and/or Zoning Map.
- (3) The suitability of the site for the intensity of use proposed in relationship to the site's soils, slopes, woodlands, floodplains, aquifers, natural resources and other natural features.
- (4) The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features, in relationship to the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.
- (5) The impact of the proposal on the preservation of agriculture and any other land uses which are essential to the public health and welfare.

E. The proposed curative amendment shall be deemed denied in accordance with any of the following:

- (1) When the Township Board of Commissioners notifies the landowner that it will not adopt the curative amendment.
- (2) When the Township Board of Commissioners adopts another curative amendment which is unacceptable to the landowner.
- (3) When the Township Board of Commissioners fails to act on the request within 45 days after the close of the last public hearing on the request, unless the time is extended by mutual consent by the landowner and the Township Board of Commissioners.

2. *Initiated by the township.*

A. If the Township Board of Commissioners determines this Chapter or the Official Zoning Map, or any portion thereof, to be substantially invalid, it shall declare such by a formal action and propose to prepare a curative amendment to overcome such invalidity. Within 30 days following said declaration, the Township Board of Commissioners shall by resolution make specific findings setting forth the declared invalidity which may include:

- (1) References to specific uses which are either not permitted or not permitted in sufficient quantity.
- (2) Reference to a class of use or uses which require revision.
- (3) Reference to the entire ordinance and/or map which requires revisions.

B. Within 180 days from the date of the declaration and proposal as set forth in this Section, the Township Board of Commissioners shall enact a curative amendment to correct those portions deemed invalid or reaffirm the validity of those portions initially deemed to be invalid. Upon the initiation of procedures as set forth in this Section, the Township Board of Commissioners shall not be required to entertain or consider any landowner's curative amendment, nor shall the Zoning Hearing Board be required to consider a substantive challenge to the validity of this Chapter or Zoning Map, pursuant to §27-1508 Paragraph A. of this Chapter, based upon grounds identical to or substantially similar to those specified in the Township Board of Commissioners' resolution.

C. The Township Board of Commissioners, having utilized the procedures as set forth in this Section, may not again utilize said procedure for a 36-month period following the date of the enactment of a curative amendment or reaffirmation of the validity of this Chapter and/or Zoning Map. However, if after the date of declaration and proposal, there is a sub-

stantially new duty or obligation imposed upon Plains Township by virtue of a change in statute or by virtue of a Pennsylvania Appellate Court decision, Plains Township may utilize the provisions of this Section to prepare a curative amendment to fulfill said duty or obligation.

(*Ord. 1998-1, 3/19/1998, §1403*)

§27-1404. Enactment of Amendments.

A proposed amendment to this Chapter or to the Zoning Map shall be enacted in conformance with the following:

- A. The Township Board of Commissioners shall conduct a public hearing pursuant to public notice and in accordance with the procedures as contained within §27-1401 of this Chapter.
- B. Public notice shall include the time, place and date of the meeting at which enactment will be considered and a place within Plains Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof.
- C. Public notice shall include either the full text of the amendment or the title and a brief summary of the amendment as prepared by the Township Solicitor. If the full text is not included, then a copy of such shall be supplied to the newspaper in which the public notice is published, and an attested copy to the County Law Library.
- D. In the event substantial changes are made to the proposed amendment, before voting upon enactment, the Township Board of Commissioners shall, not less than ten days prior to enactment, readvertise in one newspaper of general circulation in Plains Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the changes.

(*Ord. 1998-1, 3/19/1998, §1404*)

§27-1405. Notification to County.

Within 30 days after the enactment of an amendment to this Chapter or to the Zoning Map, a copy of the amendment shall be forwarded to the Luzerne County Planning Commission.

(*Ord. 1998-1, 3/19/1998, §1405*)

Part 15**Zoning Hearing Board****§27-1501. Membership of Board.**

The membership of the Zoning Hearing Board shall consist of five residents of Plains Township appointed by the Township Board of Commissioners by resolution. The terms of office for Board members shall be five years and shall be so fixed that the term of office of one member shall expire each year. The Board shall promptly notify the Township Board of Commissioners of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township, including membership upon the Planning Commission.

(Ord. 1998-1, 3/19/1998, §1501)

§27-1502. Alternates to Zoning Hearing Board.

The Township Board of Commissioners may appoint by resolution one resident of Plains Township to serve as an alternate member of the Board. When seated pursuant to the provisions of §27-1504 of this Chapter, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during proceedings, and shall have all the powers and duties set forth in this Chapter and as otherwise provided by law. An alternate shall hold no other office in the Township, including membership on the Planning Commission. An alternate may participate in any proceedings or discussions of the Board, but shall not be entitled to vote as a member of the Board unless designated as a voting alternate member pursuant to §27-1504 of this Chapter. The term of office for an alternate member of the Zoning Hearing Board shall be one year.

(Ord. 1998-1, 3/19/1998, §1502)

§27-1503. Removal of Members.

Any Board member or alternate may be removed for malfeasance, misfeasance or nonfeasance in office or for any other just cause by the Township Board of Commissioners. Prior to any vote by the Township Board of Commissioners, the member shall receive notice 15 days in advance of the date at which it intends to take such a vote. A hearing before the Township Board of Commissioners shall be held in connection with the vote, if the member requests a hearing in writing.

(Ord. 1998-1, 3/19/1998, §1503)

§27-1504. Organization of Board.

1. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board. The Board, however, may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in §27-1506. If by any reason of absence or disqualification of a member, a quorum is not reached, the Chairperson of the Board shall designate the alternate member of the Board to be seated to establish a quorum. The alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case.

2. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of Plains Township and laws of the Commonwealth. The Board shall keep full public

records of its business, which records shall be the property of the Township, and shall submit an annual report of its activities to the Township Board of Commissioners.

(Ord. 1998-1, 3/19/1998, §1504)

§27-1505. Expenditures for Services.

Within the limits of appropriated funds, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and technical services which they may deem necessary to augment the Board in the performance of its duties.

(Ord. 1998-1, 3/19/1998, §1505)

§27-1506. Hearings.

The Zoning Hearing Board shall conduct hearings and render decisions in accordance with the following:

A. Notice of hearings before the Board shall be by public notice; a notice published once a week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of matters to be considered at the hearing by the Board. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

B. Written notice of all hearings before the Board shall be conspicuously posted on the affected property not less than one week prior to the hearing.

(1) Written notice shall be given to the Zoning Officer, to the applicant, to the owner of record of the subject property before the Board, if different than that of the applicant, to the owner of record of any property which has a common side yard or rear yard boundary or opposite frontage with the subject property before the Board and to any party or person who has submitted a written request to receive notification on the subject property.

(2) The applicant shall be responsible for providing the Zoning Hearing Board with the names and addresses of the true and correct owners of record based upon the records contained in the Luzerne County Tax Assessor's Office. While it shall be the intent of the Plains Township Zoning Hearing Board to provide written notice to property owners which have a common side yard, rear yard or opposite frontage to the subject property before the Board, failure to do so shall not represent a basis for appeal or otherwise invalidate a decision and/or finding of the Zoning Hearing Board.

(3) In the event a hearing is continued to a future date for the purpose of obtaining additional information, additional testimony or to render a decision, and the Zoning Hearing Board publicly announces during the course of the hearing the time and date for the resumption of the hearing, additional written notice need not be provided to the above parties.

C. The Township Board of Commissioners may prescribe reasonable fees with respect to hearings before the Board. Fees for said hearings may include compensation for the Secretary, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Board or expenses for engineering, architectural or other technical consultants or expert witnesses.

D. The first hearing shall be held within 60 days from the applicant's request, unless the applicant has agreed in writing to an extension of time. The 60-day time period shall not commence until the applicant has submitted a properly completed application, with all required signatures, supporting information, the names and mailing addresses of parties to receive notice of the hearing, and all required fees. Each subsequent hearing shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or

on the record. An applicant shall complete the presentation of his or her case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the Zoning Hearing Board or hearing officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete his or her case-in-chief provided the persons opposed to the application are granted an equal number of hearings. Persons opposed to the application may, upon written consent or consent on the record by the applicant and Township, may be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal. [*Ord. 2005-5*]

E. Hearings shall be conducted by the Board or by any member appointed by the Board as a hearing officer. The decision, or where no decision is called for, the findings shall be made by the Board, unless the appellant or applicant, as the case may be, in addition to the Township, agree to waive any decision or findings by the Board and accept the decision or findings of the hearing officer as final. If the decision or findings of the hearing officer are to be accepted as final, all parties to the hearing must agree to such stipulation at the outset of the hearing.

F. The parties to the hearing shall be the Township, any person affected by the application who has made a timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties to the hearing enter appearances in writing on forms provided by the Board for such purpose.

G. The presiding Chairperson or Acting Chairperson of the Board or hearing officer shall have the power to administer oaths and issue subpoenas to compel attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by parties to the hearing. The parties to the hearing shall have the right to be represented by legal counsel and shall be afforded the opportunity to respond and present evidence and arguments and to cross-examine adverse witnesses on all relevant issues.

H. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

I. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer, or shall be paid by the person appealing from the decision of the Board, if such appeal is made and in the event the cost of additional copies shall be paid by the person requesting such copies. In other cases the party requesting the original transcript shall bear the cost thereof.

J. The Board, collectively or individually, or the hearing officer, shall not communicate directly or indirectly with any party or his or her representatives in connection with any issue before the Board involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from its solicitor, unless all parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his or her representative unless all parties are given an opportunity to be present.

K. The Board or the hearing officer, as the case may be, shall render a written decision or, if no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or hearing officer. If the application is contested or denied,

each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefor. Conclusions based on any provisions of this Chapter or any other ordinance, rule or regulation, shall contain a reference to the provisions relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his or her decision or findings are final, the Board shall make his or her report and recommendations available to the parties of record within 45 days. The parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, with the Board's decision entered no later than 30 days after the report of the hearing officer. If the Board fails to hold the required hearing within 60 days from the date of the applicant's request for hearing, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. If a decision has been rendered in favor of the applicant because of their failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within ten days from the last day it could have met to render a decision in the same manner as provided under Paragraph A. above and written notice of the decision shall be mailed to those parties identified under Paragraph B. above. If the Board fails to provide such notice, the applicant may do so. Nothing contained within this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

L. In any appeal of an enforcement notice under §27-1304 of this Chapter to the Zoning Hearing Board shall require that the Zoning Officer and/or Township provide its evidence first to the Board regarding the basis, nature and supporting information regarding the subject enforcement notice. Upon the conclusion of the same, the appealing party shall provide the Board with his or her evidence in contesting the subject enforcement notice. Any filing fees paid by a party to appeal an enforcement notice to the Zoning Hearing Board shall be returned to said party, if Zoning Hearing Board or any subsequent court rules in favor of the appealing party.

M. The final decision or, where no decision is called for, the findings shall be rendered by the Zoning Hearing Board at a public hearing. A copy of the written decision or findings shall be delivered to the applicant personally or mailed to him or her not later than the day following the date of the Board's decision or findings. The Zoning Hearing Board shall provide by mail or otherwise, to all persons who have filed their name and address with the Board, not later than the last day of the hearing, a statement of brief notice of the decision or findings and a statement of the place and at which a copy of the full decision or findings may be examined.

(*Ord. 1998-1, 3/19/1998, §1506; as amended by Ord. 2005-5, 3/10/2005, §9*)

§27-1507. Mediation Option.

1. Mediation may be utilized as an aid designed to supplement, as opposed to replacing, any proceedings before and under the jurisdiction of the Zoning Hearing Board. In no case, however, shall the Board or any member of the Board, initiate the use of mediation. No member of the Board shall be allowed to participate as a mediating party or be present during any sessions of mediation. Nothing within this Section shall be interpreted as expanding or limiting municipal police powers or modifying any principles of substantive law.

2. Mediation shall be voluntary among all subject parties with the appropriateness of mediation determined by the particular issues of each case and the willingness among all the subject parties to negotiate. In order to supplement proceedings before the Zoning Hearing Board, the following information shall be submitted to the Board in written form and signed by all parties to the mediation, the selected mediator, and the Zoning Hearing Board.

- A. Method and commitment of funding of mediation.
- B. The mediator shall be an attorney and/or an individual who is certified by the American Arbitration Association, who shall possess a working knowledge of municipal zoning and subdivision practices and procedures.
- C. A schedule which shall clearly prescribe the time limitations for both the start and completion of mediation. The completion date shall be adhered to even if the negotiations fail to result in a mediated agreement by said date.
- D. Suspension of the appropriate time limitations which apply to the Zoning Hearing Board in convening a hearing and/or rendering a decision, once a hearing is convened, subject to executing a document of expressed written consent by the mediating parties, and by the Zoning Hearing Board.
- E. Identification of all subject parties and affording them the opportunity to participate.
- F. A determination of whether some or all of the mediation sessions shall be opened or closed to the public, subject to governing legal constraints.
- G. An agreement among the mediating parties, that any mediated solution be in written form and subject to review and approval by the Zoning Hearing Board.
- H. Any mediation which concludes within the prescribed time limits under Subsection C. of this Section, which does resolve in whole or in part, the issues subject to mediation, shall then proceed under the hearing process before the Zoning Hearing Board.
- I. No offer or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

(Ord. 1998-1, 3/19/1998, §1507)

§27-1508. Jurisdiction of Zoning Hearing Board.

The Zoning Hearing Board, in accordance with the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10101 *et seq.*, as amended, shall have exclusive jurisdiction to hear and render final adjudication in the following matters:

- A. Substantive challenges to the validity of any land use ordinance, except for those brought before the Township Board of Commissioners under §27-1403 of this Chapter.
- B. Challenges to the validity of any land use ordinance, based upon procedural questions or alleged defects in the process of enactment or adoption. Challenges based upon procedural questions or alleged defects shall be raised by an appeal to the Board within 30 days after the effective date of the Chapter subject to the appeal.
- C. Appeals from the determination of the Zoning Officer, including, but not limited to, the application and/or interpretation of regulations, granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order, the revocation of a zoning permitted/or building permit or the registration or refusal to register any nonconforming use, structure or lot.
- D. Appeals from a determination by the Zoning Officer with reference to the administration of any floodplain provision or regulation within any land use ordinance.
- E. Applications for variances, pursuant to §27-1509 of this Chapter.
- F. Applications for special exceptions pursuant to §27-1510 of this Chapter.
- G. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management not related to development which is classified as a subdivision, land development or a planned residential development.

§27-1509. Variances.

1. *Initial determination by Zoning Officer.* An application for a variance shall not be submitted to or considered by the Zoning Hearing Board until the following procedure has been completed:

A. The applicant submits an application for a zoning permit to the Zoning Officer in accordance with §27-1302 of this Chapter.

B. The Zoning Officer is reviewing the subject application renders a determination that the proposed development and/or use of property fails to comply with an applicable provisions and/or regulations of this Chapter.

C. The Zoning Officer specifies the applicable Sections of this Chapter relative to the applicant's need to secure a variance(s) from the Zoning Hearing Board.

2. *Provisions for granting variances.*

A. The Zoning Hearing Board shall hear requests for variances if it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance, provided that all of the following findings are made where relevant in a given case:

(1) There are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Chapter in the neighborhood or district in which the property is located.

(2) Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(3) Such unnecessary hardship has not been created by the appellant.

(4) The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

(5) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

B. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter and the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10101 *et seq.*, as amended.

(Ord. 1998-1, 3/19/1998, §1509)

§27-1510. Special Exceptions.

1. *Initial determination by Zoning Officer.* An application for a special exception use shall not be submitted to or considered by the Zoning Hearing Board until the following procedure has been completed:

A. The applicant submits an application for a zoning permit to the Zoning Officer in accordance with §27-1302 of this Chapter and a site plan in accordance with §27-603 of this Chapter.

B. The Zoning Officer shall initially review the site plan to determine its compliance with §27-603 of this Chapter.

C. The Zoning Officer shall also render a determination regarding whether the proposed development and/or use is required to secure any variances from the Zoning Hearing Board, in addition to securing a special exception approval.

2. *Provisions for granting a special exception approval.*

A. The Zoning Hearing Board shall hear and decide requests for uses and/or development which are permitted as special exception uses. Special exception uses shall be referred to the Planning Commission for their review, comments and recommendations prior to final action by the Board. The Board shall grant approval only upon the determination that the proposed use and/or development conforms with all applicable standards and provisions within this Chapter and the following expressed standards and criteria:

(1) Public services and facilities such as streets, sewers, water, police and fire protection shall be adequate for the proposed use and/or development.

(2) Existing and future streets and access to the site shall be adequate for emergency services, for avoiding undue congestion, and for providing for the safety and convenience of pedestrian and vehicular traffic.

(3) The relationship of the proposed use and/or development to other uses and activities existing or planned in the vicinity shall be harmonious in terms of the location and site relative to the proposed operation, and the nature and intensity of the operation involved.

(4) The relationship of the proposed use and/or development to other activities existing or planned in the vicinity shall be harmonious in terms of the character and height of buildings, walls and fences so that the use, development and value of adjacent property is not impaired.

(5) The proposed use and/or development shall not be more objectionable in its operations in terms of noise, fumes, odors, vibration or lights than would be the operations of any permitted use in the district.

(6) The proposed use and/or development shall not be injurious to the public interest.

B. In granting approval, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter and the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §§10101 *et seq.*, as amended.

(Ord. 1998-1, 3/19/1998, §1510)

§27-1511. Parties Appellant Before the Board.

Appeal and/or applications for hearings before the Zoning Hearing Board pursuant to those matters contained within §27-1509 of this Chapter, may be filed with the Board in writing by the affected landowner or by any aggrieved person or party. The Board shall not accept appeals or applications for hearings from any tenant or equitable owner of a property without the express written consent of the landowner. In such cases, the landowner's signature shall be required upon all applicable forms, applications or documents which are to be submitted to the Board.

(Ord. 1998-1, 3/19/1998, §1511)

§27-1512. Time Limitations.

1. No person shall be allowed to file any proceeding with the Zoning Hearing Board later than 30 days after an application for the development, preliminary or final, has been approved by an appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he or she had no notice,

knowledge or reason to believe that such approval had been given. If such person has succeeded to his or her interest after such approval, he or she shall be bound by the knowledge of his or her predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan for a planned residential development, pursuant to §709 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10709, as amended, or from an adverse decision by a zoning officer on a challenge to the validity of an ordinance or map based upon substantive grounds, pursuant to §916.2 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10916.2, as amended, shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.

2. Any landowner wishing to appeal a decision of the Zoning Hearing Board shall be required to file such appeal to a court of competent jurisdiction within 30 days after the notice of the Board's determination is issued. Failure to do so within the prescribed 30-day time period shall preclude any further appeal of the Board's decision.

(Ord. 1998-1, 3/19/1998, §1512)

§27-1513. Stay of Proceedings.

1. Upon filing of any proceeding referred to in §27-1508 of this Chapter, and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Officer or other appropriate agency or body. When the application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post a bond as a condition to continuing the proceedings before the Board.

2. After the petition is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all the evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for a bond. The right to petition the court to order the appellants to post bond may be waived by the appellee, but such waiver may be revoked by him or her if an appeal is taken from a final decision of the court.

3. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.

4. If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the order below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses and attorney's fees incurred by the petitioner.

(Ord. 1998-1, 3/19/1998, §1513)

Part 16**Appeals****§27-1601. Appeals to Court.**

The procedures set forth in Article X-A of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §11001-A, as amended, shall constitute the exclusive mode for securing judicial review of any decision rendered or deemed to have been made under this Chapter.

(*Ord. 1998-1*, 3/19/1998, §1601)

Part 17**Airport District Overlay Ordinance****§27-1701. Purpose.**

The purpose of this Part is to create an airport district overlay that considers safety issues around the Wilkes-Barre/Wyoming Valley Airport (WBW) and the Wilkes-Barre/Scranton Airport (AVP), regulates and restricts the heights of constructed structures and objects of natural growth, creates appropriate zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such zones, creates the permitting process for use within said zones and provides for enforcement, assessment of violation penalties, an appeals process and judicial review.

(*Ord. 1998-1*, 3/19/1998, §1701; as added by *Ord. 2012-1*, 5/10/2012, §1; as amended by *Ord. 2013-3*, 10/10/2013, §1)

§27-1702. Relation to Other Zone Districts.

The Airport District Overlay shall not modify the boundaries of any underlying zoning district. Where identified, the Airport District Overlay shall impose certain requirements on land use and construction in addition to those contained in the underlying zoning district.

(*Ord. 1998-1*, 3/19/1998, §1702; as added by *Ord. 2012-1*, 5/10/2012, §2; as amended by *Ord. 2013-3*, 10/10/2013, §2)

§27-1703. Definitions.

The following words and phrases when used in this Part shall have the meaning given to them in this Section unless the context clearly indicates otherwise.

Airport elevation—the highest point of an airport's useable landing area measured in feet above sea level. The airport elevation of the Wilkes-Barre/Wyoming Valley Airport is 543.3 (MSL) and the Wilkes-Barre/Scranton Airport is 962.0 (MSL).

Airport hazard—any structure or object, natural or human-made, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 C.F.R. Part 77 and 74 Pa.C.S.A. §5102.

Airport hazard area—any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Part and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation), 74 Pa.C.S.A. §§5101 *et seq.*

Approach surface (zone)—an imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The approach surface zone, as shown on Figure 27-17-1, is derived from the approach surface.

Conical surface (zone)—an imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to one foot vertically for a horizontal distance of 4,000 feet. The conical surface zone, as shown on Figure 27-17-1, is based on the conical surface.

Department—Pennsylvania Department of Transportation.

FAA—Federal Aviation Administration of the United States Department of Transportation.

Height—for the purpose of determining the height limits in all zones set forth in this Part and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise

specified.

Horizontal surface (zone)—an imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The horizontal surface zone, as shown on Figure 27-17-1, is derived from the horizontal surface.

Nonconforming use—any pre-existing structure, object of natural growth or use of land which is inconsistent with the provisions of this Part or an amendment thereto.

Nonprecision instrument runway—a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

Obstruction—any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth by this Part.

Other than utility runway—a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Precision instrument runway—a runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary surface (zone)—an imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The primary surface zone, as shown on Figure 27-17-1, is derived from the primary surface.

Runway—a defined area of an airport prepared for landing and takeoff of aircraft along its length.

Structure—object, including a mobile object, constructed or installed by humans, including, but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

Transitional surface (zone)—An imaginary surface that extends outward and upward from the edge of the primary and approach surfaces to the horizontal surface at a slope of seven feet horizontally to one foot vertically (7:1). The transitional surface zone, as shown on Figure 27-17-1, is derived from the transitional surface.

Tree—any object of natural growth.

Utility runway—a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

Visual runway—a runway intended solely for the operation of aircraft using visual approach procedures.

(Ord. 1998-1, 3/19/1998, §1702; as added by Ord. 2012-1, 5/10/2012, §3; as amended by Ord. 2013-3, 10/10/2013, §3)

§27-1704. Establishment of Airport Zones.

There are hereby created and established certain zones within this Part, defined in §27-1703 and depicted on Figure 27-17-1 and depicted on the Plains Township Zoning Map, hereby adopted as part of this Part, which include:

- A. Approach Surface Zone.

- B. Conical Surface Zone.
- C. Horizontal Surface Zone.
- D. Transitional Surface Zone.

(*Ord. 1998-1*, 3/19/1998, §1702; as added by *Ord. 2012-1*, 5/10/2012, §4; as amended by *Ord. 2013-3*, 10/10/2013, §4)

§27-1705. Permit Applications.

1. As regulated by Act 164 and defined by 14 C.F.R. Part 77.13(a) (as amended or replaced), any person who plans to erect a new structure, to add to an existing structure, or to erect and maintain any object (natural or human-made), in the vicinity of the Wilkes-Barre/Wyoming Valley Airport (WBW) and the Wilkes-Barre/Scranton Airport (AVP), shall first notify the Department's Bureau of Aviation (BOA) by submitting PennDOT Form AV-57 to obtain an obstruction review of the proposal at least 30 days prior to commencement thereof. The Department's BOA response must be included with this permit application for it to be considered complete. If the Department's BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of this Part. If the Department's BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in §27-1706.

A. In the areas lying within the limits of the horizontal surface zone and conical surface zone, no permit shall be required for any proposed tree or proposed structure less than 75 feet of vertical height except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for this zone.

B. In areas lying within the limits of the approach surface zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any proposed tree or proposed structure less than 75 feet of vertical height above the ground except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for this zone.

C. In areas lying within the limits of the transitions surface zone, beyond the perimeter of the horizontal surface zones, no permit shall be required for any proposed tree or proposed structure less than 75 feet of vertical height above the ground, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for this zone.

2. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Part, except that no permit is required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.

(*Ord. 1998-1*, 3/19/1998, §1702; as added by *Ord. 2012-1*, 5/10/2012, §5; as amended by *Ord. 2013-3*, 10/10/2013, §5)

§27-1706. Variance.

1. Any request for a variance shall include documentation in compliance with 14 C.F.R. Part 77 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA and the Department's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:

A. *No objection.* The subject construction is determined not to exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determina-

tion a variance shall be granted.

B. *Conditional determination.* The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in §27-1709, Obstruction Marking and Lighting.

C. *Objectionable.* The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant.

2. Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the intent of this Part.

(Ord. 1998-1, 3/19/1998, §1702; as added by Ord. 2012-1, 5/10/2012, §6; as amended by Ord. 2013-3, 10/10/2013, §6)

§27-1707. Use Restrictions.

Notwithstanding any other provisions of this Part, no use shall be made of land or water within the Airport District Overlay in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the Wilkes-Barre/Wyoming Valley Airport (WBW) and the Wilkes-Barre /Scranton Airport (AVP).

(Ord. 1998-1, 3/19/1998, §1702; as added by Ord. 2012-1, 5/10/2012, §7; as amended by Ord. 2013-3, 10/10/2013, §7)

§27-1708. Pre-existing Nonconforming Uses.

The regulations prescribed by this Part shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Part, or otherwise interfere with the continuance of a nonconforming use. No nonconforming use shall be structurally altered or permitted to grow higher, so as to increase the nonconformity, and a nonconforming use, once substantially abated (subject to the underlying zoning ordinance) may only be reestablished consistent with the provisions herein.

(Ord. 1998-1, 3/19/1998, §1702; as added by Ord. 2012-1, 5/10/2012, §8; as amended by Ord. 2013-3, 10/10/2013, §8)

§27-1709. Obstruction Marking and Lighting.

Any permit or variance granted pursuant to the provisions of this Part may be conditioned according to the process described in §27-1706 to require the owner of the structure or object of natural growth in question to permit the municipality, at its own expense, or require the person requesting the permit or variance, to install, operate and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

(Ord. 1998-1, 3/19/1998, §1702; as added by Ord. 2012-1, 5/10/2012, §9; as amended by Ord. 2013-3, 10/10/2013, §9)

§27-1710. Violations and Penalties.

Subject to the process in this Chapter 27, Part 13, entitled "Enforcement and Administration".

(Ord. 1998-1, 3/19/1998, §1702; as added by Ord. 2012-1, 5/10/2012, §10; as amended by Ord. 2013-3, 10/10/2013, §10)

§27-1711. Appeals.

Subject to the process in this Chapter 27, Part 16, entitled “Appeals”.

(*Ord. 1998-1*, 3/19/1998, §1702; as added by *Ord. 2012-1*, 5/10/2012, §11; as amended by *Ord. 2013-3*, 10/10/2013, §11)

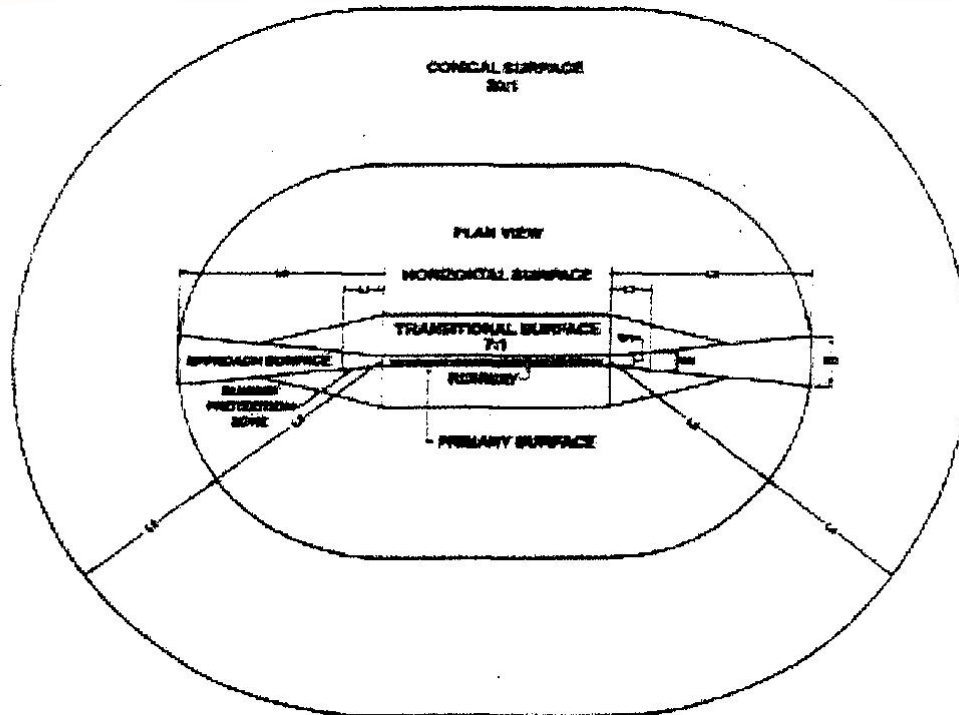
§27-1712. Conflicting Regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this Part and any other regulation applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

(*Ord. 1998-1*, 3/19/1998, §1702; as added by *Ord. 2012-1*, 5/10/2012, §12; as amended by *Ord. 2013-3*, 10/10/2013, §12)

FIGURE 27-17-1: PART 77 SURFACE AREAS

(Ord.
2013-3
,
10/10/
2013)



FOR PART 77 "IMAGINARY SURFACES" DIMENSION REQUIREMENTS										
Surface Type	Surface Code	Conical Surface	Horizontal Surface	Approach Surface			Approach Surface	Primary Surface	Transitional Surface	
		ft	ft	Length	Inner Width	Outer Width	ft	ft	ft	ft
Small Approach	V	4,000	8,000	8,000	800	1,200	30:1	800	7:1	7:1
	MP	4,000	8,000	8,000	800	1,200	30:1	800	7:1	7:1
	MP-34	4,000	8,000	8,000	1,000	1,200	30:1	1,000	7:1	7:1
	P	4,000	8,000	8,000	1,000	1,200	30:1	1,000	7:1	7:1
	V	4,000	8,000	8,000	800	1,200	30:1	800	7:1	7:1
	MP-34	4,000	8,000	8,000	1,000	1,200	30:1	1,000	7:1	7:1
Large Approach	V	4,000	16,000	16,000	800	1,200	30:1	800	7:1	7:1
	MP	4,000	16,000	16,000	800	1,200	30:1	800	7:1	7:1
	MP-34	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	P	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	V	4,000	16,000	16,000	800	1,200	30:1	800	7:1	7:1
	MP-34	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
Large and Small Approach	V	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	MP	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	MP-34	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	P	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	V	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1
	MP-34	4,000	16,000	16,000	1,000	1,200	30:1	1,000	7:1	7:1

1 - ft
2 - Less than 12,000 lbs maximum applied wheel weight
3 - Greater than 12,000 lbs maximum applied wheel weight

W = Wheel approach 30:1
MP = Intermediate approach 30:1
MP-34 = Intermediate approach with visibility minimums as per 34 code table 34-1
P = Precision approach 30:1

Note: L1 is the length of the RPT and L2 is the outer width of the RPT as defined by approach visibility minimums

Source: Federal Highway Administration



Pennsylvania Land Use
Comprehensive
Exhibit

**PART 77 SURFACES
AND DIMENSION REQUIREMENTS**

Exhibit
3

Zoning Map Amendments

Ord. /Res.	Date	Subject
Ord. 1998-5	7/16/1998	Re-zoned and re-classified a piece of land from a I-1 Industrial District to a R-2 Residential District.
Ord. 2005-5	3/10/2005	Re-zoned piece of land from a I-1 (Industrial) to B-3 (Highway Commercial).
Ord. 2015-6	9/10/2015	Re-zoned approximately 65 acres which encompasses the site of the former Valley Crest Nursing Home and a property owned by Bold Gold Media, WBS, LP (site of radio tower) from C-1 (Conservation) to MU (Mixed Use).

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 "Table of 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	Adjustments to Township Boundaries
B	Debt and Bond Issues
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
Adjustments to Township Boundaries

[Reserved]

Appendix B

Debt and Bond Issues

Ord./Res.	Date	Subject
Res. --/--	--/--	Determining the highest responsible bidder for the purchase of \$65,000 General Obligation Improvement Bonds of the Township and authorizing the sale of the bonds
Res. --/--	--/--	To make a temporary loan with First National Bank of Pittston in the sum of \$17,000
Ord. --/--	--/--	Authorizing an increase of the indebtedness of the Township by making a loan of \$16,000 without bonds, for capital expenditures for municipal equipment, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 12/7/1954	12/7/1954	To borrow from First National Bank of Wilkes-Barre, as a temporary loan, the sum of \$15,000, promissory note bearing interest not exceeding 4 percent per annum
Res. 12/6/1955	12/6/1955	To borrow from First National Bank of Wilkes-Barre, as a temporary loan, the sum of \$20,000, promissory note bearing interest not exceeding 4 percent per annum
Ord. 11/29/1963	11/29/1963	Authorizing an increase of the indebtedness of the Township by making a loan of \$12,390 without bonds, for capital expenditures for municipal equipment, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 11/29/1963	11/29/1963	Amending the Budget of 1963
Ord. 1964-20	1/1/1964	Authorizing and directing the issuance of General Obligation Bonds of the Township in the maximum amount of \$50,000 to provide funds for and toward the acquisition of land and the construction and furnishing of a Town Hall
Res. 1/15/1964	1/15/1964	To borrow from First National Bank of Pittston, as a temporary loan or a series of loans, the sum of \$25,000 in anticipation of taxes to be collected during the current fiscal year
Ord. 7/30/1965	7/30/1965	Authorizing an increase of the indebtedness of the Township by making a loan of \$8,000 without bonds, for capital expenditures for municipal improvement and equipment, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 12/15/1965	12/15/1965	To borrow from First National Bank of Pittston, as a temporary loan, the sum of \$7,500 in anticipation of taxes to be collected during the current fiscal year

(App. B)

Ord./Res.	Date	Subject
Res. 1/14/1966	1/14/1966	To borrow from First National Bank of Pittston, as a temporary loan or a series of loans, the sum of \$40,000 in anticipation of taxes to be collected during the current fiscal year
Ord. 2/25/1966	2/25/1966	Authorizing an increase of the indebtedness of the Township by making a loan of \$6,400 without bonds, for capital expenditures for municipal equipment, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 1/13/1967	1/13/1967	To borrow from First National Bank of Wilkes-Barre, as a temporary loan or a series of loans, the sum of \$30,000 in anticipation of taxes to be collected during the current fiscal year
Ord. 1967-1	2/15/1967	Approving the form of interim and permanent financing of a project consisting of the financing and construction of sewage collection facilities for the Township
Ord. 5/12/1967	5/12/1967	Authorizing an increase of the indebtedness of the Township by making a loan of \$2,800 without bonds, for capital expenditures for municipal equipment, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 8/15/1967	8/15/1967	Authorizing the advertisement for sale of \$65,000 of General Obligation Improvement Bonds of the Township; specifying the form of advertisement and adopting the terms of sale; prescribing the manner of publication; and repealing inconsistent resolutions
Ord. 9/7/1967	9/7/1967	Authorizing and directing the issuance of General Obligation Improvement Bonds, 1967 Series, in the amount of \$65,000 for the purpose of providing funds for and toward the cost of making improvements to Township streets and paying incidental costs and expenses
Ord. 12/29/1967	12/29/1967	Authorizing an increase of the indebtedness of the Township by making a loan of \$13,500 without bonds, for capital expenditures for municipal improvement, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 5/15/1969	5/15/1969	Authorizing the making of temporary loans in the aggregate sum of \$60,000 for the payment of current operating expenses during the fiscal year 1969
Ord. 5/15/1969	5/15/1969	Authorizing an increase of the indebtedness of the Township by making a loan of \$18,600 without bonds, for capital expenditures for municipal equipment, providing for the levying of tax for the payment of the loan and prescribing the form of the security to be used
Res. 1/15/1970	1/15/1970	Authorizing the Township to borrow the sum of \$40,000 to be used for operating expenses during the current fiscal year
Res. 6/30/1970	6/30/1970	Extending the maturity date of loan

Ord./Res.	Date	Subject
Res. 10/31/1972B	10/31/1972	Authorizing the execution and indebtedness of \$33,000 Capital Outlay Loan
Res. 8/29/1974	8/29/1974	Authorizing the making of a temporary loan
Res. 10/28/1976	10/28/1976	Authorizing the execution and indebtedness of Operation and Maintenance Loan
Res. 2/7/1980	2/7/1980	Authorizing the issuance of a Tax Anticipation Note in the amount of \$100,000
Res. 2/1/1982	2/1/1982	Authorizing the issuance of a Tax Anticipation Note in the amount of \$225,000
Ord. 3/12/1987	3/12/1987	Declaring the refunding of the Wyoming Valley Sanitary Authority Sewer Revenue Bonds, Series of 1985
Res. 2/11/1988A	2/11/1988	The intent that the Ordinance on March 12, 1987 would be a continuing ordinance until such time as the interest rates declined to a point where the refunding would be to the advantage of the Township
Res. 1990-56	12/13/1990	Tax and Revenue Anticipation Note Series of 1991 to be issued in January of 1991, and to mature on December 31, 1991
Res. 1991-1	1/10/1991	Rescinding the authorization of Tax and Revenue Anticipation Note Series of 1991
Res. 1992-1	1/30/1992	Tax and Revenue Anticipation Note Series of 1992 to be issued in February of 1992, and to mature on December 31, 1992
Ord. 1992-1	4/9/1992	Approving as a project the refunding of the Sewer Authority of the Township's guaranteed Sewer Revenue Bonds, Series of 1989
Res. 1993-1	1/14/1993	Tax and Revenue Anticipation Note Series of 1993 to be issued in January of 1993, and to mature on December 31, 1993
Res. 1993-35	12/30/1993	Tax and Revenue Anticipation Note Series of 1994 to be issued in January of 1994, and to mature on December 31, 1994
Res. 1994-20	3/23/1994	Authorizing small borrowing for capital purposes
Res. 1994-26	7/14/1994	Placing items in its budget for the current fiscal year
Res. 1995-2	--/1995	Authorizing the issuance of Tax and Revenue Anticipation Notes, Series 1995
Res. 1997-2	2/13/1997	Authorizing the issuance of Tax and Revenue Anticipation Notes, Series 1997
Ord. 1997-6	11/13/1997	Authorizing the incurring of Nonelectoral Debt to finance the cost of a project
Res. 1997-29	12/11/1997	Authorizing the issuance of Tax and Revenue Anticipation Notes, Series 1998

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Ord./Res.	Date	Subject
Res. 1998-10	7/16/1998	Authorizing small borrowing for capital purposes
Ord. 1998-6	10/8/1998	Authorizing the incurring of Nonelectoral Debt to finance the cost of a project
Res. 1998-10-9	10/9/1998	Authorizing the Sewer Authority of the Township to loan the Township the sum of \$80,000 at zero percent interest
Res. 1998-13	11/12/1998	Authorizing borrowing in anticipation of current taxes and current revenues and the issuance of Tax and Revenue Anticipation Notes; providing for the form of Notes; awarding the Notes at a negotiated sale to Mellon Bank; providing security for the Notes
Res. 1999-19	12/9/1999	Authorizing Tax and Revenue Anticipation Note in the amount of \$240,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Res. 2000-25	12/21/2000	Authorizing Tax and Revenue Anticipation Note in the amount of \$260,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Ord. 2001-1	11/8/2001	Increasing the indebtedness of the Township by the issue of a General Obligation Note in the amount of \$335,000 for Sundry purposes
Ord. 2001-2	11/8/2001	Increasing the indebtedness of the Township by the issue of a General Obligation Note in the amount of \$545,000 for Sundry purposes
Res. 2001-11	12/27/2001	Authorizing Tax and Revenue Anticipation Note in the amount of \$260,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Res. 2001-12	12/27/2001	Authorizing small borrowing for capital purposes under §8109 of the LGUDA
Res. 2002-25	12/12/2002	Authorizing Tax and Revenue Anticipation Note in the amount of \$270,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Res. 2003-15	12/18/2003	Authorizing small borrowing for capital purposes under §8109 of the LGUDA
Res. 2003-14	12/18/2003	Authorizing Tax and Revenue Anticipation Note in the amount of \$300,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Res. 2004-3	2/12/2004	Authorizing Tax and Revenue Anticipation Note in the amount of \$120,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Ord. 2004-1	3/11/2004	Increasing the indebtedness of the Township by the issue of a General Obligation Note in the amount of \$554,000 for Sundry purposes
Res. 2004-15	11/11/2004	Authorizing Tax and Revenue Anticipation Note in the amount of \$450,000 in anticipation of the receipt of current taxes and revenues to be sold at private sale
Res. 2006-21	7/13/2006	Authorizing the issuance of a Tax and Anticipation

Ord./Res.	Date	Subject
		Note, Series 2006
Res. 2006-24	--/2006	Authorizing the issuance of a Tax and Anticipation Note, Series 2007
Ord. 2006-5	10/2/2006	\$1,000,000 General Obligation Notes, Series PNC-
Res. 2011-2	1/13/2011	Authorizing the incurring of lease obligations in an amount not-to-exceed \$860,000 to be evidenced by a Lease Purchase Agreement with Manufacturers and Traders Trust Company

(App. B)

Appendix C

Franchises and Services

A. General

Ord./Res.	Date	Subject
Res. --/--	--/--	Giving permission and consent to Pennsylvania Power & Light Company and its successors and assigns in the operation of electric facilities in the Township to construct, operate and maintain facilities
Ord. 1950-5	9/19/1950	Providing for the furnishing of electric street lighting service
Ord. 4/29/1966	4/29/1966	Granting a non-exclusive franchise to Universal Television Cable Systems, Inc. to construct, install and operate a community antenna television system within the geographical limits of the Township
Res. 10/31/1968	10/31/1968	Giving permission and consent to Pennsylvania Power & Light Company and its successors and assigns in the operation of electric facilities in the Township to construct, operate and maintain facilities
Res. 1/31/1969	1/31/1969	Giving permission and consent to Pennsylvania Power & Light Company and its successors and assigns in the operation of electric facilities in the Township to construct and maintain facilities
Res. 9/15/1969	9/15/1969	Granting permission to Pennsylvania Power & Light Company, its successors and assigns in the operation of electric facilities in the Township to install and underground service in the sidewalk area of St. Mary's Street for the purpose of serving Mr. Walter Rymar
Agrmt. 5/5/1977	5/5/1977	Authorizing the execution of this agreement by its proper officers and in consideration of the sum of \$1 to it paid at the date hereof by Pennsylvania Power & Light Company
Res. 7/13/1978A	7/13/1978	Giving permission and consent to Pennsylvania Power & Light Company and its successors and assigns in the operation of electric facilities in the Township to install underground facilities in the sidewalk area on North River Street to serve the Plains Township Sewer Authority Station A
Ord. 5/12/1988	5/12/1988	Amending the ordinance granting franchise to Universal Television Cable Systems, Inc. to construct, install and operate a community television system and closed circuit television system
Res. 1990-17	3/8/1990	Providing for the furnishing of electric street light service
Ord. 1995-3	9/14/1995	Authorizing the Board of Commissioners and other appropriate officials of the Township to execute and enter into a Franchise Renewal Agreement between the Township and Universal Television Cable Systems, Inc.

(App. C)

Ord./Res.	Date	Subject
Ord. 2013-2	1/10/2013	Authorizing execution of a cable franchise agreement between the Township and Comcast of Colorado/Pennsylvania/West Virginia, LLC

B. Streetlights

Street	Activity	Description	Ord./Res.	Date
Anesbury Street	Installing	a street light on Pole No. 1410	Res. 9/29/1967	9/29/1967
Atherton Street	Installing	a street light on Pole No. 1588	Res. 9/29/1967	9/29/1967
Avon Street	Installing	a street light on Pole No. 9092	Res. 7/15/1965	7/15/1965
Bergh Street	Installing	a street light on Pole No. 440	Res. 11/14/1969	11/14/1969
Bergh Street	Installing	(Hudson Section), a street light on Pole No. 2587	Res. 10/15/1970	10/15/1970
Catherine Street	Installing	a street light on Pole No. 2176	Res. 9/30/1959	9/30/1959
Center Street	Installing	a street light on Pole No. 2863	Res. 9/29/1967	9/29/1967
Chamberlain Street	Installing	a street light on Pole No. 100	Res. 11/14/1969	11/14/1969
Chestnut Street	Installing	a street light on Pole No. 3089	Res. 7/15/1965	7/15/1965
Clark Street	Installing	pole and light to be installed at end of Clark Street near last home	Res. 9/29/1967	9/29/1967
Clark Street	Installing	two poles and to attache wires to four Township poles along Clark Street, to supply electric service to Eaglesville Excavating Company	Res. 5/17/1984	5/17/1984
Clarke Street	Installing	one pole and one guy, overhead wires and underground cable, to serve Mr. John Benzi	Res. 10/31/1969	10/31/1969
Cook Street	Installing	a street light on Pole No. 2T5174	Res. 7/15/1965	7/15/1965

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Street	Activity	Description	Ord./Res.	Date
Cortright Street	Installing	a street light on Pole No. 2T2679	Res. 7/15/1965	7/15/1965
Cortright Street	Removing	a street light on Pole No. 2T2678	Res. 7/15/1965	7/15/1965
Crow Street	Installing	a street light on Pole No. 2617	Res. 9/29/1967	9/29/1967
Diana Street	Installing	a new pole and anchor guy, for the purpose of serving a new home	Res. 10/14/1971	10/14/1971
East End Boulevard	Installing	street lights on Pole Nos. 9055 and KT2-20-9069	Res. 9/29/1967	9/29/1967
East Main Street	Installing	one pole along East Main Street in the Fox Hill Section	Res. 8/2/1979	8/2/1979
East Mountain Boulevard	Conversion	the overhead lighting to underground-supplied street lights	Res. 1993-34	12/9/1993
East Saylor Avenue	Installing	a street light on Pole No. 20518	Res. 10/31/1972A	10/31/1972
Enterprise Street	Installing	a street light on the rear of Enterprise Street	Res. 7/15/1965	7/15/1965
First Street	Installing	a street light on Pole No.	Res. 9/29/1967	9/29/1967
Garden Drive	Installing	a street light on Pole No. 2T5174	Res. 7/15/1965	7/15/1965
Garden Drive	Installing	at Merlino Street, Hudson Gardens, a street light on Pole No. 5170	Res. 10/31/1972	10/31/1972
Haines Street	Changing	a street light on Pole No. 1425	Res. 7/15/1965	7/15/1965
Henry Street	Changing	a street light on Pole No. 1989	Res. 7/15/1965	7/15/1965
Henry Street	Installing	a street light on Pole No. 2397-92W	Res. 9/29/1967	9/29/1967

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Street	Activity	Description	Ord./Res.	Date
Hilldale Avenue	Installing	a street light on Pole No. 1762	Res. 9/30/1959	9/30/1959
Hillside Street	Installing	a street light on Pole No. 1622WB	Res. 9/29/1967	9/29/1967
Hollenback Street	Installing	a street light on Pole No. 1470	Res. 9/29/1967	9/29/1967
Hudson Road	Installing	two poles and anchor guy on Third Lane	Res. 6/5/1950	6/5/1950
Hudson Street	Installing	a street light on Pole No. 2632	Res. 7/15/1965	7/15/1965
Keystone Road	Changing	a street light on Pole No. 16382	Res. 9/29/1967	9/29/1967
Laflin Road	Installing	Plains (th Ward), a street light on Pole No. 19652	Res. 9/15/1970	9/15/1970
Lloyd Street	Installing	(2nd Ward), a street light on Pole No. 550	Res. 9/15/1970	9/15/1970
Maffet Street	Installing	a street light at the rear of 337 Maffet Street	Res. 3/12/1965	3/12/1965
Maffett Street	Installing	Across from pole, a street light on Pole No. 234	Res. 6/27/1969	6/27/1969
Main Road	Installing	Fox Hill Section (10th Ward), a street light on Pole No. 3029	Res. 9/15/1970	9/15/1970
Maple Street	Installing	a street light on Pole No. 2879	Res. 9/29/1967	9/29/1967
Margaret Street	Removing and Replacing	the existing street light on Pole No. 400 C.P.–2189, at the rear of the Plains Township High School	Res. 4/29/1966	4/29/1966
Miner Street	Installing	Hudson, a street light on Pole No. 21147	Res. 10/31/1972	10/31/1972
New Street	Installing	West end of New Street, a street light on last Pole No. 540	Res. 9/29/1967	9/29/1967

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Street	Activity	Description	Ord./Res.	Date
New Street	Installing	a pole at 36 New Street	Res. 9/15/1970	9/15/1970
New Street	Installing	a pole at 58 New Street	Res. 9/15/1970	9/15/1970
North Main Street	Changing	a street light on Pole No. 1989	Res. 7/15/1965	7/15/1965
North Main Street	Installing	a street light on Pole No. 1996	Res. 7/15/1965	7/15/1965
North River Street	Installing	a street light on Pole No. 1650	Res. 10/31/1972	10/31/1972
North River Street	Installing	a street light on Pole No. 1653	Res. 10/31/1972	10/31/1972
North River Street	Installing	a street light on Pole No. 1656	Res. 10/31/1972	10/31/1972
North Street	Installing	a street light on Pole No. 2863	Res. 9/29/1967	9/29/1967
Oak Street	Changing	a street light on Pole No.	Res. 9/29/1967	9/29/1967
Parking Lot	Installing	in the parking lot of the new Town Hall, at a site designated by Allen, Rodda & Hauch, Architects, two area lights	Res. 3/30/1965	3/30/1965
Parkview Drive	Installing	Plains (2nd Ward), a street light on Pole No. 100K	Res. 9/15/1970	9/15/1970
Parkview Terrace	Installing	a street light on Pole No. 11090	Res. 6/27/1969	6/27/1969
Penn State Alley	Installing	two poles on Penn State Alley	Res. 10/9/1986	10/9/1986
Pittston Boulevard	Installing	a street light on Pole No. 15507WP	Res. 9/29/1967	9/29/1967
Recreation Area	Installing	Plains Township Recreation Area, Hilldale, requires change in existing light	Res. 10/31/1972	10/31/1972

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Street	Activity	Description	Ord./Res.	Date
Ridgewood Road	Installing	a street light on Pole No. 58	Res. 9/30/1959	9/30/1959
Ridgewood Road	Installing	a street light on Pole No. 2672	Res. 6/27/1969	6/27/1969
Ridgewood Road	Installing	Keystone Section (8th Ward), a street light on Pole No. 2701	Res. 9/15/1970	9/15/1970
Ridgewood Street	Transferring	the street light on Pole No. 2753 to Pole No. 2754	Res. 1/31/1962	1/31/1962
River Street	Changing	a street light on Pole No. 1509	Res. 9/29/1967	9/29/1967
River Street	Installing	a street light on Pole No. 481	Res. 9/29/1967	9/29/1967
River Street	Installing	a street light on Pole No. 1470	Res. 9/29/1967	9/29/1967
River Street	Installing	near A&P, a street light on Pole No. 134	Res. 9/29/1967	9/29/1967
Riverview Terrace	Installing	two additional street lights at Pole Nos. 2T962 and 2T5166	Res. 11/1/1962	11/1/1962
Riverview Terrace	Installing	a street light on Pole No. 2T9347	Res. 9/29/1967	9/29/1967
Scott	Installing	a street light on Pole No. 1421	Res. 9/30/1959	9/30/1959
Seminole Avenue	Installing	a street light on Pole No. 9082	Res. 10/31/1972	10/31/1972
South River Street	Installing	Plains (2nd Ward), a street light on Pole No. 100K	Res. 9/15/1970	9/15/1970
St. David Street	Installing	a street light on Pole No. 1604WB	Res. 9/29/1967	9/29/1967

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Street	Activity	Description	Ord./Res.	Date
St. James Street	Installing	48 St. James Street, a street light on Pole No.-Unknown	Res. 10/31/1972	10/31/1972
Stark Street	Changing	a street light on Pole No. 2118	Res. 7/15/1965	7/15/1965
Stark Street	Changing	a street light on Pole No.	Res. 9/29/1967	9/29/1967
Thomas Street	Installing	Plains (10th Ward), a street light on Pole No. 18291	Res. 9/15/1970	9/15/1970
Thomas Street Extension	Installing	one pole along the Thomas Street Extension located to the rear of 21 Charles Street	Res. 7/13/1978	7/13/1978
Tulip Drive	Installing	Hudson (9th Ward), a street light on Pole No. 20152	Res. 9/15/1970	9/15/1970
Union Street	Installing	a street light on Pole No. 2632	Res. 7/15/1965	7/15/1965
Union Street	Installing	a street light on pole Key-T, located across the street from Warren Ralston property	Res. 9/29/1967	9/29/1967
Union Street	Installing	a street light on Pole No. 2637	Res. 6/27/1969	6/27/1969
Unknown	Changing	a street light on Pole No. 2833	Res. 9/29/1967	9/29/1967
Unknown	Installing	a street light on Pole No. 292	Res. 9/30/1959	9/30/1959
Unknown	Installing	Manor Section, a street light on Pole No. 9085	Res. 10/15/1970	10/15/1970
Warner Street	Changing	a street light on Pole No. 1425	Res. 7/15/1965	7/15/1965
West Bergh Street	Installing	a street light on pole to be erected	Res. 6/27/1969	6/27/1969
West Carey Street	Changing	a street light on Pole No. 1509	Res. 9/29/1967	9/29/1967

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Street	Activity	Description	Ord./Res.	Date
West Carey Street	Installing	a street light on Pole No. 2187	Res. --/--	--/--
West Charles	Installing	a street light on Pole No. 6924	Res. 9/30/1959	9/30/1959
West Stanton Street	Installing	a street light on Pole No. 507	Res. 7/15/1965	7/15/1965
West Stanton Street	Installing	a pole, Hudson	Res. 9/15/1970	9/15/1970
West Stanton Street	Transferring	street light transferred and installed on Bergh Street (Hudson Section) Pole No. 2587	Res. 10/15/1970	10/15/1970
Wyoming Street	Installing	a street light on Pole No. 1410	Res. 9/29/1967	9/29/1967

Appendix D

Governmental and Intergovernmental Affairs

Ord./Res.	Date	Subject
Res. --/--	--/--	Authorizing the Solicitor to take any and all steps necessary to allow the Township to claim under the sharing provisions of the Municipal Government Unit Debt Act
Res. --/--	--/--	Appointing Ronald D. Oley, Esquire, Township Solicitor and Louis Pesotski, Board of Commissioners to a committee to effectuate the closure of the Eastside Landfill
Res. --/--	--/--	Presenting the Outstanding Citizenship award to Joseph A. Plaviak
Res. --/--	--/--	Proclaiming June 19, 1983 as Ron Hunt Day
Res. --/--	--/--	Stating that no Plains Township resident who serves as a member of the Zoning Hearing Board, Planning Commission, Recreation Board or any other Commission or Committee which may be designated by the Board from time to time may hold a position in any other Commission, Committee or Board at the same time
Res. --/--	--/--	Designating July 18, 1982 as "WARM Day"
Res. --/--	--/--	Authorizing the elimination of contributions made by members of the Plains Township Police Department for the years commencing January 1, 1984 and January 1, 1985
Res. --/--	--/--	Authorizing the elimination of contributions made by members of the Plains Township Police Department for the years commencing January 1, 1986 and January 1, 1987
Res. --/--	--/--	Adopting Daylight Saving Time
Res. --/--	--/--	Approving Code Enforcement Officers decision to raze buildings
Ord. 10/16/1951	10/16/1951	Providing funds for additional highway reconstruction in the Township
Ord. 5/11/1954	5/11/1954	Establishing compensation for all road labors, rubbish collection laborers, State aid laborers and laborers on sewers
Res. 6/--/1956	9/--/1956	Changing of provisions in Zoning Ordinance of Veterans' Administration Hospital
Res. 6/4/1957	6/4/1957	Permitting Air Products, Inc. to remove a barricade on the Old East End Boulevard; that the entrance to the Kelly Run Quarry is to become restricted, guarded and posted by them; and permission to use Kelly Run Quarry as a test site for diesel driver generators and Air Products, Inc. to guarantee no pollution of water to be caused by operation to be undertaken

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Ord./Res.	Date	Subject
Ord. 1/6/1958A	1/6/1958	Fixing the salaries of certain employees and method of payment: Victoria Gudaitis, Telephone Operator and Desk Clerk, \$192.62 per month; Paul Motsko, Secretary to the Township Commissioners, \$1,000 per annum; and Bernard Brominski, Solicitor to the Township Commissioners, \$1,000 per annum
Res. 7/31/1962	7/31/1962	Certifying the names of certain residents of the Township to the Tax Collector with directions to add said names to the tax duplicate and to collect the proper tax
Res. 9/17/1962	9/17/1962	Requesting Public Utility Commission to investigate condition of bridge
Ord. 10/12/1962	10/12/1962	Appointing Wilson Jones, 81 Merritt Street, as the delegate to serve on the Joint Sanitary Landfill Authority
Ord. 3/13/1964	3/13/1964	Adopting the proposed agreement between the East Side Landfill Authority and the City of Wilkes-Barre, Township of Hanover, Township of Plains and the Borough of Ashley
Res. 1/31/1968	1/31/1968	Providing for the assent of the electors to erect and maintain a firehouse
Res. 11/15/1972	11/15/1972	Authorizing the filing of Interim Assistance Grant under the United States Department of Housing and Urban Development
Res. 2/28/1973	2/28/1973	Authorizing the establishment of the Plains Township Municipal Water Authority
Res. 2/28/1973A	2/28/1973	Excluding school guards as employees of the Township
Res. 4/12/1973	4/12/1973	Creating formal cooperation between the City of Wilkes-Barre and the Township with regard to the Industrial Park Area
Ord. 8/30/1973	8/30/1973	Declaring an intention to promulgate certain code regulations
Res. 11/17/1977	11/17/1977	Rerouting heavy truck traffic on Route 115
Ord. 12/28/1978	12/28/1978	Electing to join the Pennsylvania Municipal Retirement System
Ord. 4/5/1979	4/5/1979	Police Pension
Ord. 5/10/1979	5/10/1979	Adopting this ordinance under the authority of the Act of the General Assembly of April 13, 1972, (Act No. 62), known as the "Home Rule Charter and Optional Plan Law"
Ord. 9/6/1979	9/6/1979	Repealing the ordinance pursuant to Act No. 62 known as the Home Rule Charter and Option Plans Law
Res. 3/20/1980	3/20/1980	Directing the Township Engineer to survey property on the site of the Old Laurel Line Station at the end of Preston Street and prepare a legal description
Res.	—/—/1981	Requesting the Economy League of Pennsylvania to conduct

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Ord./Res.	Date	Subject
–/–/1981		a study of the total operations of the Township
Res. 12/30/1981	12/30/1981	That 100 percent of liquid fuel moneys received shall be used for the purposes of maintenance and repair of existing roads, streets and bridges and payment of wages
Res. 2/1/1982A	2/1/1982	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service Commission, Frank Glazenski, Frank Sabatini and Leo Fedor; Parks and Recreation Board, Leo Pensieri, Amerigo Pennoni, Louis Cardoni, Francis Wallace, John Panatieri, Mary Ann Williams, William O'Boyle, Charles Stanski and John Million; Library Board, Frank Sabatini, Dr. Walter Raven, Mary Ann Williams and Amerigo Pennoni; Zoning Hearing Board, Fabian Maskinas, Edward Klem, Chester Cognigni, Arthur Pavia and Ted Franchella; Planning Commission, Joseph Petrenchak, Edward Gupko, Norman Pegga, Robert Milligan, Phil D. Pavia, John Yurko and Michael Niznik; Sewer Authority, Herman Cardoni, Simon Russin, Dan Rozanski, Dr. Joseph Falchek and Andrew Lazar
Res. 2/1/1982B	2/1/1982	Adopting the Employers Insurance Trust Plan
Res. 2/2/1982	2/2/1982	Authorizing the issuance of a tax anticipation in the amount of \$225,000
Ord. 8/2/1982	8/2/1982	Authorizing the Township to participate as a settlor of the Penna Government Investment Trust
Ord. 8/2/1982A	8/2/1982	Authorizing the Township to participate as a settlor of the Penna. Government Investment Trust
Res. 8/2/1982	8/2/1982	Authorizing the Chairperson and the Secretary to execute an agreement for the benefit of the government
Res. 9/1/1982	9/1/1982	Approving the amendment of the Urban Renewal Plan and the Redevelopment proposal for the Plainsville Disaster Urban Renewal Project, PA. R-667
Res. 1/1/1983	1/1/1983	Authorizing the elimination of contributions made by members of the Plains Township Police Department for the years commencing January 1, 1982 and January 1, 1983
Res. 7/4/1983	7/4/1983	Approving the amendment of the Urban Renewal Plan and the Redevelopment Proposal from the Plainsville Disaster Urban Renewal Project, PA. R-667
Res. 8/15/1983	8/15/1983	Authorizing the President and Secretary to execute an agreement with John Baloga of Baloga Construction, 5 Sunrise Drive, a contractor of property located in the Hilldale Park Development
Ord. 10/–/1983	10/–/1983	Amendment to and ordinance establishing the Plains Township Police Pension Fund
Res. 1/1/1984	1/1/1984	To release and hold harmless the County of Luzerne under the Luzerne County Community Development Demolition Program

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Ord./Res.	Date	Subject
Res. 1/2/1984	1/2/1984	That employees of the Township will, effective January 2, 1984, receive paychecks on a bi-weekly basis
Res. 2/9/1984	2/9/1984	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service Commission Paul Motski, William Biniek and Louis Cardoni; Park and Recreation Board, Leo Pensieri, Louis Cardoni, John A. Bonita, Francis Wallace, Charles Stanski, Mary Ann Williams, Melvin Jack Bush, Amerigo Pennoni, Walter Shubila, Barry J. Centini and Jean Miscavage; Library Board, Frank Sabatini, Dr. Walter Raven, Mary Ann Williams, Amerigo Pennoni, James Liesiewicki and Mary Ann Kownacki; Zoning Hearing Board, Edward Klem, Chester Cognigni, Arthur Pavia, Ronald Filippini and Fabian Maskinas; Planning Commission; Joseph Petrenchak, Edward Gupko, Phil D. Pavia; Dr. Gus Moore; Michael Niznik, Arthur Fanelli and Cathy Hoinski; and the Sewer Authority, Herman Cardoni, Simon Russin, Daniel Rozanski, Dr. Joseph Falchek, Andrew Lazar and Ben Berrini (Liaison Officer for Commissioners)
Res. 2/9/1984A	2/9/1984	Authorizing officers to open a savings deposit account subject to telephone transfer authorization to First Eastern Bank, N.A.
Res. 4/26/1984	4/26/1984	Requesting a Site Development Grant of \$50,000 from the Department of Commerce to be used for rehabilitation and improvement of Tamarac Road, Second Street, Laird Street and Eugene Drive
Res. 10/11/1984	10/11/1984	Taking the opportunity to congratulate the Plain's Yankee's "A" Cheerleaders; "B" Cheerleaders; "C" Cheerleaders; and Strutters and wish them much success in the future
Res. 1/10/1985	1/10/1985	Filling a vacancy in the Board of Commissioners by the death of Lindo Rossi
Res. 2/14/1985	2/14/1985	Authorizing the Chairperson and the Secretary to execute the agreement to conduct project activity consisting of exploratory drilling, Hilldale as part of Project Number OSM 40(525-84)
Res. 1985-36	12/30/1985	Designating the Luzerne County Industrial Development Committee c/o the Greater Wilkes-Barre Chamber of Commerce as the Industrial Development Agency for the County of Luzerne
Res. 1/6/1986	1/6/1986	Authorizing the date and time of the Township Commissioners' monthly meeting
Res. 1/9/1986	1/9/1986	Appointing Don Wilkinson Agency to collect the following Act 511 taxes: Earned Income Tax, Mercantile Tax, Occupational Privilege Tax, Admissions Tax and Parking Tax
Res. 2/13/1986	2/13/1986	Appointed Donald P. Williamson, President of A.S.C.O. Financial Group, Suite 6005, Genetti Best Western as the Plains Township Municipality Pension Fund Consultant to the Police, Fire and Non-uniform Pension Plans
Res. 4/10/1986	4/10/1986	Authorizing the elimination of contributions made by members of the Plains Township Police Department for the

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Ord./Res.	Date	Subject
		years commencing January 1, 1984 and January 1, 1985
Res. 6/12/1986	6/12/1986	Authorizing the Chairperson to execute the Settlement Agreement on behalf of the Township
Res. 9/11/1986	9/11/1986	Authorizing the filing of a proposal for funds with the Department of Community Affairs
Res. 12/11/1986	12/11/1986	Appointing Patricia Sluhocki as the Chief Administrative Officer, Plains Township Pension Plans
Res. 12/11/1986A	12/11/1986	Appointing Don Wilkinson Agency to collect the following Act 511 taxes: Earned Income Tax, Mercantile Tax, Occupational Privilege Tax, Admissions Tax and Parking Tax
Res. 12/11/1986B	12/11/1986	Authorizing the date and time of the Township Commissioners' monthly meeting
Res. 3/13/1987	3/13/1987	Authorizing the Chairperson and the Vice Chairperson to execute the Consent for Right of Entry Agreement to conduct project activity consisting of access to drill boreholes, drilling boreholes and a part of a subsurface investigation as part of Government Project Number OSM PA(813)102.5 & OSM 40(1860
Res. 5/14/1987	5/14/1987	Instructing First Eastern Bank to issue a draft payable to the Commonwealth of Pennsylvania in the amount of \$3,438 as reimbursement for the overpayment
Res. 5/14/1987A	5/14/1987	Authorizing the execution of various contracts for the Township's FY 1986/87 Housing Assistance Program
Res. 6/11/1987	6/11/1987	Authorizing the Solicitor to take any and all steps necessary to allow the Township to claim under the sharing provisions of the Municipal Government Unit Debt Act
Res. 6/11/1987A	6/11/1987	Authorizing the Vice Chairperson to execute an assignment of the judgement to contractor in full satisfaction of all claims with contractor may have against the Township for services provided
Res. 7/9/1987	7/9/1987	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs
Res. 8/13/1987	8/13/1987	Establishing a housing rehabilitation program in connection with the F.Y. 1986/87 Housing and Redevelopment Assistance Grant, M.E. No. 305-86-0015
Res. 12/10/1987A	12/10/1987	Authorizing the date and time of the Township Commissioners' monthly meeting
Res. 12/10/1987B	12/10/1987	Appointing Don Wilkinson Agency to collect the following Act 511 taxes: Earned Income Tax, Mercantile Tax, Occupational Privilege Tax, Business Privilege Tax, Admissions Tax, Parking Tax and Per Capita Tax
Res. 1/1/1988	1/1/1988	Appointing Patricia Sluhocki as the Chief Administrative Officer for the Plains Township Pension Plans
Res. 1/14/1988	1/14/1988	Designating First Eastern Bank, N.A. as the official depository for Township funds

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Ord./Res.	Date	Subject
Res. 2/11/1988	2/11/1988	Authorizing the following check signers for the Township's FY 1986/87 Pennsylvania Housing and Development Assistance Program: Louise Pesotski, Chairperson of the Board of Commissioners; Arthur Fanelli, Commissioner; and Richard Lussi, Treasurer
Res. 2/25/1988	2/25/1988	Establishing a Public Service Program
Res. 4/14/1988	4/14/1988	Amending the resolution establishing the Police Pension Fund providing for a cost of living increase for members of the police force receiving retirement benefits
Res. 4/14/1988A	4/14/1988	Authorizing the filing of an application to the Pennsylvania Department of Community Affairs for financial assistance for community planning
Res. 6/9/1988	6/9/1988	Authorizing the filing of an application for funds with the Department of Community Affairs
Res. 10/13/1988	10/13/1988	Acknowledging the services offered to the blind by the Lions Club
Res. 10/20/1988	10/20/1988	Appointing a Plains Township Police Officer to the position of Assistant Chief
Ord. 1/12/1989	1/12/1989	Repealing the Municipal Retirement Ordinance and appointing administrator of the Plains Township Non-uniformed Pension Plan
Res. 2/9/1989	2/9/1989	That members of the Plains Township Police Pension Plan shall contribute 5 percent of their compensation
Res. 2/20/1989	2/20/1989	Requesting the Luzerne County Board of Commissioners, sitting as the Luzerne County Board of Elections to place a referendum on the ballot of the Primary Election
Res. 3/9/1989	3/9/1989	Designating Luzerne County Industrial Development Committee C/O the Greater Wilkes-Barre Chamber of Commerce as the Industrial Development Agency for the County of Luzerne in all matters relevant to and for all purposes of the Industrial Development Assistance Law
Res. 4/-/1989	4/-/1989	Authorizing and directing the Chairperson to purchase and sign the Highway Restoration and Maintenance Bond on its behalf in reference to the East Carey Street Improvement Project
Res. 9/14/1989A	9/14/1989	Supporting any and all legislation, whether it be on a State or national level which would make burning, or any form of desecration of the American flag a very serious crime to be punished as provided by law
Res. 11/14/1989	11/14/1989	Authorizing to execute the Consent for Right of Entry Agreement to conduct project activity consisting of drilling boreholes as part of Government Project Number OSM 35(813)104.5
Ord. 12/31/1989	12/31/1989	Setting the rate of compensation for the Township Treasurer
Res. 1990-1	1/11/1990	Appointing Patricia Sluhocki as the Chief Administrative

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Ord./Res.	Date	Subject
		Officer of the pension plans
Res. 1990-2	1/11/1990	Ratifying and authorizing the elimination of contributions made by members of the Plains Township Police Department for the period commencing January 1, 1988 to June 30, 1988
Res. 1990-3	1/11/1990	Appointing Don Wilkinson Agency to collect the following Act 511 taxes: Earned Income Tax, Mercantile Tax, Occupational Privilege Tax, Business Privilege Tax and Per Capita Tax
Res. 1990-4	1/11/1990	Designating that the Merchants Bank, North as an official depository for Township funds
Res. 1990-5	1/11/1990	Designating that the First Eastern Bank, N.A. as an official depository for the following Township funds: General Fund Account, Payroll Account, State wide Account, Disaster Fund Account, Sinking Fund Account, and the Community Development Account
Res. 1990-6	1/11/1990	Designating the United Penn Bank as an official depository for the Township funds
Res. 1990-7	1/11/1990	Authorizing certain actions regarding the Township's FY 1986/87 Pennsylvania Housing and Development Assistance Program
Res. 1990-8	1/11/1990	Authorizing the execution of amendments for contracts for the Township's Housing Assistance Program
Res. 1990-9	1/11/1990	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs for the a F.Y. 1989/90 Housing and Development Assistance Grant
Res. 1990-10	1/11/1990	Authorizing the execution of various contracts for the Township's FY 1989/90 Housing and Development Assistance Grant
Res. 1990-11	1/25/1990	Appointing Donald Olszewski to Township Manager
Res. 1990-12	1/25/1990	Agreeing to enter into a Traffic Signal Maintenance Agreement, and authorizing and directing the Chairperson to sign the agreement
Res. 1990-14	--/1990	Ratifying and approving Municipal Police Cooperation Agreement regarding illegal use and traffic of narcotics and other dangerous drugs
Res. 1990-18	3/8/1990	Recommending amendments to House Bill No. 2293
Res. 1990-19	3/8/1990	Appointing Bernard W. Szot to act as Consultant/Grantsman to assist and prepare the application for obtaining funds from the Department of Environmental Resources in the amount of \$148,017 for Municipal Recycling Program Grants
Res. 1990-20	3/8/1990	Fixing the rate of compensation of the Independent Auditor, Thomas Opiel, at the rate of \$50 per hour

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Ord./Res.	Date	Subject
Res. 1990-21	3/8/1990	Authorizing certain actions regarding the Township's FY 1989/90 Pennsylvania Housing and Development Assistance Program
Res. 1990-23	3/8/1990	Authorizing the filing of an application for funds with the Department of Environmental Resources
Res. 1990-24	3/8/1990	Authorizing the filing of an application for funds with the Department of Environmental Resources
Res. 1990-25	4/12/1990	Approving the payment of \$312 to Reilly Associates for services performed relating to the proposal for grant assistance F.Y. 1986/1987 Housing Assistance Program
Res. 1990-26	4/12/1990	Appointing Township Secretary and Assistant Secretary
Res. 1990-27	4/12/1990	Extending the agreement between the Township and Bear Creek Associates to October 12, 1990
Res. 1990-28	4/12/1990	Authorizing First Eastern Bank to make payment from the funds on deposit with it upon and according to checks, drafts or notes signed by three signatures as hereinafter stated; specifically signatures of Joseph J. Niemiec, Chairperson; Richard J. Lussi, Treasurer and either the signature of Kathleen Lavisky, Secretary; of Patricia Sluhicki, Assistant Secretary
Res. 1990-29	4/12/1990	Authorizing Merchants Bank to make payment from the funds on deposit with it upon and according to checks, drafts or notes signed by three signatures as hereinafter stated; specifically signatures of Joseph J. Niemiec, Chairperson; Richard J. Lussi, Treasurer and either the signature of Kathleen Lavisky, Secretary; of Patricia Sluhicki, Assistant Secretary
Res. 1990-30	4/12/1990	Approving Sergeant Leonard H. Sarnick's request for his pension benefits
Res. 1990-31	5/10/1990	Establishing a Housing Rehabilitation Program in connection with the F.Y. 1989 Housing and Development Assistance Grant, Project No. 306-89-0069
Res. 1990-32	5/10/1990	To fill a vacancy on the Board of Commissioners
Res. 1990-34	5/10/1990	Authorizing Joseph Niemiec, Chairperson, to execute a contract on behalf of the Township with Suzanne M. Jackiewicz for the minute transcriptions for the sum of \$5,000 plus cost
Res. 1990-35	5/10/1990	Compensating Bernard W. Szot at the rate of \$20 per hour to serve as Project Officer and Recycling Program
Res. 1990-36	5/10/1990	Entering into a contract for professional services with Bernard W. Szot, services of Census Coordinator, compensating at the rate of \$20 per hour
Res. 1990-37	5/10/1990	Appointing Arthur Finelli to serve as the Board of Commissioners Officer of the Police Pension Fund and Sergeant Jack Timko as an officer of the Police Pension Fund as the member representing the police force
Res. 1990-38	5/24/1990	Directing the Secretary to execute a certificate attesting the

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Ord./Res.	Date	Subject
		adoption of this resolution whereas the Township is desirous of obtaining funds from the Department of Community Affairs for the prevention and elimination of blight
Res. 1990-39	5/24/1990	Directing the Secretary to execute a certificate attesting the adoption of this resolution whereas the Greater Wilkes-Barre Industrial Fund, Inc. plans to acquire a 200 acre site on East Mountain Boulevard for the purpose of developing a business park
Res. 1990-40	5/24/1990	Appointing Patricia Sluhocki to serve as an officer of the Police Pension Fund
Res. 1990-41	6/14/1990	Authorizing the filing of a proposal for funds with the Department of Community Affairs
Ord. 1990-4	6/14/1990	Adopting and implementing a Municipal Police Cooperative Agreement between the Township and various municipalities, all of which are located in the boundaries of Wyoming, Luzerne and Lackawanna Counties
Res. 1990-42A	7/12/1990	Joining with the Greater Wilkes-Barre Industrial Fund, Inc. as co-applicants for funding under the Public Works and Economic Development Act of 1965
Res. 1990-45	8/9/1990	Authorizing and directing the Chairperson to sign the Department of Transportation Winter Traffic Services 5-year Agreement
Res. 1990-46	9/13/1990	Authorizing Joseph Niemiec, Chairperson to execute the Consent for Right of Entry Agreement to conduct project activity consisting of mobilization of equipment, drilling core holes, installing steel casing pipe, demobilization or equipment and clean up of the area upon completion of the project as part of Government Project Number OSM 40(2173)
Res. 1990-48	10/11/1990	Authorizing the execution of an agreement with the Pennsylvania Department of Environmental Resources for a Municipal Recycling Program and other related actions
Res. 8/9/1990	8/9/1990	Authorizing and directing the President to sign the attached agreement
Res. 1990-50	—/—/1990	Amending the benefits of the Township Manager
Res. 1990-51	11/8/1990	Desiring to obtain funds from the Penna. Department of Community Affairs for "The Brick Park Project" under the Recreational Improvement and Rehabilitation Act (RIRA) Program Grant
Res. 1990-53	11/8/1990	Appointing Bernard W. Szot to act as Grant Consultant to assist and prepare the application to obtain funds from the Penna. Department of Community Affairs for a Recreational Improvement and Rehabilitation Act (RIRA) Program Grant
Res. 1990-52	11/8/1990	Desiring to obtain funds from the Penna. Department of Community Affairs for "The Brick Park Project" under the Recreational Improvement and Rehabilitation Act (RIRA) Program Grant

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Ord./Res.	Date	Subject
Res. 1990-54	11/8/1990	Authorizing the filing of an application for funds with the Department of Environmental Resources
Res. 1990-55	11/8/1990	Appointing Bernard W. Szot to act as Grant Consultant to assist and prepare the application to obtain funds from the Department of Environmental Resources for a Municipal Recycling Program Grant
Res. 1991-2	1/10/1991	Authorizing the Chairperson to enter into the Contract No. 463-90-0004 with the Department of Community Affairs pertaining to the Housing and Development Assistance Program
Res. 1991-3	2/14/1991	Authorizing the Chairperson to sign and submit application for \$932,000 grant from the U.S. Department of Commerce, Economic Development Administration
Res. 1991-4	2/14/1991	Fixing the contributions to the Police Pension Fund at 3 percent for the period commencing January 1, 1991, to and including December 31, 1991
Res. 1991-5	2/14/1991	Recognizing and supporting the efforts of our servicemen and women and the support personnel in their effort to restore freedom in the Middle East
Res. 1991-6	3/14/1991	Increasing the compensation of the Contract for Professional Services with Bernard W. Szot from \$1,200 to \$1,700
Res. 1991-7	3/14/1991	Authorizing the filing of an application for funds with the Department of Environmental Resources for a Municipal Recycling Performance Grant
Res. 1991-8	4/11/1991	Authorizing Traffic Study for the intersections of Main Street S.R. 2024, S.R. 2022 (L.R. 40038), Abbott Street and Maffett Street S.R. 2024 (L.R. 40046)
Res. 1991-10	4/11/1991	Nominating John Timko to the Civil Service Commission for non-competitive examination to fill the vacancy of Chief of Police
Res. 1991-13	6/6/1991	Authorizing the filing of a proposal for funds with the Department of Community Affairs
Res. 1991-16	7/18/1991	To sponsor a flood protection project and to request the Bureau of Water Projects conduct a study on this unnamed tributary of Mill Creek
Res. 1991-17	7/18/1991	Authorizing the execution of amendments to contracts for the Township's Housing and Community Development Program, Contract No. 306-89-0069
Res. 1991-18	7/18/1991	Authorizing the President and the Secretary to execute the Consent for Right of Entry Agreement to conduct project activity consisting of Access to the Borehole, and Stemming the Borehole and related activities as part of Government Project Number AD 387
Res. 1991-20	8/8/1991	Approving, adopting and placing into immediate effect the Emergency Operations Plan
Res. 1991-22	8/8/1991	Authorizing the execution of amendment to a contract for the Township's Housing and Community Development

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Ord./Res.	Date	Subject
		Program, Contract No. 306-89-0069
Res. 1991-25	10/10/1991	Objecting to the Reapportionment Plan adopted by the Legislative Reapportionment Commission on September 25, 1991
Res. 1991-26	12/12/1991	Authorizing settlement of Equity Action No. 122-E of 1989 that was filed against Sam Weinstein t/d/b/a Harry's, and authorizing the Solicitor to file a Praecipe with the Prothonotary marking Equity Action No. 122-E of 1989 settled and discontinued
Res. 1991-27	12/12/1991	Appointing the following individuals as new Trustee(s) of the Plains Township Non-uniformed Employees Pension Plan: Patricia Sluhocki, Plan Administrator; Maryanne Toole, Trustee; Ronald Wincke, Trustee; and Phillip Lukas, Trustee
Res. 1991-28	12/12/1991	Appointing the following individuals as new Trustee(s) of the Plains Township Firemen's Pension Plan and Trust: Robert Panatieri, Trustee; Carl Baker, Trustee; Edward Suchoski, Trustee; and William Murray
Res. 1991-29	12/12/1991	Authorizing the execution of an agreement with the Pennsylvania Department of Environmental Resources for a Municipal Recycling Program and other related actions
Res. 1992-3	2/13/1992	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs for the Legislative Initiative Program and other related actions, Contract No. 181-91-0382
Res. 1992-8	3/12/1992	Authorizing for the Township to deposit the following funds in the First Eastern Bank, N.A.: General Fund Account; Payroll Account; State Wide Account; Disaster Fund Account; Sinking Fund Account; and Community Development Account
Res. 1992-9	3/12/1992	Specifically authorizing for the Township to deposit refuse funds in a refuse fund account, as well as a money market account in the Merchants Bank
Res. 1992-10	3/12/1992	Specifically authorizing for the Township to deposit community development funds in a community development fund account in the United Penn Bank
Res. 1992-11	3/16/1992	Fixing the amount of the additional Fidelity Bond of the Treasurer/Tax Collector, for the benefit of the Township, Wilkes-Barre School District, Luzerne County [including the institutional district], in the amount of \$2,378,008.34
Res. 1992-12	3/16/1992	Fixing the amount of the additional Fidelity Bond of the Treasurer/Tax Collector to be in the amount of \$750,000
Res. 1992-13	3/16/1992	Fixing the time for monthly reports to the taxing body giving the names of the taxable, the amounts collected from each, along with discounts granted or penalties applied
Res. 1992-14	3/12/1992	Authorizing the filing of an application for funds with the Department of Environmental Resources for the Municipal Recycling Performance Grant for 1991

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Ord./Res.	Date	Subject
Res. 1992-15	3/12/1992	Designating bank as depository, First Eastern Bank, N.A., General Fund Checking Account, 380-512-4, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Joseph Kropiewnick, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-16	3/12/1992	Designating bank as depository, First Eastern Bank, N.A., Payroll Checking Account, 380-544-7, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Joseph Kropiewnick, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-17	3/12/1992	Designating bank as depository, First Eastern Bank, N.A., Community Development Checking Account, 000-123-0, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Joseph Kropiewnick, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-18	3/12/1992	Designating bank as depository, First Eastern Bank, N.A., Sinking Fund Checking Account, 380-576-9, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Joseph Kropiewnick, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-19	3/12/1992	Designating bank as depository, First Eastern Bank, N.A., State Aid Checking Account, 380-608-0, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Joseph Kropiewnick, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-20	3/12/1992	Authorizing officers to open a deposit account to Merchants Bank North: Joseph Niemiec, Chairperson; Joseph Kropiewnick, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-21	3/23/1992	Designating bank as depository, First Eastern Bank, N.A., General Fund Checking Account, 380-512-4, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-22	3/23/1992	Designating bank as depository, First Eastern Bank, N.A., Payroll Checking Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-23	3/23/1992	Designating bank as depository, First Eastern Bank, N.A., Sinking Fund Checking Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary

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Ord./Res.	Date	Subject
Res. 1992-24	3/23/1992	Designating bank as depository, First Eastern Bank, N.A., State Aid Checking Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-25	3/23/1992	Designating bank as depository, First Eastern Bank, N.A., Community Development Checking Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-26	3/23/1992	Authorizing officers to open a deposit account to Merchants Bank North: Joseph Niemiec, Chairperson; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-27	4/9/1992	Authorizing savings deposit account subject to telephone transfer, State Aid Account, C/A#380-608-0, in the First Eastern Bank, N.A.
Res. 1992-28	4/9/1992	Authorizing savings deposit account subject to telephone transfer, State Aid Account, in the First Eastern Bank, N.A.
Res. 1992-29	4/9/1992	Designating bank as depository, First Eastern Bank, N.A., State Aid Savings Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-30	4/9/1992	Designating bank as depository, First Eastern Bank, N.A., Sinking Fund Savings Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-31	4/9/1992	Authorizing savings deposit account subject to telephone transfer, Sinking Fund, C/A#380-576-9, in the First Eastern Bank, N.A.
Res. 1992-32	4/9/1992	Authorizing savings deposit account subject to telephone transfer, Sinking Fund, in the First Eastern Bank, N.A.
Res. 1992-33	4/9/1992	Designating bank as depository, First Eastern Bank, N.A., General Fund Savings Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-34	4/9/1992	Authorizing savings deposit account subject to telephone transfer, General Fund, C/A#380-512-4, in the First Eastern Bank, N.A.
Res. 1992-35	4/9/1992	Authorizing savings deposit account subject to telephone transfer, General Fund, in the First Eastern Bank, N.A.

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Ord./Res.	Date	Subject
Res. 1992-36	4/9/1992	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs for the Legislative Initiative Program and other related actions, Contract No. 181-91-1725
Res. 1992-37	5/14/1992	Authorizing officers to open a deposit account to Merchants Bank North: Joseph Niemiec, Chairperson; Arthur Fanelli, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1992-39	5/14/1992	Increasing the compensation of the Contract for Professional Services with Bernard W. Szot from \$5,600 to \$6,600
Res. 1992-40	5/14/1992	Authorizing grant services necessary for the execution of an agreement with the Pennsylvania Department of Environmental Resources for a Municipal Recycling Program Grant ME 91530
Res. 1992-42	7/16/1992	Authorizing the execution of a modification to the site improvement plan for the Township's Housing and Community Development Program, Contract No. 306-89-0069
Res. 1992-43	8/13/1992	Requesting permission to participate in the Commonwealth of Pennsylvania Cooperative Purchasing Program
Res. 1992-43A	9/10/1992	Urging the Luzerne County Board of Commissioners to conduct a County-Wide Reassessment of Real Estate
Res. 1992-46	11/12/1992	Authorizing the filing of proposals for funds under the Penna. Legislative Initiative Program
Res. 1992-47	12/10/1992	Appointing Donald A. Olszewski to the position of Township Manager, effective January 1, 1993 for a period of 3 years
Res. 1992-48	12/10/1992	Authorizing that no contributions be made or deducted from the wages of members of the Plains Township Police Department who are eligible, and who participate in the Plains Township Police Pension Fund for the period commencing January 1, 1993, to and including December 31, 1993
Res. 1992-49	12/10/1992	Ratifying and agreeing to said definition and conditions concerning the Review Committee, and agreeing to appoint a person to serve on said Review Committee
Ord. 1993-1	1/14/1993	Ordinance of the Township of Plains Binding Ballot Question Referendum
Ord. 1993-4	2/11/1993	Rescinding Binding Ballot Question Referendum
Res. 1993-6	1/14/1993	Authorizing the filing of an application for funds with the Department of Environmental Resources for a Municipal Recycling Performance Grant for 1992
Res. 1993-7	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., General Fund Checking Account and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary

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Ord./Res.	Date	Subject
Res. 1993-8	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., General Account, 0404800-016-7, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-9	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., Payroll Checking Account, 380-544-7, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-10	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., (BIA) Savings Account, 04-4800-0141-1, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-11	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., Sinking Fund Checking Account, 380-576-9, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-12	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., Sinking Fund Savings Account, 04-4800-015-4, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-13	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., Community Development Checking Account, 000-123-0, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-14	2/26/1993	Designating bank as depository, First Eastern Bank, N.A., State Aid Checking Account, 380-608-0, and authorizing payments from the fund after receiving signatures from the following officers: Joseph Niemiec, Chairperson; Mary Jayne K. Milkanin, Treasurer; Kathleen Levisky, Secretary; and Patricia Sluhocki, Assistant Secretary
Res. 1993-16	3/11/1993	Recognizing and acknowledging the efforts of the Lehigh to Susquehanna Trail Feasibility Study Task Force
Res. 1993-16A	3/11/1993	Authorizing and directing the Chairperson of the Board of Commissioners to sign the attached agreement
Res. 1993-	3/11/1993	Amending the wage provisions of the Employment Contract for Chief John Timko, with regard to the bi-weekly base rate

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Ord./Res.	Date	Subject
Res. 1993-19	7/8/1993	Authorizing the execution of amendments to contracts for the Township's Housing and Community Development Program, Contract No. 306-89-0069
Res. 1993-20	7/8/1993	To compensate Donald A. Olszewski, Township Manager, for the 10 days of vacation due him that will go unused at his per diem rate
Res. 1993-21	7/9/1993	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs for the Legislative Initiative Program and other related actions, Contract No. 181-91-4084
Res. 1993-22	8/3/1993	Authorizing the Chairperson of the Board of Commissioners to forward a letter to the Chairperson of the Civil Service Commission outlining the criteria set forth
Res. 1993-23	8/12/1993	Requesting that the Pennsylvania Department of Transportation perform a traffic study on North Main Street
Res. 1993-24	9/9/1993	Appointing Kenneth Johnson to the position of Township Manager, effective immediately
Res. 1993-25	9/9/1993	Authorizing the filing of a proposal for funds with the Department of Community Affairs
Res. 1993-28	9/16/1993	Approving the Indemnification Agreement and Highway Occupancy Permit Obligation Bond, and authorizing the Chairperson and Secretary to execute the Indemnification Agreement and Highway Occupancy Permit Obligation Bond
Res. 1993-30	11/11/1993	Fixing the amount of the additional Fidelity Bond of the Treasurer/Tax Collector to be in the amount of \$750,000
Res. 1993-33	12/9/1993	Authorizing a corrective deed for the purposes of correcting the lack of a Notary on the previous deed that the Township prepared and executed, dated December 8, 1992, conveying Lot No. 1 on the Atherton Street Subdivision to John S. Pappadakis and Josette Pappadakis, his wife
Ord. 1993-9	12/9/1993	Municipal Cooperation Agreement between the Township and the Housing Authority of Luzerne County
Res. 1993-36	12/30/1993	Authorizing the Secretary of the Board of Commissioners to forward a letter to each Housing Board member appointed informing him/her of his appointment and a letter to the Township Manager directing him to schedule a organizational meeting of the Housing Board; Gerald Cross, Father Michael Kloton, Peter Hrycenko, William Kozerski and Attorney Lesa Geib
Res. 1993-37	12/30/1993	That Kenneth Johnson, the current Township Manager, received in addition to other fringe benefits previously approved, the pension benefit specified
Res. 1993-38	12/30/1993	Fixing the police contributions by members of the Plains Township Police Department to the Plains Township Police Pension Fund at 3 percent for the period commencing January 1, 1994, to and including, December 31, 1994
Res. 1994-1	1/3/1994	Designating First Eastern Bank, N.A., as depository for General Fund C/A#380-512-4

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Ord./Res.	Date	Subject
Res. 1994-2	1/3/1994	Designating First Eastern Bank, N.A., as depository for General Fund S/A#04-4800-016-7
Res. 1994-3	1/3/1994	Designating First Eastern Bank, N.A., as depository for General Fund S/A#04-4800-016-7
Res. 1994-4	1/3/1994	Designating First Eastern Bank, N.A., as depository for Refuse Collection C/A#3010-308-9
Res. 1994-5	1/3/1994	Designating First Eastern Bank, N.A., as depository for Refuse Collection S/A 04-4800-019-6
Res. 1994-6	1/3/1994	Authorizing savings deposit account subject to telephone transfer, Refuse Collection, to be paid into a savings account in the First Eastern Bank, N.A.
Res. 1994-7	1/3/1994	Designating First Eastern Bank, N.A., as depository for Laurel Run Corp. Escrow Account C/A#3010-302-2
Res. 1994-8	1/3/1994	Designating First Eastern Bank, N.A., as depository for Payroll Account C/A#380-544-7
Res. 1994-9	1/3/1994	Designating First Eastern Bank, N.A., as depository for Community Development Account C/A#000-123-0
Res. 1994-10	1/3/1994	Designating First Eastern Bank, N.A., as depository for State Aid Account C/A#380-608-0
Res. 1994-11	1/3/1994	Designating First Eastern Bank, N.A., as depository for State Aid Account S/A#04-4800-014-1
Res. 1994-12	1/3/1994	Authorizing savings deposit account subject to telephone transfer, State Aid Account, to be paid into a savings account in the First Eastern Bank, N.A.
Res. 1994-13	1/3/1994	Designating First Eastern Bank, N.A., as depository for Sinking Fund C/A#380-576-9
Res. 1994-14	1/3/1994	Designating First Eastern Bank, N.A., as depository for Sinking Fund S/A#04-4800-015-4
Res. 1994-15	1/3/1994	Authorizing savings deposit account subject to telephone transfer, Sinking Fund, to be paid into a savings account in the First Eastern Bank, N.A.
Res. 1994-16	1/13/1994	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Municipal Sanitary Sewer Authority, Simon Russin, 4-year term to expire 12/31/1997 and Joseph Falchek, 4-year term to expire 12/31/1997; Park and Recreation Board, Louis Cardoni, 4-year term to expire 12/31/1997, John Kozerski, 4-year term to expire 12/31/1997 and John Million, 4-year term to expire 12/31/1997; and the Zoning Hearing Board, Robert Post, 3-year term to expire 12/31/1996 and Mario Ercolani, filling unexpired term–12/31/1994

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Ord./Res.	Date	Subject
Res. 1994-17	1/13/1994	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service Commission, Joseph Canerini, 6-year term to expire 12/31/1999
Res. 1994-21	3/23/1994	Authorizing the Chairperson to sign Reimbursement Agreement #041154
Res. 1994-22	5/12/1994	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Performance Grant for the year of 1993
Res. 1994-23	6/9/1994	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 50 Slope Street
Res. 1994-24	6/9/1994	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs for the Legislative Initiative Program and other related actions, Contract No. 181-93-2795
Res. 1994-25	7/14/1994	Authorizing and ratifying the signing of the "EJCDC Standard Form of Agreement Between Owner and Contractor on the Basis of Stipulated Price" to be entered into by and between Greater Wilkes-Barre Industrial Fund, Inc. and Plains Township and American Asphalt Paving Company for planned construction improvements to East Mountain Boulevard and Jumper Road for the East Mountain Business Park Project
Res. 1994-27	7/14/1994	Authorizing the filing of a proposal for funds with the Department of Community Affairs
Res. 1994-28	8/11/1994	Designating PNC Bank as a depository for the State Aid Account Money Market 92-8502-883-2 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-29	8/11/1994	Designating PNC Bank as a depository for the State Aid Account Checking 92-0380-608-0 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-30	8/11/1994	Designating PNC Bank as a depository for the Payroll Checking 92-0380-544-0 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-31	8/11/1994	Designating PNC Bank as a depository for the Sinking Fund Money Market 92-85-2-884-0 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer

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Ord./Res.	Date	Subject
Res. 1994-32	8/11/1994	Designating PNC Bank as a depository for the Sinking fund Checking 92-0380-576-6 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-33	8/11/1994	Designating PNC Bank as a depository for the Refuse Collection Account Money Market 92-8502-886-7 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-34	8/11/1994	Designating PNC Bank as a depository for the Refuse Collection Account Checking 92-3010-308-1 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-35	8/11/1994	Designating PNC Bank as a depository for the General Fund Checking 92-0380-512-5 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-36	8/11/1994	Designating PNC Bank as a depository for the General Fund Money Market 9285028859 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-37	8/11/1994	Designating PNC Bank as a depository for the Kaurek Run Corp Escrow Acct. 92-3010-302-2 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-38	8/11/1994	Designating PNC Bank as a depository for the Birchwood Hills Trust Agreement 1993 CD #504-035-1944943 and authorizing payments from the fund after receiving signatures from three of its following officers: Thomas Kovalick, Chairperson; Joseph Canterini, Vice Chairperson; Kathleen O'Boyle, Secretary; and James E. Chiucchi, Treasurer
Res. 1994-39	8/11/1994	Stating that no purchase order shall be issued for capital equipment purchases without prior approval from the Board of Commissioners
Ord. 1994-2	8/11/1994	Authorizing entry into the Municipal Cooperation Agreement in regard to the Traffic Signal Master Interconnect Controller Maintenance Agreement

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Ord./Res.	Date	Subject
Res. 1994-41	10/13/1994	Authorizing the appointment of one temporary Deputy Fire Chief to the Plains Township Fire Department
Res. 1994-42	10/13/1994	Authorizing the execution of a contract with the Pennsylvania Department of Community Affairs for a F.Y. 1993 Housing and Development Assistance Program, Contract No. 306-93-0058
Res. 1994-43	11/17/1994	Designating PNC Bank as a depository for the General Fund Account Money Market Checking 92-0380-5125 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-44	11/17/1994	Designating PNC Bank as a depository for the State Aid Account Money Market Savings 9285028832 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-45	11/17/1994	Designating PNC Bank as a depository for the State Aid Checking Account #9203806080 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-46	11/17/1994	Designating PNC Bank as a depository for the Payroll Checking Account #92-0380-5440 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-47	11/17/1994	Designating PNC Bank as a depository for the General Fund Money Market Savings 92-8502-8859 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-48	11/17/1994	Designating PNC Bank as a depository for the Sinking Fund Account Checking #92-0380-5766 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-49	11/17/1994	Designating PNC Bank as a depository for the Refuse Account Money Market Checking 93-3010-3081 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-50	11/17/1994	Designating PNC Bank as a depository for the Sinking Fund Money Market Savings #9285028840 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1994-51	11/17/1994	Designating PNC Bank as a depository for the Refuse Collection Account Money Market Savings 92-8502-886-7 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer

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Ord./Res.	Date	Subject
Res. 1995-1	1/12/1995	Authorizing the appointment of one temporary Sergeant to the Plains Township Police Department
Res. 1995-3	1/12/1995	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Performance Grant for the year of 1994
Res. 1995-4	1/12/1995	Fixing the police contributions by members of the Plains Township Police Department to the Plains Township Police Pension Fund at 3 percent for the period commencing January 1, 1995, to and including, December 31, 1995
Res. 1995-5	1/12/1995	Fixing the police contributions by members of the Plains Township Police Department to the Plains Township Police Pension Fund at 3 percent for the period commencing January 1, 1994, to and including, December 31, 1994
Res. 1995-6	2/9/1995	Authorizing certain actions regarding the Township's FY 1993 Pennsylvania Housing and Development Assistance Program, Contract No. 306-93-0058
Res. 1995-8	3/9/1995	Authorizing Joseph Hoinski, Fire Chief; Frank Pizzelli, Police Commissioner; Louis Cardeni, Recreation Board Vice Chairperson; and Thomas Karalick, Commissioner to apply for participation in and acquire Federal surplus property from the Pennsylvania Federal Surplus Property Program
Res. 1995-9	--/1995	Fixing the police contributions by members of the Plains Township Police Department to the Plains Township Police Pension Fund at 3 percent for the period commencing January 1, 1992, to and including, December 31, 1992
Res. 1995-10	3/9/1995	Authorizing execution of various grant documents and application for funding under the Copsmore Program
Res. 1995-11	4/13/1995	Defining duties and increasing compensation for the positions of Township Secretary and Assistant Secretary
Ord. 1995-1	4/13/1995	Joining with other local governmental units in accordance with the Intergovernmental Cooperation Act and other similar Acts by becoming settlor of the Pennsylvania Local Government Investment Trust
Res. 1995-13	6/8/1995	Authorizing execution and delivery of the certification and request for payment on behalf of the Township for approve project costs (fire apparatus)
Res. 1995-15	8/10/1995	Authorizing the filing of a proposal for funds with the Department of Community Affairs
Res. 1995-18	9/14/1995	Authorizing and direction the Chairperson of the Board of Commissioners to sign the attached grant
Res. 1995-19	9/14/1995	Authorizing the removal of one temporary Sergeant and appointment of one Sergeant to the Plains Township Police Department

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Ord./Res.	Date	Subject
Res. 1995-20	10/12/1995	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 197 Courtright Street
Res. 1995-21	11/9/1995	Agreeing to be bound by the terms and conditions as the Central Westmoreland Council of Governments may prescribe and be responsible for the direct payment to a vendor or supplier or goods, services and/or equipment
Ord. 1995-6	12/14/1995	Including the Township Commissioners in the Township's insurance programs
Ord. 1995-7	12/14/1995	Establishing the compensation of the Township Commissioners
Res. 1996-1	1/2/1996	Designating PNC Bank as a depository for the General Fund Account #92-380-512-5 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-2	1/2/1996	Designating PNC Bank as a depository for the Payroll Account #92-0380-544-0 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-3	1/2/1996	Designating PNC Bank as a depository for the Sinking Fund Account #92-0380-576-6 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-4	1/2/1996	Designating PNC Bank as a depository for the State Aid Account #92-0380-608-0 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-5	1/2/1996	Designating PNC Bank as a depository for the Laurel Run Escrow Account #9230103023 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-6	1/2/1996	Designating PNC Bank as a depository for the State Aid Money Market 92-8502-883-2 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-7	1/2/1996	Designating PNC Bank as a depository for the General Fund Money Market 9285028859 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-8	1/2/1996	Designating PNC Bank as a depository for the Sinking Fund Money Market 92-8502-884-0 and authorizing payments from the fund after receiving signatures from three of its officers
Res. 1996-9	1/18/1996	Desiring to develop the Plains Township Municipal Park, Keystone Recreation, Park and Conservation Fund Community Grant Program
Res. 1996-10	1/18/1996	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Municipal Sanitary Sewer Authority, Andrew Lazar, 5-year term to expire December 31, 2000; Planning Commission, Frank Westawski, 5-year term to expire December 31, 2000; and the Recreation Board, Leo Fedor,

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Ord./Res.	Date	Subject
		5-year term to expire December 31, 2000
Res. 1996-14	2/8/1996	That the Wilkes-Barre Area School District designate the new school in Plains Township as the Plains Memorial Educational Complex
Res. 1996-15	2/22/1996	Designating PNC Bank as a depository for the Disaster Account and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-16	2/22/1996	Authorizing Thomas Kovalick–Frank Pizzella, Chairperson–Commissioner, to execute for and in behalf of the Township Board of Commissioners for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 1996-18	3/14/1996	Authorizing the Township to enter into a Cooperation Agreement with the Redevelopment Authority of Luzerne County
Res. 1996-17	3/14/1996	Authorizing Thomas Kovalick–Brigid O'Connor, Commissioners, to execute for and in behalf of the Township Board of Commissioners for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 1996-19	4/11/1996	Designating PNC Bank as a depository for the Sinking Fund 9285028840 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-20	4/11/1996	Designating PNC Bank as a depository for the General Fund 9203805125 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-21	4/11/1996	Designating PNC Bank as a depository for 9285028859 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-22	4/11/1996	Designating PNC Bank as a depository for the Payroll Account 9203805440 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-23	4/11/1996	Designating PNC Bank as a depository for the State Aid Fund 9203806080 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-24	4/11/1996	Designating PNC Bank as a depository for the Laruel Run Corp. Esc. Acct. 9230103022 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer

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Ord./Res.	Date	Subject
Res. 1996-25	4/11/1996	Designating PNC Bank as a depository for the Sinking Fund 9203805766 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-26	4/11/1996	Designating PNC Bank as a depository for the Community Development Account 920001236 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-27	4/11/1996	Designating PNC Bank as a depository for the State Aid Account 9285028832 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-28	4/11/1996	Designating PNC Bank as a depository for the Disaster Account 9000445318 and authorizing payments from the fund after receiving signatures from three of its following officers: Chairperson, Vice Chairperson, Secretary and Treasurer
Res. 1996-29	4/11/1996	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 18 Miner Street
Res. 1996-30	5/9/1996	Desiring of obtaining funds from the Department of Community Affairs, for a Housing and Redevelopment Assistance Program Grant for the "Irishtown/Miner Street Project"
Res. 1996-31	5/9/1996	Authorizing the filing of a proposal for funds with the Department of Community Affairs, "Irishtown/Miner Street Project"
Res. 1996-32	6/13/1996	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 2-3 Cemetery Street
Res. 1996-35	6/13/1996	Acknowledging that the Tourist Promotion Agency of Luzerne County will be designated county entity for the promotion of tourism and economic development, and the designated agency to receive appropriate funding from the PA Department of Commerce
Res. 1996-36	7/11/1996	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located rear of 113 Henry Street
Res. 1996-39	12/12/1996	Keystone Recreation, Park and Conservation Fund Acquisition and Development Grant Programs; desiring to develop/rehabilitate Municipal Park Roadway and Restroom Facility
Res. 1996-40	1/1/1997	Reestablishing Police Pension Committee and designating the members thereof

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Ord./Res.	Date	Subject
Res. 1996-41	12/12/1996	Supporting the proposed trail from Duryea to Luzerne County Courthouse in Wilkes-Barre
Res. 1997-1	1/9/1997	Designating Robert Stella, Chairperson and/or Brigid O'Connor, when acting as chairperson, as authorized signatories of Federal Aid Reimbursement Agreement No. 041568 for Laird Street reconstruction
Res. 1997-7	3/13/1997	Objecting to any consideration to consolidate, close or to any degree, impede the effectiveness of the State Police Crime Lab at Wyoming Barracks and urge Governor Ridge to reject any such proposals from the PRIME Laboratory Task Force
Res. 1997-9	3/13/1997	Authorizing the filing of a request for a waiver with the United States Department of Justice and other related actions
Res. 1997-10	3/13/1997	Appointing Bernard W. Szot to act as Grants Co-ordinator/Recycling Co-ordinator; and shall be compensated the sum of \$5,500 for the investigation and preparation and submission of an application to obtain funds for a Municipal Recycling Program Grant
Res. 1997-11	4/10/1997	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Performance Grant for the year of 1996
Res. 1997-12	4/10/1997	Designating First Heritage Bank as the depository for funds of the Township's Shade Tree Commissioners and authorizing payments from the fund after receiving signatures from three of it's following officers: Robert Stella, Chairperson; Brigid M. O'Connor, Vice Chairperson; James Chiucchi, Treasurer; and Kathleen O'Boyle, Secretary
Res. 1997-13	3/20/1997	Designating First Heritage Bank as the depository for funds of the Township's Community Policing Program and authorizing payments from the fund after receiving signatures from three of it's following officers: Robert Stella, Chairperson; Brigid M. O'Connor, Vice Chairperson; James Chiucchi, Treasurer; and Kathleen O'Boyle, Secretary
Res. 1997-15	5/14/1997	Authorizing the filing of an application for funds with the Department of Environmental Protection in the amount of \$118,000 for Municipal Recycling Program Grants
Res. 1997-19	8/--/1997	Recognizing the Board of Education of the Wilkes-Barre Area School District for replacing three elementary schools and one junior high school with the construction of a new state of the art elementary through junior high school building in Plains Township
Ord. 1997-5	10/9/1997	Setting the rate of compensation for the Township Treasurer
Res. 1997-25	10/9/1997	Amending the Firemen's Money Purchase Pension Plan to incorporate participant directed accounts within the Pension Trust and approving the appointment of Manulife Financial as the Plan's Trustee and Investment Manager, and terminating the services of Safeco Life and Provident Mutual for said Pension Plan

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Ord./Res.	Date	Subject
Res. 1997-26	11/13/1997	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 105 South Main Street
Res. 1997-27	11/13/1997	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located rear of 112 Cleveland Street
Res. 1997-28	11/13/1997	Authorizing the execution of amendments to contracts for the Township's Housing and Community Development Program Contract No. 306-93-0058
Res. 1998-1	1/8/1998	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 1998
Res. 1998-2	1/8/1998	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Joseph Parada, 5-year term to expire 12/31/2002 and Stanley Rowny, 5-year term to expire 12/31/2002; Park and Recreation Board, John Million, Jr., 4-year term to expire 12/31/2001, Louis Cardoni, 4-year term to expire 12/31/2001 and John Kozerski, 4-year term to expire 12/31/2001; Planning Commission, Robert Stella, Sr., 4-year term to expire 12/31/2001; and Civil Service Commission, William Biniek, 4-year term to expire 12/31/2001
Res. 1998-3	2/12/1998	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Housing Board, Nancy Conlon, 4-year term to expire 12/31/2001, Keith Graham, 4-year term to expire 12/31/2001 and Anthony Dente, 4-year term to expire 12/31/2001
Res. 1998-4	2/12/1998	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Performance Grant for the year of 1997
Res. 1998-5	3/19/1998	To participate in a Luzerne County Criminal Intelligence and Analysis Support Unit operated by the Luzerne County Sheriff's office
Res. 1998-8	4/30/1998	Approving an application for Community Development Block Grant Funding and the filing of an application for financial assistance
Res. 1998-11	9/10/1998	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 193 Ridgewood Road
Res. 1998-12	10/8/1998	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located on 187 Seminole Avenue
Res. 1998-14	12/14/1998	Authorizing and directing the Chairperson of the Township to sign the Agility Agreement

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Ord./Res.	Date	Subject
Res. 1998-14A	12/29/1998	Contingently exempting real property taxes within a specific geographic area in Luzerne and Lackawanna Counties designated as a proposed Keystone Opportunities Zone in order to foster economic opportunities, stimulate industrial, commercial, residential improvements and prevent physical and infrastructure deterioration within areas of Luzerne and Lackawanna Counties
Res. 1999-1	1/14/1999	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Performance Grant for the year of 1998
Res. 1999-2	2/11/1999	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Parks and Recreation Board, Pat Delessandro, 4-year term to expire 12/31/2002; Zoning Hearing Board, Mario Ercolani, 4-year term to expire 12/31/2002 and Carl Stella, 4-year term to expire 12/31/2002; Planning Commission, Gerald Yozwiak, 4-year term to expire 12/31/2002; and the Civil Service Commission, Lenny Sarnick, 4-year term to expire 12/31/2002
Res. 1999-3	2/11/1999	Eliminating Parcel No. 1 from consideration as a proposed Keystone Opportunity Zone
Res. 1999-	2/11/1999	Contingently exempting real property taxes within a specific geographic area in Luzerne and Lackawanna Counties designated as a proposed Keystone Opportunities Zone in order to foster economic opportunities, stimulate industrial, commercial, residential improvements and prevent physical and infrastructure deterioration within areas of Luzerne and Lackawanna Counties
Res. 1999-5A	4/8/1999	Authorizing a designation under the Local Economic Revitalization Tax Assistance Act, or LERTA, for approximately 18.19 acres of real property known as Parcel Nos. 19, 27 and 29 of the East Mountain Corporate Center and providing for a tax exemption with respect thereto
Res. 1999-6	5/13/1999	Authorizing a designation under the Local Economic Revitalization Tax Assistance Act, or LERTA, for approximately 18.19 acres of real property known as Parcel Nos. 19, 27 and 29 of the East Mountain Corporate Center and providing for a tax exemption with respect thereto
Res. 1999-7	6/10/1999	Requesting permission to participate in the Pennsylvania Department of General Services Cooperative Purchasing Program
Res. 1999-8	7/15/1999	Enabling resolution for Plains Township Local Taxpayer Bill of Rights
Res. 1999-9	7/15/1999	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located at 131 Hildale Avenue

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Ord./Res.	Date	Subject
Res. 1999-13	8/13/1999	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located at 200 Bear Creek Boulevard
Res. 1999-15	9/9/1999	Keystone Recreation, Park and Conservation Fund Acquisition and Development Grant Program; desiring to develop/rehabilitate Plains Township Municipal Park
Res. 1999-16	10/14/1999	Supporting a change in the use restrictions on lot 2 in the East Mountain Corporate Center to permit commercial uses allowed under the Zoning Ordinance for the Highway Commercial (B-3) District
Res. 1999-18	12/9/1999	Supporting the Susquehanna River Watch/Luzerne County Rail with Trail from the Borough of Duryea, passing through the Township to the City of Wilkes-Barre along the former Lehigh Valley Railroad to provide an exemplary recreational outlet for our area and all of Wyoming Valley
Ord. 1999-2	12/9/1999	Granting a one-time-cost-of-living adjustment of 2 percent to current retired members of the Plains Township Police Department and the effect on the pension fund assets
Res. 2000-1	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a General Fund deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-2	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Payroll deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-3	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Community Policing program deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-4	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Disaster deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-5	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Recycling deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-6	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Community Development Fund deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-7	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a State Aid deposit account by

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Ord./Res.	Date	Subject
		Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-8	1/6/2000	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Sinking Fund deposit account by Ciro Cinti, Chairperson; Tom Kovalick, Assistant Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2000-9	1/13/2000	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar years 1999 and 2000
Res. 2000-10	1/13/2000	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Performance Grant for the year of 1999
Res. 2000-12	1/13/2000	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, Robert Sax, 3-year term to expire 12/31/2002; and the Civil Service Commission, Joseph Canterini, 2 or 6-year term to expire 12/31/–
Res. 2000-13	2/10/2000	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service Commission, Joseph Canterini, 6-year term to expire 12/31/2005
Res. 2000-15	4/13/2000	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Wyoming Valley Sanitary Authority, Gerald Cross, 5-year term to expire 12/31/2005
Res. 2000-17	7/13/2000	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located at 38-40 Laurel Street
Res. 2000-18	–/–/2000	Authorizing and directing the Chairperson of the Board of Commissioners to sign the right of entry and indemnification agreement for the emergency access to the LVIH
Res. 2000-19	8/10/2000	Authorizing the development of a hazard mitigation plan; establishing a Mitigation Planning Commission consisting of the following members: Leonard Kasaba, Helen Mikelski, Leonard Sarnick, Richard Poplawski, Gerald Cross and Ciro Cinti
Res. 2000-20	9/14/2000	Granting authorization for the Chairperson to execute contracts and contract amendments for Keystone Recreation, Park and Conservation Grants
Res. 2000-22	10/12/2000	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located at 9-11 Hancock Street

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Ord./Res.	Date	Subject
Res. 2000-24	12/21/2000	Amending Safeco Plan Document dated February 26, 1988 (A Pension Plan for the Non-Uniformed Employees of Plains Township)
Res. 2000-26	12/21/2000	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2001
Res. 2001-1	1/11/2001	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Andrew Lazar, 5-year term to expire 12/31/2005; Park and Recreation Board, Guy Handza, 5-year term to expire 12/31/2005; Zoning Hearing Board, William Rogaski, 4-year term to expire 12/31/2004 and Michael Wascavage, 4-year term to expire 12/31/2004; and the Planning Commission, Frank Westawski, 5-year term to expire 12/31/2005, Herb Newhart, 4-year term to expire 12/31/2004 and Michael Lambert, 4-year term to expire 12/31/2004
Res. 2001-2	2/8/2001	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year of 2000
Res. 2001-3	2/8/2001	Authorizing the temporary rank of Captain to Coincide with the Fire Inspector's position with the Plains Township Fire Department
Res. 2001-4	3/27/2001	Applying to the Community Rating System
Res. 2001-5	4/12/2001	Authorizing and directing the Chairperson of the Board of Commissioners to sign the attached agreement
Res. 2001-6	6/14/2001	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located rear of 113 Henry Street
Res. 2001-7	8/9/2001	Applying to the Community Rating System
Res. 2001-8	8/9/2001	Designating Ciro Cinti, Chairperson and/or Thomas Kovalick, when acting as Chairperson as authorized signatories to The Bear Creek Boulevard agreement No. 048118 (Federal Aid Design Reimbursement Agreement)
Res. 2002-1	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a General Fund deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-2	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Payroll deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-3	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Recycling deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer

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Ord./Res.	Date	Subject
Res. 2002-4	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Community Development Fund deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-5	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Community Policing Fund deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-6	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Benefits Escrow deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-7	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Police Department D.U.I Equipment deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-8	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Community Policing Program deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-9	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a State Aid deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-10	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Sinking Fund deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-11	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Disaster deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-12	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Community Policing Program deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer
Res. 2002-13	1/10/2002	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Birchwood Hills Trust deposit account by Tom Kovalick, Chairperson; Joseph Zawatski, Vice Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer

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Ord./Res.	Date	Subject
Res. 2002-14	--/2002	Authorizing and directing the Chairperson of the Board of Commissioners to sign a Traffic Signal Maintenance Agreement
Res. 2002-15	1/10/2002	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2002
Res. 2002-16	2/14/2002	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year of 2001
Res. 2002-17	3/14/2002	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Sherry O'Malia, 1-year term to expire 12/31/2002, John Million, 3-year term to expire 12/31/2004, Thomas Salus, 3-year term to expire 12/31/2004, Louis Cardoni, 5-year term to expire 12/31/2006 and John Kozerski, 5-year term to expire 12/31/2006; Sewer Authority, John Moore, 5-year term to expire 12/31/2006 and the Planning Commission, Robert Stella, 4-year term to expire 12/31/2005
Res. 2002-18	3/14/2002	Superseding previous plans developed for response to major emergency or disaster
Res. 2002-20	9/12/2002	Approving the transfer of restaurant liquor license: LID#14677/#R-10998 into the Township from West Wyoming Borough
Res. 2002-21	10/10/2002	Approving changes and contract revisions for the Police and Non-uniformed Employees Pension Plan
Ord. 2002-2	10/10/2002	Amending the Police Pension Plan by providing a special AD HOC Postretirement Cost of Living adjustment pursuant to Act 64 of 2002
Res. 2002-22	11/14/2002	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year of 2002
Res. 2002-23	11/14/2002	Authorizing payment of \$1, 235.04 to Linda Davis, widow of Robert A. Davis for the benefits due under the U.F.C.W. Local 1776 labor contract
Res. 2002-26	12/12/2002	Approving the application of Horseman's Cafeteria for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board restaurant liquor license to premises at Pocono Downs, 1280 Highway 315
Res. 2003-1	1/9/2003	Adopting the Open Records Policy as its policy for access to public records
Res. 2003-2	1/9/2003	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Emilio Artiz, 3-year term to expire 12/31/2005; Zoning Hearing Board, Mario Ercolani, 4-year term to expire 12/31/2006, Michael Smoga, 4-year term to expire 12/31/2006, Robert Sax, 3-year term to expire 12/31/2005 and Norman Krulack (alternate); Sewer Authority, Joseph Parada, 5-year term to expire 12/31/2007; Planning Commission, Gerald Yozwiak, 4-year

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Ord./Res.	Date	Subject
		term to expire 12/31/2006; and the Civil Service Commission, Leonard Sarnick, 4-year term to expire 12/31/2006
Res. 2003-3	2/13/2003	Approving the application of Luongo Hospitality, LP for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License Number R-14710 to the premises at 1140 Highway 315
Res. 2003-4	4/10/2003	Declaring the 1998 Zoning Ordinance to be substantively invalid with respect to the use of property for the purpose of operating a methadone treatment facility
Res. 2003-5	4/10/2003	Findings/Declaration of Invalidity, with respect to the use of property for the purposes of operating a methadone treatment facility
Res. 2003-6	5/20/2003	Adopting and placing into immediate effect the Emergency Operations Plan of Plains Township
Res. 2003-7	5/8/2003	Designating Thomas Kovalick, Chairperson and/or Joseph Zawatski, Vice Chairperson (when acting as Chairperson) as authorized signatories of any and all documents approved by the Board pertaining to the Bear Creek Boulevard agreement No. 048118 (Federal Aid Design Reimbursement Agreement)
Res. 2003-8	6/12/2003	Designating Thomas Kovalick, Chairperson and/or Joseph Zawatski, Vice Chairperson (when acting as Chairperson) as authorized signatories of any and all documents approved by the Board pertaining to electronic access to PennDOT Systems
Res. 2003-9	9/11/2003	Desiring to undertake the Development and Rehabilitation of Plains Township and Park System; desiring to apply to the Department of Conservation and Natural Resources for a grant
Res. 2003-10	9/11/2003	Authorizing the appointment of one temporary Deputy Fire Chief to the Plains Township Fire Department
Res. 2003-11	9/11/2003	Authorizing the temporary rank of Captain to coincide with the Fire Inspector's position with the Plains Township Fire Department
Res. 2003-13	12/18/2003	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year of 2003
Res. 2003-16	12/18/2003	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2004
Res. 2004-2	2/12/2004	Amending §6.2 of the Plains Township Non-uniformed Employees Pension Plan
Res. 2004-6	5/13/2004	Renaming the Hilldale Ball Park to "The John L. Mosko Park"

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Ord./Res.	Date	Subject
Res. 2004-7	5/13/2004	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service, Ronald Filippini, 6-year term to expire 12/31/2009
Res. 2004-8	5/13/2004	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service, William Biniek (unexpired) term to 12/31/2007
Res. 2004-9	5/13/2004	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Stanley Rowny, 5-year term to expire 12/31/2008
Ord. 2004-3	5/13/2004	Amending the Police Pension Fund, by establishing and continuing a Police pension Plan pursuant to Act 600 of 1956, 53 P.S. 761 <i>et seq.</i> , and providing for administration, eligibility for benefits, source and allocation of funds, calculation of retirement benefits, return of participant contributions, vesting terms of retirement benefits, disability retirement, death benefits, return of participant contributions, vesting terms of continuation of the Police Pension Plan pursuant to the terms and conditions of the amendment and restatement of the Plains Township Police Pension Fund
Res. 2004-10	6/10/2004	Approving the application of Spengler/Care Enterprises, LLC for the proposed Intermunicipal Transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License to premises at Waterfront Professional Park 670 North River Street
Res. 2004-11	8/23/2004	Approving the application of the Spot, L.L.C. for the proposed Intermunicipal Transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License R-10501 to premises at 279 South River Street
Res. 2004-12	9/9/2004	Requesting permission to participate in the Commonwealth of Pennsylvania Department of General Services, Cooperative Purchasing Program
Res. 2004-14	10/14/2004	Authorizing adoption of the Township's Hazard Mitigation Plan and its submittal to the Pennsylvania Emergency Management Agency and the Federal Emergency Management Agency
Res. 2004-14A	10/14/2004	Authorizing Charles Krommes, EMA Coordinator to execute for and in behalf of the Township for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 2004-16	11/11/2004	Giving preliminary approval to a proposed Tax Increment District in the County of Luzerne; designating a representative to meet with the Redevelopment Authority of the County of Luzerne to discuss said Tax Increment District; and taking related actions
Res. 2004-17	—/—/2004	Establishing a Board of Appeals as required under the Uniform Construction Code
Res. 2005-1	1/13/2005	Authorizing and directing the Chairperson of the Township

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Ord./Res.	Date	Subject
		to sign an Agreement on Amendment on it's behalf
Res. 2005-2	1/13/2005	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Wyoming Valley Sanitary Authority, Gerald Cross, 5-year term to expire 12/31/2010
Res. 2005-3	2/10/2005	Authorizing the filing of an application for funds with the Department of Environmental Protection for a municipal recycling grant for the year 2004
Res. 2005-4	3/10/2005	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, John Million, term to expire December 31, 2009 and Thomas Salus, term to expire December 31, 2009; Zoning Hearing Board, Michael Wascavage, term to expire December 31, 2008 and Mark Hasaka, term to expire December 31, 2008; Sewer Authority, Gerald Cross, term to expire December 31, 2009; and the Planning Commission, Michael Lambert, term to expire December 31, 2009 and Herb Newhart, term to expire December 31, 2009
Res. 2005-5	4/14/2005	Authorizing the appointment of one temporary Deputy Fire Chief to the Plains Township Fire Department
Res. 2005-6	--/2005	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located at 145 North Main Street
Res. 2005-7	6/9/2005	Authorizing Charles Krommes, EMA Coordinator to execute for and in behalf of the Township for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 2005-8	6/9/2005	Designation of the National Incident Management System (NIMS) as the basis for all incident management in the Township
Res. 2005-9	7/14/2005	Approving and adopting the Wyoming Valley Sanitary Authority's amendment to its Articles of Incorporation
Res. 2005-10	10/13/2005	Approving the application of Plains Ambulance Banquet Facility, Inc. for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License R-10685 to premises at 90 Maffett Street
Res. 2006-1	12/22/2005	Authorizing Ronald Filippini, Chairperson; Rose Corcoran, Vice-Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer access to the Plains Township General Fund at PNC Bank
Res. 2006-2	12/22/2005	Authorizing Ronald Filippini, Chairperson; Rose Corcoran, Vice-Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer access to the Plains Township Payroll Account at PNC Bank

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Ord./Res.	Date	Subject
Res. 2006-3	12/22/2005	Authorizing Ronald Filippini, Chairperson; Rose Corcoran, Vice-Chairperson; Kathleen O'Boyle, Secretary; and James Chiucchi, Treasurer access to the Plains Township State Aid Account at PNC Bank
Ord. 2006-2	--/2006	Amending the Non-uniformed Employees Pension Plan, by establishing and continuing a pension plan and providing for administration, eligibility for benefits, source and allocation of funds, calculation of retirement benefits, return of participant contributions, vesting terms of retirement benefits, disability retirement, death benefits and other matters associated with the established and continuation of the pension plan and restatement of the Non-uniformed Employees Pension Plan
Res. 2006-4	1/12/2006	Adopting the Wyoming Valley Sanitary Authority's amendment to its Articles of Incorporation
Res. 2006-6	2/9/2006	Approving the application of Carriage Stop Beer Plaza LLC for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License 31849 to premises at 2500 East End Boulevard
Res. 2006-7	2/9/2006	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2003
Res. 2006-8	2/9/2006	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2005
Res. 2006-9	2/9/2006	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2006
Res. 2006-10	2/9/2006	Amending §A2.08(b) of the Pension Plan for the non-uniformed employees of the Township
Res. 2006-11	3/9/2006	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year 2005
Res. 2006-14	3/9/2006	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Andrew Lazar, term to expire December 31, 2010 and Mario Ercolani, Jr., term to expire December 31, 2008; Recreation Board, Guy Handza, term to expire December 31, 2008 and Emilio Aritz, term to expire December 31, 2007; Zoning Hearing Board, Robert Sax, term to expire December 31, 2007, Norman Krulack, term to expire December 31, 2008, Karen Rubasky, term to expire December 31, 2006 and alternate John Javick, term to expire December 31, 2007; Civil Service, Norma Nardone, term to expire December 31, 2010; and the Planning Commission, Martin O'Connor, term to expire December 31, 2010 and Edward Walsh, term to expire December 31, 2008
Res. 2006-20	6/8/2006	Creating a Local Redevelopment Authority (LRA) in accordance with the Military Base Reuse Act and appointing representatives to the LRA

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Ord./Res.	Date	Subject
Res. 2006-22	--/2006	Authorizing a representative of the Township to contact the United States Postal Service to request that the Township be assigned its own zip code
Ord. 2006-4	8/28/2006	Authorizing the Township to enter into an Intergovernmental Cooperation Agreement with the County of Luzerne and the City of Wilkes-Barre under the Pennsylvania Intergovernmental Cooperation Act for the purpose of jointly cooperating in the performance and exercise of certain governmental functions
Res. 2006-23	11/9/2006	Approving the application of Gersh Restaurant Group, LLC for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License R-2266 to premises at 667 North River Street
Res. 2006-25	10/12/2006	Authorizing the appointment of one temporary Captain/Fire Inspector to the Plains Township Fire Department
Res. 2007-1	1/11/2007	Authorizing the filing of an application for funds with the Department of Environmental Protection for a Municipal Recycling Grant for the year of 2006
Res. 2007-2	2/24/2007	Awarding a Certificate of Recognition to Kevin Blaum and Thomas Tighe for their years of service
Res. 2007-3	1/13/2007	Rescinding the LERTA designation and concomitant tax abatement under LERTA legislation with respect to the improvements to be constructed on Parcel No. 10 of the East Mountain Corporate Center
Res. 2007-4	1/11/2007	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2007
Res. 2007-5	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Nat Lussi, term to expire 12/31/2011
Res. 2007-6	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, John Javick, term to expire 12/31/2008
Res. 2007-7	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, Michael Somoga, term to expire 12/31/2009
Res. 2007-8	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, Karen Rubasky, term to expire 12/31/2010
Res. 2007-9	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Clarence Ozgo, term to expire 12/31/2008

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Ord./Res.	Date	Subject
Res. 2007-10	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Maureen Riley, term to expire 12/31/2010
Res. 2007-11	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Louis Cardoni, term to expire 12/31/2011
Res. 2007-12	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, John Kozerski, term to expire 12/31/2011
Res. 2007-13	2/8/2007	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Planning Commission, Rock Stahovic, term to expire 12/31/2008
Res. 2007-14	3/8/2007	Authorizing Charles Krommes, EMA Coordinator to execute for and in behalf of the Township for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 2007-19	6/14/2007	Authorizing to execute the Consent for Right of Entry Agreement to conduct project activity consisting of performing a mine reclamation project as part of government project number OSM 40(2165) 101.1
Res. 2007-22	10/11/2007	Directing the appropriate Township officials to use their best efforts to obtain the maximum amount of grants collectively and the maximum amount available under each specific grant for the East Side Landfill Development, Sewer Improvements and Drainage Repair projects
Res. 2007-23	11/8/2007	Supporting the application by the Luzerne County Municipal Cooperation Commission (MCC) for the establishment of a police services asset inventory to be comprised of the Township, municipalities contiguous to the Township and other municipalities in the county directly impacted by the Mohegan Sun Casino at Pocono Downs
Res. 2007-25	12/20/2007	Participating in the Lackawanna County Automotive and Equipment Contract by purchasing supplies and services from the contract and based upon the terms and conditions of the contract and at the same prices
Res. 2008-1	—/—/2008	Account registration and agreement with PNC Bank
Res. 2008-2	1/10/2008	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2008
Res. 2008-3	1/10/2008	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year of 2007
Res. 2008-4	2/14/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Emil Artiz, term to expire

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Ord./Res.	Date	Subject
		12/31/2012
Res. 2008-5	2/14/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Joseph Parada, term to expire 12/31/2012
Res. 2008-6	2/14/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, Robert Sax, term to expire 12/31/2012
Res. 2008-7	2/20/2008	Approving transfer of a liquor license owned by McKenna's Gold 'N' Guns Saloon, Inc., having a license number of R-5278 and LID number 42476 which is located at 362 Scott Street, Wilkes-Barre City, to 670 North River Street, Plains Township
Res. 2008-8	4/10/2008	Desiring to apply to the Department of Conservation and Natural Resources for a grant for the purpose of carrying out the Plains Township Municipal Park Improvements project
Res. 2008-10	4/10/2008	Appointing the following individuals to the Flood Hazard Mitigation Committee: Charles Krommes, George Blom, Susan Fisher, David Achey, Tim Westawski
Ord. 2008-1	4/10/2008	Amending the Non-uniformed Employees Pension Plan
Res. 2008-9	4/10/2008	Supporting a change in the use restrictions on lot 2 in the East Mountain Corporate Center to permit retail and service uses allowed under the Zoning Ordinance for the Highway Business (B-3) District
Res. 2008-11	4/10/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Planning Commission, Walter Shubilla
Res. 2008-12	4/10/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Planning Commission, Ken Evans to replace Herb Newhart, term to expire 12/31/2009
Res. 2008-13	4/10/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, Joseph McGuire
Res. 2008-14	4/10/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Civil Service Commission, Bill Biniek, term to expire 12/31/2012
Res. 2008-20	6/12/2008	Approving the transfer of restaurant liquor license no. R-2266 into the Township, East Coast Restaurants, Inc., which will trade as Bar Louie
Res. 2008-21	6/12/2008	Approving the transfer of restaurant liquor license no. R-11386 by Metz Concepts, LLC to restaurant facilities within the Township to be located at premises no. 1301 and 1302 at Mohegan Sun at Pocono Downs, 1280 Highway 315

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Ord./Res.	Date	Subject
Res. 2008-22	6/12/2008	Authorizing the filing of an application for funds with the Department of Environmental Protections for a 902 Municipal Recycling Grant for the year of 2007
Res. 2008-23	7/10/2008	Approving the certificate requesting termination of the East Side Landfill Authority
Res. 2008-24	7/28/2008	Establishing the East Mountain Business Site LERTA District encompassing lot 12 and lot 20 in the East Mountain Business Park
Res. 2008-25	10/22/2008	Authorizing the submission of a Local Share application to DCED to secure funding in the amount of \$931,370 to purchase a new aerial ladder truck to ensure adequate fire protection
Res. 2008-26	11/13/2008	Amending and restating in its entirety the Plan and Trust Agreement to confirm to the Plan and Trust document entitled "Plains Township Firemen's Pension Plan"
Res. 2008-27	12/11/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, John Javick, term to expire December 31, 2011
Res. 2008-28	12/11/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Zoning Hearing Board, Norman Krulack, term to expire December 31, 2013
Res. 2008-29	12/11/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Planning Commission, Rock Stahovic, term to expire December 31, 2012
Res. 2008-30	12/11/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Planning Commission, Walter Shubilla, term to expire December 31, 2011
Res. 2008-31	12/11/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Recreation Board, Clarence Ozgo, term to expire December 31, 2013
Res. 2008-32	12/31/2008	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Mario Ercolani, Jr., term to expire December 31, 2013
Res. 2009-1	1/8/2009	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2008
Res. 2009-2	1/8/2009	Authorizing the filing of an application for funds with the Department of Environmental Protections for a Municipal Recycling Grant for the year of 2008
Res. 2009-4	3/12/2009	Authorizing and directing the Secretary of the Township to sign the application for a permit to install and operate traffic signals on SR 309 & SR 315 North Bound Exit Ramp

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Ord./Res.	Date	Subject
Res. 2009-5	3/12/2009	Desiring to undertake the Plains Township Municipal Park Playground Improvements project and desiring to receive from the Department of Conservation and Natural Resources a grant for the purpose of carrying out this project
Res. 2009-6	5/14/2009	Approving the transfer of Liquor License No. R-5677 (LID No. 27224), from J&M Conroy Corp. to Carmenello, LLC, 15 North River Street
Res. 2009-8	5/14/2009	Authorizing the payment of \$15,703.49 to the Estate of Robert J. Kubicki for the benefits due under the International Association of Firefighters Local 840 labor contract
Res. 2009-9	5/14/2009	Agreeing to use the dotGrants on-line reporting system to file the required liquid fuel forms annually and designates Patricia Sluhocki, Secretary and Kathleen O'Boyle, Assistant Secretary to execute and provide all information necessary for the completion of said application and to execute all documents necessary to effect such an agreement
Res. 2009-10	7/2/2009	Confirming support of the petition of the Township to the Pennsylvania Liquor Control Board for exemption of a certain portion of the Township from the regulations of the Pennsylvania Liquor Control Board governing amplified music being heard off of a premises subject to a liquor license
Res. 2009-22	9/10/2009	Appointing the following individuals as Tax Collection Committee delegates for the Township: primary voting delegate, Ronald Filippini; first alternate voting delegate, Patricia Sluhocki; second alternate voting delegate, Shawn Potter
Res. 2009-23	9/10/2009	Authorizing the creation of the positions of temporary Deputy Chief and temporary Captain/Inspector to the Plains Township Fire Department
Res. 2009-24	10/8/2009	To release and hold harmless the County of Luzerne from all claims, causes of actions brought by the property owners or any other party as a result of demolition of property located at 96 Cleveland Street (aka 96-1/2 Cleveland Street), RR 100 Cleveland Street
Res. 2009-25	10/8/2009	Authorizing the creation of one position of temporary Captain/Inspector to the Plains Township Fire Department
Res. 2009-27	11/12/2009	Authorizing Northeastern Pennsylvania Alliance (NEPA) to make an application for a grant from the Pennsylvania Department of Environmental Protection through the PA Conservation Works Grant Program to coordinate and implement a traffic signal conversion program designed to assist municipalities in realizing significant energy and cost savings by converting and/or retrofitting existing traffic signal lights to LED bulbs
Res. 2009-28	11/12/2009	Adopting Bi-county Hazard Mitigation Plan for the Counties of Lackawanna and Luzerne

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Ord./Res.	Date	Subject
Res. 2009-29	12/10/2009	Authorizing application for Local Share Account Funding to acquire a new aerial fire truck to ensure the public safety for existing and pending development at and surrounding Mohegan Sun and Pocono Downs along the Route 315 corridor
Res. 2009-30	12/10/2009	Authorizing application for Local Share Account Funding to make certain curbs, sidewalk, roadway improvements, widening work, tree lawn and drainage improvements to West Carey Street (SR 2011) from Main Street to River Street
Res. 2009-31	12/10/2009	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Gerald Cross, term to expire December 31, 2014; Recreation Board, John Million, term to expire December 31, 2014 and Thomas Salus, term to expire December 31, 2014; Zoning Hearing Board, Michael Somoga, term to expire December 31, 2014, Joseph McGuire, term to expire December 31, 2012 and Alternate Michael Wascavage; and the Planning Commission, Ken Evans, term to expire December 31, 2014 and James Bush, term to expire December 31, 2013
Ord. 2010-1	1/14/2010	Amending the Police Pension Fund
Res. 2010-1	1/14/2010	Authorizing the filing of an application for funds with the Department of Environmental Protections for a Municipal Recycling Grant for the year of 2009
Res. 2010-2	1/14/2010	Adopting the 5-year smoothing method to determine the actuarial value of assets for the Township of Plains Police and Non-uniformed Employees Pension Plan
Res. 2010-3	2/11/2010	Reducing the contributions to the Plains Township Police Pension Fund to 3 percent of the members compensation for the calendar year 2010
Res. 2010-10	6/10/2010	Authorizing an application for grant monies in the amount of \$670,000 minimum to correct a drainage problem in the Township and Chairperson Ronald Filippini is authorized to execute all documents for the H2O grant for Boulevard Manor (Iroquois & Seminole Avenues and Penrose, Kelly and Avon Streets)
Res. 2010-11	6/10/2010	Authorizing and directing the Chairperson of the Township to sign an Agility Agreement on it's behalf, Federal ID No. 24-6001523
Res. 2010-13	9/9/2010	Amending and appointing representatives to the LRA, Local Redevelopment Authority: Robert Sax, Commissioner; and Gerald Yozwiak, Commissioner
Res. 2010-14	9/9/2010	For the calendar year of 2011, member contributions to the Police Pension Fund shall be at 5 percent of the member's compensation
Res. 2010-15	9/9/2010	Adopting the reduced amortization option for the Police and Non-uniformed Pension Plans
Res. 2010-16	9/9/2010	Approving and adopting the amendment to the Plains

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Ord./Res.	Date	Subject
		Township Firemen's Pension Plan
Res. 2010-17	12/9/2010	Approving transfer of a liquor license owned by Top of the Food Chain Restaurants, Inc., having a license number of R-10632 and LID number 54027 which is located at 131 East Broad Street, Nanticoke City, to Craft Beer, Inc., 1574 Highway 315, Plains Township
Res. 2010-18	12/9/2010	Authorizing application for Local Share Account funding West Carey Street; curbs, sidewalks, widening work, tree lawn, and drainage and roadway improvements
Res. 2010-19	12/9/2010	Authorizing application for Local Share Account funding Plains Veteran's Memorial Educational Opportunity Center
Res. 2010-20	12/9/2010	Authorizing application for Local Share Account funding First Street Project; drainage and roadway improvements, including curbs and sidewalks
Res. 2011-1	--/2011	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the year of 2010
Res. 2011-3	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a General Fund, Account Number 9852637256; Account Type, Municipal Investment NOW
Res. 2011-4	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a General Fund, Account Number 15004214366210; Account Type, Municipal Money Market Saving
Res. 2011-5	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Payroll Account, Account Number 9852637389; Account Type, Municipal Investment NOW
Res. 2011-6	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a State Aid Account, Account Number 9852637397; Account Type, Municipal Investment NOW
Res. 2011-7	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a State Aid Account, Account Number 15004214366228; Account Type, Municipal Money Market Saving
Res. 2011-8	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Valley Crest Escrow Account, Account Number 15004214366236; Account Type, Municipal Money Market Saving
Res. 2011-9	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Valley Crest Storm Water, Account Number 15004214366244; Account Type, Municipal Money Market Saving
Res. 2011-10	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Geisinger Escrow Account, Account Number 15004214366260; Account Type, Municipal Money Market Saving

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Ord./Res.	Date	Subject
Res. 2011-11	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Richland Real Estate Escrow Account, Account Number 15004214366252; Account Type, Municipal Money Market Saving
Res. 2011-12	1/14/2011	Manufacturers and Traders Trust Company Public Funds; authorizing the opening of a Recreation Board Grant by James E. Chiucchi, Kathleen O'Boyle, Brigid M. O'Connor and Ronald D. Filippini
Res. 2011-13	1/13/2011	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Andrew Lazar, term to expire December 31, 2015; Recreation Board, Maureen Reilly, term to expire December 31, 2015; Zoning Hearing Board, Karen Rubasky, term to expire December 31, 2015; Planning Commission, Martin O'Connor, term to expire December 31, 2015; and the Civil Service Commission, Gerald Yozwiak, term to expire December 31, 2015 and Norma Nardone, term to expire December 31, 2011
Res. 2011-15	2/10/2011	Confirming support of the petition of the Township to the Pennsylvania Liquor Control Board for exemption of a certain portion of the Township from regulations of the Pennsylvania Liquor Control Board governing amplified music being heard off of a premises subject to a liquor license
Res. 2011-16	3/10/2011	Authorizing and directing the Chairperson of the Board of Commissioners to sign the attached agreement
Res. 2011-22	9/8/2011	Adopting the reduced amortization option for the Non-uniformed Employees' Pension Plan
Res. 2011-23	9/8/2011	Adopting the reduced amortization option for the Police Pension Plan
Res. 2011-24	10/13/2011	Authorizing Charles Krommes, EMA Coordinator to execute for and in behalf of the Township all required forms and documents for the purpose of obtaining financial assistance from FEMA
Res. 2011-26	12/10/2011	Authorizing application for Local Share Account Funding, Plains Veteran's Memorial Educational Opportunity Center
Res. 2011-27	11/10/2011	Authorizing an application for assistance through a Gaming Grant with the Department of Community and Economic Development (DCE)
Res. 2011-28	11/10/2011	Appointing Luzerne County's Flood Protection Authority to act as agent of the Township relative to the Plains Township Hazard Mitigation Grant
Res. 2012-1	1/5/2012	Approving the application of Northeast Travel Planners, Inc. for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License R-17626 to premises located at 1073 Route 315
Res. 2012-2	1/12/2012	Authorizing the filing of an application for funds with the Department of Environmental Protection, for a Municipal Recycling Grant for the Year of 2011

(App. D)

Ord./Res.	Date	Subject
Res. 2012-4	2/9/2012	Clarifying the terms and time period of service to the various Authorities, Boards and Commissions within the Township: Sewer Authority, Joseph Hoiniski, term to expire December 31, 2016; Recreation Board, Louis Cardoni, term to expire December 31, 2016 and John Kozerski, term to expire December 31, 2016; Zoning Hearing Board, John Javick, term to expire December 31, 2016; Planning Commission, Gerry Gryboski, term to expire December 31, 2016; and the Civil Service Commission, John A. Kelly, term to expire December 31, 2013 and Norma Nardone, term to expire December 31, 2017
Res. 2012-7	3/8/2012	Modifying existing Intermunicipal Cooperation Agreement No. 040-C01
Res. 2012-8	3/8/2012	Authorizing and approving Ronald Filippini, as Chairperson, to sign any and all documents in conjunction with the proposed First Street Section Ear Project, under contract with PennDOT Agreement No. 04R085
Res. 2012-9	1/5/2012	Approving the application of Northeast Pennsylvania Travel Planners, Inc. for the proposed intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License R-17626 to premises located at 1073 Route 315
Res. 2012-10	3/8/2012	Authorizing and directing the Secretary of the Township to sign the attached agreement
Ord. 2014-3	6/ /2014	Authorizing exercise of police powers by officials within the Geisinger Health System Institutional District
Ord. 2014-6	10/9/2014	Amending the Police Pension Fund; compensation
Ord. 2014-7	11/20/2014	Amending the Police Pension Fund; compensation

(App. D)

Appendix E

Plan Approval

Ord./Res.	Date	Subject
Res. 12/29/1988	12/29/1988	Adopting the Luzerne County Solid Waste Management Plan
Res. 1990-43	7/12/1990	Adopting the Luzerne County Municipal Waste Plan
Res. 1999-5	4/8/1999	Authorizing Varaly Associates to prepare a new Comprehensive Plan
Res. 2007-16	4/12/2007	Authorizing and directing the Chairperson to sign the attached Traffic Signal Maintenance Agreement

(App. D)

Appendix F

Public Property

Ord./Res.	Date	Subject
Res. --/--	--/--	Authorizing the Township to acquire an easement from Blue Coal Company to fund the Watershed Project
Res. 11/15/1967	11/15/1967	Acquiring property known as the Hilldale Playfield for public purposes
Ord. 4/30/1970	4/30/1970	Authorizing the acquisition of land by eminent domain
Res. 10/31/1972	10/31/1972	Authorizing the purchase of 137 acres, more or less, and 10 acres, more or less, in the Hilldale section for recreational purposes
Res. 1/15/1973	1/15/1973	Accepting the Easement Agreement between Stanley P. Miller, et uz., transferring to the Township the right to construct, operate, maintain and repair from time to time an underground storm sewer
Res. 3/29/1973	3/29/1973	Authorizing the purchase of an additional 20 acres, more or less, in the Hilldale section for recreational purposes
Res. 7/15/1975	7/15/1975	Desiring to acquire certain lands situate on Abbott Street as part of its recreation program
Res. 11/26/1975	11/26/1975	Authorizing the closing of the purchase of 1.21 acres of land, more or less, in the Keystone section for recreational purposes
Res. 2/12/1976	2/12/1976	Authorizing the sale of part of premises known as Hillside Avenue
Res. 5/13/1976	5/13/1976	Authorizing the purchase and closing of Lot No. 4, Pocono Gardens, for Municipal purposes
Res. 9/15/1977	9/15/1977	Expressing the desire to accept the transfer of property owned by the First Eastern Bank, N.A., known as No. 1 North Main Street
Res. 6/8/1978	6/8/1978	Authorizing the President and Secretary to execute an agreement between Consolidated Rail Corporation and the Township for an easement to install a storm sewer line at a point 0.09 mile South of the Station of Port Bowkley
Res. 6/8/1978A	6/8/1978	Authorizing the President and Secretary to execute an agreement between Consolidated Rail Corporation and the Township for an easement to install water pipes at a point in the Township East of the Station of Wilkes-Barre

(App. F)

Ord./Res.	Date	Subject
Res. 9/14/1978	9/14/1978	The contract for the sale of land having a reuse value less than \$60,000 by and between the Redevelopment Authority of Luzerne County and Walter and Clara Harding for the disposition of Parcel No. 5, located at 28 Robert Street, is hereby repealed; the contract for the sale of land having a reuse value less than \$60,000 by and between the Redevelopment Authority of Luzerne County and John and Alice Tokach for the disposition of Parcel No. 5B, located at 30 Robert Street, is hereby repealed; and The contract for the sale of land having a reuse value less than \$60,000, said parcel being Lot No. 5 located at 28 Robert Street and Lot No. 5B, located at 30 Robert Street, by and between the Redevelopment Authority of Luzerne County and George W. Faatz and Susan B. Faatz, is hereby approved
Res. 10/12/1978	10/12/1978	The contract for the sale of land having a reuse value less than \$60,000, said parcel being Lot No. 5 located at 28 Robert Street and Lot No. 5B, located at 30 Robert Street, by and between the Redevelopment Authority of Luzerne County and George W. Faatz and Susan B. Faatz, is hereby annulled; the contract for the sale of land having a reuse value less than \$60,000 by and between the Redevelopment Authority of Luzerne County and Walter and Clara Harding for the disposition of Parcel No. 5, located at 28 Robert Street, is hereby approved; and the contract for the sale of land having a reuse value less than \$60,000 by and between the Redevelopment Authority of Luzerne County and John and Alice Tokach for the disposition of Parcel No. 5B, located at 30 Robert Street, is hereby approved
Res. 5/10/1979A	5/10/1979	Authorizing the execution of a Supplemental Agreement for the installation of an additional storm drain, plus the authority to maintain and clean the water channel along the West side of River Street, between Poplar and Lathrop Streets situate on property of Edward Romanansky
Res. 5/2/1983	5/2/1983	Approving a Redeveloper's Contract by and between the Redevelopment Authority of Luzerne County and Joseph J. And Anna Mae Shatrowsky for Disposition Parcel #13 at 1-3 Pearl Street, with a frontage of 150 feet and containing 15,000 square feet at a purchase price of \$675
Res. 1990-22	4/12/1990	Authorizing the selling of three parcels of property marked as Parcel 1-a, Parcel 1-b and Parcel 1-c based upon the acceptance of bids
Res. 1990-33	5/10/1990	Approving the sale of certain real estate that was purchased from Consolidated Railroad Corporation to residents of the Township
Res. 1991-15	7/18/1991	Approving the sale of certain real estate that was purchased from Consolidated Railroad Corporation to residents of the Township
Res. 1991-24	10/10/1991	Approving the sale of certain real estate that was purchased from Consolidated Railroad Corporation to residents of the Township
Res. 1993-31	11/11/1993	Approving the sale of certain real estate that was purchased from Consolidated Railroad Corporation to residents of the Township

Ord./Res.	Date	Subject
Res. 1995-7	2/9/1995	Authorizing the execution of a Quit Claim Deed
Res. 2003-12	12/11/2003	Authorizing the purchase of fire ladder trucks with pump from Edwardsville Boroughs
Res. 2007-18	6/14/2007	Providing for the sale of equipment
Ord. 2007-6	11/19/2007	Finding and certifying that a certain area of the Township is a "Deteriorated and Blighted Area"
Ord. 2007-7	11/19/2007	Providing for the temporary exemption from real property taxation for specified time periods for increases in assessed valuation of the new construction and of improvements

(App. F)

Appendix G

Sewers

Ord./Res.	Date	Subject
Ord. --/--	--/--	Authorizing the construction of a sanitary sewer in Bergh Street
Deed 1/2/1973	1/2/1973	Deed of Stanley P. Miller and Anna Miller, his wife, with the Township for sewer right-of-way
Res. 5/15/1974	5/15/1974	For planned sewage revision for the creation of a commercial holding tank sewage facility known as the temporary Giant Floor Holding Tank Plan-Route 315
Res. 10/30/1975	10/30/1975	A proposed on-lot sewage system facility is consistent with the approved public sanitary sewage facility as is proposed for the Fox Hill Road
Res. 3/15/1976	3/15/1976	For planned sewage revision for a creation of a commercial holding tank sewage facility known as the temporary Plains Township Park and Recreation Board Holding Tank Plan-Hilldale Section
Res. 4/15/1976	4/15/1976	For planned sewage revision for a creation of a holding tank sewage facility known as the temporary Santarelli Holding Tank Plan-46 Chamberlain Street
Res. 5/27/1976	5/27/1976	For planned sewage revision for a creation of a holding tank sewage facility known as the temporary Fazzi Holding Tank Plan-33 St. James Street
Res. 5/27/1976A	5/27/1976	For planned sewage revision for a creation of a holding tank sewage facility known as the temporary Westminster Memorial Gardens Holding Tank Plan-Westminster Road
Res. 6/15/1976	6/15/1976	For planned sewage revision for a creation of a holding tank sewage facility known as the temporary Jastremski Holding Tank Plan-Rear 58-64 Henry Street
Res. 8/12/1976	8/12/1976	Authorizing the President and Secretary to execute necessary documents for the hook-up of the Methodist Homes for the Aging of the Wyoming Conference with the Township Sewerage System on East Saylor Avenue
Res. 1/13/1977	1/13/1977	Adopting and submitting to the Department of Environmental Resources for its approval as a revision to the "Official Plan"
Grant 8/4/1977	8/4/1977	Grant of right-of-way
Res. 4/13/1978	4/13/1978	Authorizing the payment of a consideration of \$3,375 for an easement grant from Edward Romanansky for the construction of a sewer line pursuant to the Township's Public Works Program
Res. 8/29/1978	8/29/1978	For Plan Revision, North Valley Swim & Tennis Club proposed development of a parcel of land identified as North Valley Swim & Tennis Club

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Ord./Res.	Date	Subject
Res. 5/10/1979	5/10/1979	Authorizing the payment of a consideration of \$3,375 for an easement grant from Edward Romanansky for the construction of a sewer line pursuant to the Township's Public Works Program
Res. 5/8/1986	5/8/1986	Adopting the Plan of Improvements to Waste Water Interception and Treatment Facilities, known as the 201 Facilities Plan
Res. 1990-42	6/14/1990	For Plan Revision, Dale Realty proposed development of a parcel of land identified as River Ridge East and proposes that such subdivision be served by community sewage systems
Res. 1990-44	8/9/1990	For Plan Revision, Katzkidd Investment proposed development of a parcel of land identified as Midas Muffler Shop and proposes that such subdivision be served by community sewage systems
Res. 1991-9	4/11/1991	For Plan Revision for new land development, Volunteers of America proposed development of a parcel of land identified as Plains Township V.O.A. Living Center and proposes that such subdivision be served by sewer extension
Res. 1991-14	7/1/1991	For Plan Revision for new land development, Geisinger/Wyoming Valley Medical Center proposed development of a parcel of land identified as Geisinger/Wyoming Valley Cancer Clinic and proposes that such subdivision be served by existing sewer tap-ins
Res. 1991-19	8/8/1991	For Plan Revision for new land development, Plains Township proposed development of a parcel of land identified as Atherton Street Subdivision
Res. 1991-21	8/8/1991	Authorizing the Zoning Officer to review a Sewage Facilities Planning Module submitted for the proposed subdivision known as Bald Mountain Estates
Res. 1991-23	9/12/1991	For Plan Revision for new land development, General Services Administration proposed development of a parcel of land identified as Social Security Administration Wilkes-Barre Data Operations Center and proposes that such subdivision be served by sewer tap-ins, sewer extension
Res. 1992-5	3/12/1992	For Plan Revision for new land development, Szeles Real Estate Development Company proposed development of a parcel of land identified as Cross Valley Corporate Center and proposes that such subdivision be served by sewer tap-ins
Res. 1992-6	3/12/1992	For Plan Revision for new land development, Frank Merlino proposed development of a parcel of land identified as Hudson Gardens IV and proposes that such subdivision be served by sewer tap-ins
Res. 1992-7	3/12/1992	For Plan Revision for new land development, Michael Milkanin proposed development of a parcel of land identified as Milkanin Subdivision and proposes that such subdivision be served by sewer tap-ins, sewer extension
Res. 1992-38	5/14/1992	For Plan Revision for new land development, The Greater Wilkes-Barre

		Industrial fund proposed development of a parcel of land identified as East Mountain Business Park and proposes that such subdivision be served by sewer extension
Res. 1992-41	6/11/1992	For Plan Revision for new land development, The Housing Authority of Luzerne County proposed development of a parcel of land identified as Plains Township Elderly Housing and proposes that such subdivision be served by sewer tap-ins
Res. 1992-45	10/8/1992	For Plan Revision for new land development, Geisinger of Wyoming Valley proposed development of a parcel of land identified as East Mountain Medical Arts Building
Res. 1992-44	10/8/1992	For Plan Revision for new land development, Louis Neare proposed development of a parcel of land identified as Pocono Trailer Court, Inc. and proposes that such subdivision be served by sewer extension
Res. 1993-17	5/20/1993	For Plan Revision for new land development, Gino Dominick & Joan Marie Marchetti proposed development of a parcel of land identified as Marchetti Subdivision and proposes that such subdivision be served by sewer tap-ins
Res. 1995-14	6/8/1995	For Plan Revision for new land development, Wilkes-Barre Area School District proposed development of a parcel of land identified as Wilkes-Barre K-8 School and proposes that such subdivision be served by sewer tap-ins, sewer extension
Res. 1996-12	2/8/1996	For Plan Revision for new land development, United Diamond Corporation proposed development of a parcel of land identified as (existing) Cross Valley Centre and proposes that such subdivision be served by sewer tap-ins
Res. 1996-13	2/8/1996	For Plan Revision for new land development, Robert Care proposed development of a parcel of land identified as Water Front Professional park and proposes that such subdivision be served by sewer tap-ins
Res. 1997-5	3/13/1997	Sewage Facilities Planning Module, Rank Pascucci, Jr., West side of S.R. 2039, 1 mile Northwest of Kresgeville School
Res. 2011-25	11/10/2011	Adopting the recommendations of the Plan Update for the selected wastewater disposal alternative

(App. G)

(App. H)

Appendix H
Streets and Sidewalks

Street	Activity	Description	Ord./Res.	Date
Baltimore Drive	Accepting	Located in the East Mountain Business Park	Res. 1993-29	9/16/1993
Certain land	Conveying	Beginning at a corner where the Southeasterly line of Cotton Avenue extended intersects the Northeasterly line of Bergh Street extended	Res. 8/31/1967	8/31/1967
Cheryl Street	Adopting as Public Highways	Beginning at Hill Street and ending at Dead End TC	Ord. 2007-5	8/9/2007
East Charles Street	Designating	Charles Street East off South Main Street	Ord. 8/31/1967A	8/31/1967
Enterprize Street	Adopting as Public Highways	Beginning at SR2004 SR and ending at Dead End TC	Ord. 2007-5	8/9/2007
First Street	Maintaining	Beginning at Miner Street in the Township, known as State Highway Route No. 40046 and extending to Main Street in the City of Wilkes-Barre, known as State Highway Route No. 40045	Res. 4/30/1965	4/30/1965
Gail Drive	Adopting as Public Highways	Beginning at Dead End TC and ending at Jay Drive	Ord. 2007-5	8/9/2007
Gail Drive	Adopting as Public Highways	Beginning at Jay Drive and ending at SR2015 SR	Ord. 2007-5	8/9/2007
Gallagher Drive	Accepting		Res. 2007-20	8/9/2007
Gallagher Road	Naming	Perpendicular to South River Street, bordered by the Zawatski property on the North the Romanowski property on the South	Res. 11/9/1989	11/9/1989
Garden Drive	Changing name	Now known as Grace Drive	Res. 1990-15	—/—/1990
Gibbons Lane	Accepting		Res. 2007-20	8/9/2007

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Street	Activity	Description	Ord./Res.	Date
Grace Drive	Accepting	Certain parcel of property	Res. 10/15/1987	10/15/1987
Grace Drive (formerly known as Garden Drive)	Accepting	From Frank J. Merlino and Grace V. Merlino, his wife	Res. 1990-15	—/—/—
Hill Street	Adopting as Public Highways	Beginning at Bergh Street and ending at Michelle Street	Ord. 2007-5	8/9/2007
Hill Street	Adopting as Public Highways	Beginning at Cheryl Street and ending at Louis Street	Ord. 2007-5	8/9/2007
Hill Street	Adopting as Public Highways	Beginning at Louis Street and ending at Sandra Street	Ord. 2007-5	8/9/2007
Hill Street	Adopting as Public Highways	Beginning at Michelle Street and ending at Cheryl Street	Ord. 2007-5	8/9/2007
Hollenback Avenue, a/k/a Hollenback Street	Transferring	All or a portion of the vacated Hollenback Avenue a/k/a Hollenback Street	Res. 9/12/1978	9/12/1978
Hollenback Avenue, a/k/a Hollenback Street	Vacating	The Easterly portion of Hollenback Avenue, a/k/a Hollenback Street	Ord. 9/14/1978	9/14/1978
Islands Nos. 1 and 2	Accepting	Located in the Birchwood Hills Development	Res. 1993-39	12/30/1993
Jay Drive	Adopting as Public Highways	Beginning at SR2015 SR and ending at Gail Drive	Ord. 2007-5	8/9/2007
Laflin Road or Legislative Route No. 40038	Changing the name	Running from North Main Street Easterly to the Jenkins Township line be known as East Saylor Avenue	Res. 10/28/1971	10/28/1971
Laflin Road or Legislative Route No. 40038	Changing the name	The roadway that runs from North Main Street Westerly to River Street just below the Jenkins Township line be known as West Saylor Avenue	Res. 10/28/1971	10/28/1971
Lan Creek Road	Accepting	Certain parcel of property	Res. 10/15/1987	10/15/1987
Louis Street	Adopting as Public Highways	Beginning at Hill Street and ending at Dead End TC	Ord. 2007-5	8/9/2007
Michelle Street	Adopting as Public Highways	Beginning at Hill Street and ending at Dead End TC	Ord. 2007-5	8/9/2007

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Street	Activity	Description	Ord./Res.	Date
Mitchell Street	Adopting as Public Highways	Beginning at Abbott Street and ending at SR2011 SR	Ord. 2007-5	8/9/2007
Napoli Street	Resolving house numbering disputes	Of the Keystone Section	Res. 10/-/1986	10/-/1986
Napoli Street	Running	To run Easterly from Ridgewood Road to Route 315	Res. 8/10/1978	8/10/1978
Ridgewood Road	Resolving house numbering disputes	Of the Keystone Section	Res. 10/-/1986	10/-/1986
Ridgewood Road	Running	To run Easterly from the now designated Union Street to Route 315	Res. 8/10/1978	8/10/1978
Sandra Street	Adopting as Public Highways	Beginning at Hill Street and ending at Dead End TC	Ord. 2007-5	8/9/2007
South River Street	Vacating	A portion of an alleyway located in the Second Ward, to the rear of 225 South River Street	Res. -/-/-	-/-/-
St. James Street	Grading, paving and necessary draining	Between St. Mary's Street and Rose Avenue	Ord. 10/14/1959	10/14/1959
Sunset Drive	Adopting as Public Highways	Beginning at Dead End TC and ending at Sunset Drive	Ord. 2007-5	8/9/2007
Sunset Drive	Adopting as Public Highways	Beginning at SR0315 SR and ending at Sunset Drive	Ord. 2007-5	8/9/2007
Sunset Drive	Adopting as Public Highways	Beginning at Sunset Drive and ending at Dead End TC	Ord. 2007-5	8/9/2007
Sunset Drive	Resolving house numbering disputes	Of the Keystone Section	Res. 10/-/1986	10/-/1986
Sunset Drive	Running	To run Easterly from Route 315 to an intersection-thence running North and South	Res. 8/10/1978	8/10/1978

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Street	Activity	Description	Ord./Res.	Date
Tamarack Road	Approving the purchase	Certain property of Joseph Balent	Res. 8/29/1975	8/29/1975
Union Street	Extending	Beyond the Delaware & Hudson right-of-way within the Keystone Section, to continue from the Delaware & Hudson right-of-way Northerly to the Laflin Borough territorial line	Res. 8/10/1978	8/10/1978
Union Street	Resolving house numbering disputes	Of the Keystone Section	Res. 10/-/1986	10/-/1986
Various Roadways	Maintaining		Res. 9/14/1989	9/14/1989
Various Roadways	Accepting	From NPW Medical Center of N.E. Penna., Inc.	Res. -/-/-	-/-/-
Warner Street	Vacating	A portion of an alleyway located in the Second Ward, to the rear of 73 Warner Street	Res. -/-/-	-/-/-
West Charles Street	Designating	Charles Street West of Maffett Street	Ord. 8/31/1967	8/31/1967

Appendix I

Water

Ord./Res.	Date	Subject
Res. --/--	--/--	Requesting additional fire hydrants, one hydrant on River Street in the area of Stopay's Candy Store
Res. --/--/1981A	--/--/1981	Installing one hydrant in the area of the Carriage Stop Inn, one hydrant on Center Street in the Irishtown Section and one hydrant at the corner of Nicholson and Burke Streets
Res. 9/3/1981	9/3/1981	Installing one fire hydrant at a spot 600 feet South of the nearest hydrant on East Merritt Street
Res. 3/13/1986	3/13/1986	Requesting additional fire hydrants, 10 hydrants in various locations
Res. 11/13/1986	11/13/1986	Requesting additional fire hydrants, three hydrants on West Minister Road and one hydrant on Briar Creek Road near Lan Creek Road, Mill Creek Acres
Res. 1990-16	2/8/1990	Approving installation of fire hydrants placed at Grace Drive (near Garden Drive); one hydrant at the Carriage Stop Inn, Route 115; and three hydrants at West Minister Road
Res. 1993-32	12/9/1993	Requesting additional fire hydrants, one hydrant on West Minister Road at a location marked with blue paint on the roadway & telephone pole by the Fire Chief
Res. 1995-12	4/13/1995	Requesting additional fire hydrants, one hydrant at the end of Powell Street at a location marked by the Fire Chief
Res. 1996-33	6/13/1996	Requesting additional fire hydrants, one hydrant on S. River Street by the Wyoming Valley Sewer Authorities Pumping Station as marked by the Fire Chief
Res. 1996-38	12/12/1996	Requesting additional fire hydrants, one hydrant at the end of 8 inch main that is going to be installed by the water co. on Mill Creek Road (Mill Creek Acres)
Res. 1997-16	7/10/1997	Requesting additional fire hydrants, one hydrant on Abbott Street near Bailey Street that is going to be installed by the Water Company
Res. 1999-11	7/15/1999	Requesting additional fire hydrants, one hydrant in the middle of Stoney Creek Road to be installed by the Water Company (Mill Creek Acres)
Res. 2000-11	1/13/2000	Requesting additional fire hydrants, one hydrant
Res. 2002-24	12/12/2002	Requesting additional fire hydrants, one hydrant on the North end of Perkins Street at the end of the roadway

Appendix J

Zoning; Prior Ordinances

Ord./Res.	Date	Subject
Ord. 1/16/1955	1/16/1955	Amending and revising the Veterans Administration Hospital Zoning Ordinance and the map showing the location and boundaries of the zones therein established
Ord. 7/31/1962	7/31/1962	Repealing the Zoning Ordinance known as the "Veterans Administration Hospital Zoning Ordinance"
Ord. 1/28/1966	1/28/1966	Adopting a Zoning Ordinance
Ord. 3/31/1970	3/31/1970	Amending Article 9, §9.05 of the Zoning Ordinance
Ord. 4/27/1972	4/27/1972	Amending certain sections of the Zoning Ordinance
Ord. 7/31/1973	7/31/1973	Amending certain sections of the Zoning Ordinance
Ord. 11/27/1974	11/27/1974	Making it illegal and improper to hunt for any and all types of game in the R-1 and R-2
Ord. 6/30/1975	6/30/1975	Rezoning the area commencing from the intersection of East Ann Street and South Main Street running along the Westerly side of South Main Street at a depth of 200 feet to the Township–Wilkes-Barre City boundary as a commercial area
Ord. 11/13/1975A	11/13/1975	Amending §10-02 of the Zoning Ordinance
Ord. 11/15/1976	11/15/1976	Rezoning the area on the Westerly side of North Main Street from R-2 (single-family and two-family residence) to B-1 (neighborhood commercial use)
Ord. 5/5/1977A	5/5/1977	Adopting a Zoning Ordinance
Ord. 9/25/1978	9/25/1978	Rezoning approximately 50 acres located generally in the area to the North of Wilkes-Barre Area Vocational-Technical School, East of Interstate 81 and West of Pocono Park Trailer Court from C-1 to R-3
Ord. 11/8/1979	11/8/1979	Eliminating the Commercial Recreation Use as set forth in District B-2 General Commercial and B-3 Highway Commercial; eliminating Entertainment Facilities Use B-1 Neighborhood Commercial and Shopping Center and B-2 General Commercial and B-3 Highway Commercial; eliminating that Rock Concerts Use set forth in District C-1 Conservation
Ord. 12/5/1979	12/5/1979	Prohibitive use amendment, that nuclear waste disposal sites are a dangerously hazardous use prohibited within any and all zoned districts within the Township

(App. J)

Ord./Res.	Date	Subject
Ord. 12/20/1979	12/20/1979	Rezoning approximately 174.37 acres bounded by Interstate 81 and the Westminster Road from C-1 to I-1
Ord. 12/20/1979A	12/20/1979	Rezoning approximately 23, 645 square feet located on the Southerly side of Miner Street bounded by Gibbons Lane and the Delaware and Hudson Railroad Company from an R-2 to B-1
Ord. 12/20/1979B	12/20/1979	Rezoning approximately 23,645 square feet located on the Southerly side of Miner Street bounded by Gibbons Lane and the Delaware and Hudson Railroad Company from R-2 to B-1
Ord. 3/-/1982	3/-/1982	Amending §§4.05, 4.06 and adding §12.0165 of the Zoning Ordinance
Ord. 4/5/1982	4/5/1982	Amending §8.011 of the Zoning Ordinance
Ord. 5/3/1982	5/3/1982	Amending §§6.25 and 8.0421 of the Zoning Ordinance
Ord. 5/20/1983	5/20/1983	Repealing §101-12.1 of the Zoning Ordinance and enacting Article 14
Ord. 9/5/1983	9/5/1983	Rezoning the parcel of property with 47 feet frontage and 135.4 feet depth on Stocker Street and 150 feet distance from the corner of East Carey Street and Stocker Street from R-2 Residential to B-2 General Commercial
Ord. 5/17/1984	5/17/1984	Rezoning the parcel of property located on the Northerly side of Fox Hill Road, East of the side entrance to Pocono Downs, consisting of approx. 6 acres of land, from B-3 Highway Commercial to R-3 Multi-family Residential
Ord. 6/13/1985	6/13/1985	Rezoning the parcel of property located at 42 East Carey Street, presently owned by Anthony Burko and Frances A. Burko to B-2
Ord. 10/22/1985	10/22/1985	Rezoning the parcel of property located at the corner of North Main Street and East Saylor Avenue consisting of approx. 4-1/2 acres of land, from R-1 to B-3
Ord. 8/21/1986	8/21/1986	Amending certain provisions of the Zoning Ordinance
Ord. 8/13/1987	8/13/1987	Rezoning the parcel of property owned by Sylvester Kondracki, known as 11 Mill Street, having measurements of 160 feet by 43.6 feet by 140 feet by 50 feet from R-2 Residential to B-2 General Commercial
Ord. 1991-2	5/9/1991	Replacing Article 14 of the Zoning Ordinance
Ord. 1995-2	7/13/1995	Amending §2.05117 of the Zoning Ordinance
Ord. 1995-4	11/16/1995	Amending certain provisions of the Zoning Ordinance
Ord. 1996-6A	12/12/1996	Amending certain provisions of the Zoning Ordinance
Ord. 1997-4	8/5/1997	Amending the Zoning Map

Fee Schedule

Subject	Code Section	Fees
ADMINISTRATION AND GOVERNMENT		
recording of deeds		
deed filing fee		\$1.50
tax collector; authorization	§1-701	
duplicate, non original tax bills, data disk or copies of other information		\$10
ANIMALS		
carrier pigeons		
permit issuance; duration; fee; limitations on number	§ 2-203	
carrier pigeon permit		\$10 annual
reissue permit fee		\$10
prohibited animals		
permit application; fee; duration	§2-303	
permit fee		\$5
excessive number of cats and/or dogs as a nuisance		
maximum number of animals; dogs and/or cats	§ 2-421	
permit to increase number of allowable animals		\$25
CODE ENFORCEMENT		
building, electrical, plumbing and demolition fees		
residential building permits; based on the total cost of work		
cost of work		
\$1 to \$500		\$20
\$500.01 to \$600		\$25
\$600.01 to \$700		\$30
\$700.01 to \$800		\$35
\$800.01 to \$900		\$40
\$900.01 to \$1000		\$45
\$1,000.01 to \$2,000		\$60
\$2,000.01 to \$3,000		\$75
\$3,000.01 to \$4,000		\$90
\$4,000.01 to \$5,000		\$105
\$5,000.01 to \$6,000		\$120
\$6,000.01 to \$7,000		\$135
\$7,000.01 to \$8,000		\$150

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Subject	Code Section	Fees
\$8,000.01 to \$9,000		\$165
\$9,000.01 to \$10,000		\$180
Over \$10,000.01 valuation, the fees shall be \$200 plus \$7.50 for each additional thousand dollar valuation of fraction thereof.		
licensing of buildings, electrical and plumbing contractors		
fees	§5-305	
general building contractor license		\$125
HVAC professional		\$125
plumber		\$125
electrician		\$125
appeals procedure	§5-308	
appeal fee		\$50
GRADING AND EXCAVATING		
grading and grubbing fees (by district)		
B-1		\$100
B-2		\$150
B-3		\$200
B-4		\$500
C-1		\$250
C-2		\$350
R-1		\$25
R-2		\$50
R-3		\$75
HEALTH AND SAFETY		
outdoor solid fuel furnaces		
permit and permit fees	§10-105	
issuance of permit fee		\$40
alarm devices		
fee for systems connected to fire or police department	§10-302	
annual connection fee		\$100
HOUSING		
landlord/tenant regulations, licensing and occupancy		
fees	§11-116	
inspection		
residential		\$50/unit
commercial		\$100/unit
re-inspection		
residential		\$25/unit

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commercial		\$50/unit
filing of appeal	\$11-120	
fee		\$150
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS		
peddling and soliciting		
fees	\$13-108	
issuance of registration certificate fee		\$50
regulations for special events, concerts and activities		
license fee	\$13-204	
application fee		\$100
mechanical amusement devices		
license required; fee	\$13-301	
license fee		\$75
alarm devices		
permit fee	\$13-401	
first permit year		\$100
annual renewal rate		\$50
non-transferable license fee	\$13-402	\$25
false alarms	\$13-404	
medical alert		
one to three false alarms		Free
four to six false alarms		\$15
seven to nine false alarms		\$25
10 or more		Revocation
burglar alarms		
one to three false alarms		Free
any false alarm in excess of three		\$50 per alarm or activation
hold-up/panic alarms		
one false alarm		Free
two to three false alarms		\$50 per alarm or activation
three or more false alarms		\$100 per alarm or activation
fire alarms		

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one to two false alarm		Free
three to five false alarms		
per fire apparatus responding		\$50
per firefighter responding		\$50
six to 10 alarms		
per fire apparatus responding		\$100
per firefighter responding		\$75
11 to 14 false alarms		
per fire apparatus responding		\$150
per firefight responding		\$100
15 or more false alarms		Revocation of permit
liquor license transfers		
filing fee	\$13-502	\$500
MOTOR VEHICLES AND TRAFFIC		
handicapped parking		
application procedure	\$15-903	
application fee		\$25
renewal fee		\$10
SEWERS AND SEWAGE DISPOSAL		
on-lot disposal system		
conventional systems		
permit fee	\$18-103	
permit fee		\$25
individual sewage systems		
application for permit		\$50
minor subdivision module review and sign off		\$75
major subdivision module review and sign off		\$125
soil probe		\$75
additional test pits		\$25
design review and permit issuance		\$50
perc test		\$150
chisel plow inspection		\$50
sand inspection		\$50
final inspection		\$50
application for repair permit (tank replacement)		\$50
verification of prior testing		\$50
re-application of expired permit		\$60
other S.E.O. services		\$35 per hour

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mileage		\$0.35 per mile
SOLID WASTE		
municipal collection and disposal service for garbage and rubbish		
disposal by Township and residents		
fees	\$20-112	
garbage bags (50)		\$0.50 each
disposal by private haulers		
licensing of contractors	\$20-121	
stickers for vehicles used in the garbage/trash collection		\$5 each
residential license fee		
per collector, per year		\$300
per vehicle, per year		\$10
complexes with 10 or more units		\$2 per unit
commercial license fee		
per business, per year		\$30
per vehicle		\$10
unacceptable waste	\$20-144	
application		
fee		\$1,000
proof of liability insurance		\$500,000
waste dumpsters		
permit fee	\$20-304	
construction or nonconstruction waste dumpster permit fee		\$15
license	\$20-308	
annual license fee		\$100
late charge		\$25
STREETS AND SIDEWALKS		
pave cuts and street excavations		
parking meters	\$21-136	
fee for unavailable metered parking spaces		\$2 per metered space
fee schedule	21, Part 1	
processing and issuing a permit		\$75
processing issuing a permit to close a road		No Charge

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testing and boring		direct cost passed through to applicant
inspection		
per hour or part thereof, 1 hour minimum		\$50
cost of cutting new pavement		\$50 per square yard
SUBDIVISION AND LAND DEVELOPMENT		
major subdivision		
for the base application fee, plus the cost of all engineering fees and/or other consulting fees related to the review of the plans, application and site inspection work. Said fees shall include, but shall not be limited to, charges for the following types of services for the submission of a preliminary and/or final plan:		\$200 plus \$50 per lot
site inspection		
review of plans		
written reports on plan reviews		
certification of cost estimates for required improvements		
inspection of required improvements during the course of the construction and installation of said improvements		
final inspection of the subdivision and/or required improvements contained therein		
<p>In addition to the above fees, the developer, subdivider or agent thereof shall also be required to pay any and all additional fees, charges or costs that may be charged by any other municipal agency (other than the Township) for any fees connected with the review of the plans, additional reports or other such services which may be required or necessitated as a result of the application or any change(s) made to the application, proposed plans or preliminary and/or final plans by the developer, subdivider or agent thereof, either of their own initiative or as required by the Plains Township Planning Commission in order that said application, proposed plan or preliminary plan and/or final plan conforms or complies with the applicable requirements of the Plains Township Subdivision and Land Development Ordinance. The applicant will also be responsible for all engineering testing, and inspection required in the approval process of a Major Subdivision Plan.</p>		
minor subdivision		
for the base application fee, plus the cost of all engineering fees and/or other consulting fees related to the review of the plans, application and site inspection work		\$150 plus \$50 per lot
major land development		

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for the base application fee, plus the cost of all engineering fees and/or other consulting fees related to the review of the plans, application and site inspection work. Said fees shall include, but shall not be limited to, charges for the following types of services for the submission of a preliminary and/or final plan:		\$200 plus \$50 per building and/or tenant
site inspection		
review of plans		
written reports on plan reviews		
certification of cost estimates for required improvements		
inspection of required improvements during the course of the construction and installation of said improvements		
final inspection of the subdivision and/or required improvements contained therein		
In addition to the above fees, the developer, subdivider or agent thereof shall also be required to pay any and all additional fees, charges or costs that may be charged by any other municipal agency (other than the Township) for any fees connected with the review of the plans, additional calculations, additional reports or other such services which may be required or necessitated as a result of the application or any change(s) made to the application, proposed plans or preliminary and/or final plans by the developer, subdivider or agent thereof, either of their own initiative or as required by the Plains Township Planning Commission in order that said application, proposed plan or preliminary plan and/or final plan conforms or complies with the applicable requirements of the Plains Township Subdivision and Land Development Ordinance. The applicant will also be responsible for all engineering testing, and inspection required in the approval process of a Major Land Development Plan.		
minor land development		
for the base application fee, plus the cost of all engineering fees and/or other consulting fees related to the review of the plans, application and site inspection work		\$150 plus \$50 per building
subdivision and land development ordinance		
per copy		\$25
ZONING		
conditional uses		
planned residential developments	\$27-713	
application fee per housing unit		\$250 plus \$75
zoning schedule of fees		
zoning permits		
residential uses		
new construction		\$100

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additions		\$50
accessory structures and/or uses, including but not limited to swimming pools		\$25
nonresidential uses		
new construction and/or use of property without structure		\$200
additions		\$100
accessory structures and/or uses		\$75
signs		
identification sign for home occupation		\$10
institutional uses, public/semipublic uses		\$25
commercial/industrial uses		\$50
bench signs		\$50
billboards		\$200
yearly inspection fee		
bench signs		\$50
billboard		\$150
The above fees apply to the construction of a new sign, and the replacement, relocation or enlargement of an existing sign.		
certificate of zoning compliance		
residential uses (per unit)		\$50
nonresidential uses (per unit)		\$70
A certificate of Zoning Compliance (occupancy permit) is required upon the completion of the use (including new tenant/owner) development and/or activity indicated upon an approved Zoning Permit, which verifies to both the property owner and the Township that the use, development and/or activity has been completed and/or implemented in conformance with the approved Zoning Permit. Accessory residential structures shall be exempt.		
certificate of nonconformity		
residential uses		\$25
nonresidential uses		\$50
applications to the Zoning Hearing Board		
residential use/structure		\$165
nonresidential use/structure		\$300
In addition to the above referenced fees, the applicant shall be responsible for the cost incurred by the Township for the publication of the public notice, for the hearing and for ½ the appearance fee of the stenographer. The cost of the original transcript, when required or requested, shall be governed by §27-1506.1 of the Zoning Ordinance.		
conditional use permit		
residential use		\$350 plus \$25 per dwelling unit or mobile home

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nonresidential use		\$500 plus \$25 per structure or per acre if there are no structures
In addition to the above referenced fees, the applicant shall be responsible for the cost incurred by the Township for publication of the public notice for the hearing and for ½ the appearance fee of the stenographer. The cost of the original transcript, when required or requested, shall be governed by §27-1506.I of the Zoning Ordinance.		
amendments		
amendments to text of ordinance		\$300
amendments to the Zoning Map		\$300
amendments submitted as curative amendments		\$500*
*In addition to the above referenced fees, the applicant shall be responsible for the cost incurred by the Township for publication of the public notice for the hearing and for one-half the appearance fee of the stenographer. The cost of the original transcript, when required or requested, shall be governed by §27-1506.I of the Zoning Ordinance.		
materials		
zoning ordinance		\$25
subdivision/land development ordinance		\$25
zoning map		\$35

Table of Disposition of All Ordinances

Ordinance	Date	Disposition	Subject
-/-/-	-/-/-	Appendix B	Debt and Bond Issues
-/-/-	-/-/-	Appendix G	Sewers
-/-/-	-/-/-	Realty Transfer Tax	
-/-/-	-/-/-	Mechanical Device Tax	
-/-/-	-/-/-	License fee for entertainment devices for 1962	
-/-/-	-/-/-	Superseded by 1990-1	
-/-/-	-/-/-	Superseded by 12/5/1973C	Code Enforcement
1950-5	9/19/1950	Appendix C-A	Franchises and Services
10/16/1951	10/16/1951	Appendix D	Governmental and Intergovernmental Affairs
7/21/1953	7/21/1953	Superseded by 2006-6	
3/6/1954	3/6/1954	Repealed by 2/26/1976	Licenses, Permits and General Business Regulations
3/16/1954	3/16/1954	Superseded by A.O.	
4/20/1954	4/20/1954	Superseded by 11/27/1974	Taxation; Special
5/11/1954	5/11/1954	Appendix D	Governmental and Intergovernmental Affairs
1/16/1955	1/16/1955	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
3/4/1955	3/4/1955	Superseded by 3/23/1959	Licenses, Permits and General Business Regulations
8/2/1955	8/2/1955	Superseded by 8/24/1988	Streets and Sidewalks
3/26/1956	3/26/1956	Per Capita Tax for 1956	
1/6/1958	1/6/1958	Superseded by 1990-1	Administration and Government
1/6/1958A	1/6/1958	Appendix D	Governmental and Intergovernmental Affairs
1958-3	3/14/1958	Tax rate for 1958	
3/27/1958	3/27/1958	Per Capita Tax of 1958	
8/8/1958	8/8/1958	Superseded by 5/29/1975	Health and Safety
8/29/1958	8/29/1958	Superseded by 5/29/1975	Motor Vehicles and Traffic
2/27/1959	2/27/1959	Superseded by 2007-2	Taxation; Special

Ordinance	Date	Disposition	Subject
3/23/1959	3/23/1959	Superseded by A.O.	Licenses, Permits and General Business Regulations
8/28/1959	8/28/1959	Superseded by 2008-4	Licenses, Permits and General Business Regulations
10/14/1959	10/14/1959	Appendix H	Streets and Sidewalks
1962-15	—/—/1962		Administration and Government
1/15/1962	1/15/1962	Superseded by 2007-2	Taxation; Special
4/13/1962	4/13/1962	Per Capita Tax Rate for 1963	
7/31/1962	7/31/1962	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
10/12/1962	10/12/1962	Appendix D	Governmental and Intergovernmental Affairs
10/31/1962	10/31/1962	Superseded by 5/29/1975	Motor Vehicles and Traffic
2/13/1963	2/13/1963	Per Capita Tax	
2/13/1963A	2/13/1963	Real Estate Transfer Tax	
3/15/1963	3/15/1963	Superseded by A.O.	Licenses, Permits and General Business Regulations
11/29/1963	11/29/1963	Appendix B	Debt and Bond Issues
1963-20	12/13/1963	Appendix B	Debt and Bond Issues
1/15/1964	1/15/1964	Superseded by 1990-1	Administration and Government
1/15/1964A	1/15/1964	Realty Transfer Tax	
3/13/1964	3/13/1964	Appendix D	Governmental and Intergovernmental Affairs
8/19/1964	8/19/1964	Superseded by 1990-11	Solid Waste
8/31/1964	8/31/1964	Superseded by A.O.	Conduct
3/12/1965	3/12/1965	Per Capita Tax	
3/12/1965A	3/12/1965	Fixing tax rate for 1965	
5/14/1965	5/14/1965	§§1-501–1-502	Administration and Government
6/1/1965	6/1/1965	§§24-501–24-508	Taxation; Special
6/1/1965A	6/1/1965	Superseded by State law	Taxation; Special
7/30/1965	7/30/1965	Appendix B	Debt and Bond Issues
1/14/1966	1/14/1966	Superseded by 1990-1	Administration and Government
1/28/1966	1/28/1966	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances

Ordinance	Date	Disposition	Subject
2/25/1966	2/25/1966	Appendix B	Debt and Bond Issues
3/25/1966	3/25/1966	Superseded by 2005-1	Taxation; Special
3/30/1966	3/30/1966	Fixing tax rate for 1966	
4/29/1966	4/29/1966	Appendix C-A	Franchises and Services
4/29/1966A	4/29/1966	Per Capita Tax Rate for 1967	
4/29/1966B	4/29/1966	Parking Lot Tax	
4/29/1966C	4/29/1966	Mechanical Device Tax	
6/10/1966A	6/10/1966	§§1-601–1-604	Administration and Government
6/10/1966B	6/10/1966	Superseded by 1998-1	
9/15/1966	9/15/1966	Superseded by 5/29/1975	Motor Vehicles and Traffic
1967-1	2/15/1967	Appendix B	Debt and Bond Issues
3/15/1967	3/15/1967	Fixing tax rate for 1967	
4/13/1967	4/13/1967	Superseded by 12/13/1968	Taxation; Special
4/13/1967A	4/13/1967	Per Capita Tax Rate for 1968	
4/13/1967B	4/13/1967	Parking Lot Tax	
4/13/1967C	4/13/1967	Mechanical Device Tax	
5/12/1967	5/12/1967	Appendix B	Debt and Bond Issues
8/31/1967	8/31/1967	Superseded by 5/29/1975	Motor Vehicles and Traffic
8/31/1967A	8/31/1967	Appendix H	Streets and Sidewalks
9/7/1967	9/7/1967	Appendix B	Debt and Bond Issues
12/29/1967	12/29/1967	Appendix B	Debt and Bond Issues
1/2/1968	1/2/1968	Superseded by 1990-1	Administration and Government
4/30/1968A	4/30/1968	§§2-301–2-307	Animals
4/30/1968B	4/30/1968	§§2-201–2-205	Animals
8/30/1968	8/30/1968	Superseded by 5/29/1975	Motor Vehicles and Traffic
2/14/1969	2/14/1969	Superseded by 5/29/1975	Motor Vehicles and Traffic
2/28/1969	2/28/1969	Superseded by 5/29/1975	Motor Vehicles and Traffic
5/15/1969	5/15/1969	Appendix B	Debt and Bond Issues

Ordinance	Date	Disposition	Subject
10/15/1969	10/15/1969	§§10-301–10-306	Health and Safety
10/15/1969A	10/15/1969	Superseded by 4/4/1988	Licenses, Permits and General Business Regulations
12/13/1969	12/13/1969	§§24-201–24-207	Taxation; Special
1/15/1970	1/15/1970	Superseded by 1990-1	Administration and Government
3/31/1970	3/31/1970	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
3/31/1970A	3/31/1970	Superseded by Res. 1998-7	
4/30/1970	4/30/1970	Appendix F	Public Property
5/15/1970	5/15/1970	§§18-101–18-103	Sewers and Sewage Disposal
8/31/1970	8/31/1970	§1-301–1-306	Administration and Government
10/15/1970	10/15/1970	Superseded by 5/29/1975	Motor Vehicles and Traffic
1970-1	12/30/1970	Annual Budget for 1971	
–/–/1971	–/–/1971	Superseded by 5/29/1975	Motor Vehicles and Traffic
7/15/1971	7/15/1971	Superseded by 5/29/1975	Motor Vehicles and Traffic
8/12/1971	8/12/1971	Superseded by 5/29/1975	Licenses, Permits and General Business Regulations
9/30/1971	9/30/1971	Superseded by 5/29/1975	Motor Vehicles and Traffic
1971-1	12/30/1971	Annual Budget for 1972	
1/10/1972	1/10/1972		Administration and Government
2/29/1972	2/29/1972	§§24-401–24-412	Taxation; Special
3/15/1972	3/15/1972	Superseded by 2005-1	Taxation; Special
4/27/1972	4/27/1972	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
8/15/1972	8/15/1972	Superseded by 1991-3	Conduct
11/30/1972	11/30/1972	Superseded by 5/29/1975	Motor Vehicles and Traffic
12/28/1972	12/28/1972	Superseded by 5/6/1977	Subdivision and Land Development
1972-1	12/30/1972	Annual Budget for 1973	
3/15/1973	3/15/1973	Amending 1972-1	
7/31/1973	7/31/1973	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances

Ordinance	Date	Disposition	Subject
8/30/1973	8/30/1973	Appendix D	Governmental and Intergovernmental Affairs
12/5/1973A	12/5/1973	§§5-201–5-254	Code Enforcement
12/5/1973B	12/5/1973	Superseded by 2010-2	Code Enforcement
12/5/1973C	12/5/1973	Superseded by 2010-2	Code Enforcement
12/5/1973D	12/5/1973	Superseded by 2010-2	Code Enforcement
12/5/1973E	12/5/1973	Superseded by 2010-2	Code Enforcement
4/15/1974	4/15/1974	Superseded by 5/29/1975	Licenses, Permits and General Business Regulations
4/15/1974A	4/15/1974	Amending Budget of 1974	
4/30/1974	4/30/1974	Superseded by 2010-2	Code Enforcement
5/15/1974A	5/15/1974	§5-223	Code Enforcement
5/15/1974B	5/15/1974	§5-223	Code Enforcement
5/30/1974	5/30/1974	§§18-111–18-120	Sewers and Sewage Disposal
8/15/1974	8/15/1974	Superseded by 1997-3	Conduct
8/15/1974A	8/15/1974	Superseded by 5/29/1975	Motor Vehicles and Traffic
8/29/1974	8/28/1974	Superseded by 5/29/1975	Motor Vehicles and Traffic
9/30/1974	9/30/1974	Per Capita Tax Rate for 1975	
11/27/1974	11/27/1974	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
11/27/1974A	11/27/1974	§§24-101–24-110	Taxation; Special
5/29/1975	5/29/1975		Taxation; Special
§18-14		§5-232	Code Enforcement
§46-1		Superseded by 6/1/1988	Conduct
§§12-1–12-3		§§10-201–10-203	Health and Safety
§93-1		Superseded by 1996-1	Health and Safety
§§53-1–53-13		§§13-101–13-113	Licenses, Permits and General Business Regulations
§§95-1–95-43		Superseded by 1993-12	Motor Vehicles and Traffic
§§80-5, 80-7, 80-8, 80-12		Superseded by 8/24/1988	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
§§88-16–88-19, 88-22, 88-27–88-28		§§24-401–24-404, 24-406, 24-411–24-412	Taxation; Special
§88-47		§24-508	Taxation; Special
§88-57		Superseded by 2007-2	Taxation; Special
§§88-29, 22-34, 88-35, 88-39		Superseded by 2005-1	Taxation; Special
6/12/1975	6/12/1975	Repealed by 2/26/1976	Licenses, Permits and General Business Regulations
6/30/1975	6/30/1975	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
8/28/1975	8/28/1975	§§6-501–6-509	Conduct
11/13/1975A	11/13/1975	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
11/13/1975B	11/13/1975	§§21-301–21-303	Streets and Sidewalks
11/13/1975C	11/13/1975	§§1-303–1-306	Administration and Government
1975-1	11/26/1975	Annual Budget for 1976	
–/–/1976	–/–/1976	§§18-201–18-208	Sewers and Sewage Disposal
2/26/1976	2/26/1976	§§13-301–13-304	Licenses, Permits and General Business Regulations
6/15/1976	6/15/1976	Superseded by 5/6/1977	Subdivision and Land Development
11/15/1976	11/15/1976	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
2/28/1977	2/28/1977	Superseded by 1990-1	Administration and Government
5/5/1977	5/5/1977	§§24-801–24-803	Taxation; Special
5/5/1977A	5/5/1977	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
5/6/1977	5/6/1977	Superseded by 1997-7	Subdivision and Land Development
6/16/1977	6/16/1977	Superseded by 2010-2	Code Enforcement
1977-1	11/29/1977	Annual Budget for 1978	
12/1/1977	12/1/1977	§13-108	Licenses, Permits and General Business Regulations
12/29/1977	12/29/1977	Superseded by 1993-12	Motor Vehicles and Traffic
–/–/1978	–/–/1978	Superseded by 1990-1	Administration and Government
1/5/1978	1/5/1978	Superseded by 1990-1	Administration and Government
3/9/1978	3/9/1978	§1-301	Administration and Government
9/14/1978	9/14/1978	Appendix H	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
9/25/1978	9/25/1978	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/28/1978	12/28/1978	Appendix D	Governmental and Intergovernmental Affairs
2/8/1979	2/8/1979	Superseded by 1993-12	Motor Vehicles and Traffic
4/15/1979	4/15/1979	Appendix D	Governmental and Intergovernmental Affairs
5/10/1979	5/10/1979	Appendix D	Governmental and Intergovernmental Affairs
9/6/1979	9/6/1979	Appendix D	Governmental and Intergovernmental Affairs
11/8/1979	11/8/1979	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/5/1979	12/5/1979	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/5/1979A	12/5/1979	Superseded by A.O.	Health and Safety
12/20/1979	12/20/1979	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/20/1979A	12/20/1979	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/20/1979B	12/20/1979	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
2/7/1980	2/7/1980	§5-223	Code Enforcement
1980-1	12/30/1980	Annual Budget for 1981	
4/2/1981	4/2/1981	§18-201	Sewers and Sewage Disposal
4/2/1981A	4/2/1981	Superseded by A.O.	Health and Safety
4/2/1981B	4/2/1981	Superseded by 1993-12	Motor Vehicles and Traffic
1981-5	12/3/1981	Superseded by 1990-1	Administration and Government
3/-/1982	3/-/1982	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
4/5/1982	4/5/1982	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
5/3/1982	5/3/1982	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
8/2/1982	8/2/1982	Appendix D	Governmental and Intergovernmental Affairs
8/2/1982A	8/2/1982	Appendix D	Governmental and Intergovernmental Affairs
9/1/1982	9/1/1982	Superseded by 2009-6	Emergency Management
1/3/1983	1/3/1983	§§18-401-18-408	Sewers and Sewage Disposal

Ordinance	Date	Disposition	Subject
1/3/1983A	1/3/1983	Superseded by 1990-11	Solid Waste
2/7/1983	2/7/1983	Superseded by 1990-11	Solid Waste
3/7/1983	3/7/1983	Superseded by 1993-12	Motor Vehicles and Traffic
5/2/1983	5/2/1983	Superseded by 1990-11	Solid Waste
5/20/1983	5/20/1983	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
6/6/1983	6/6/1983	Superseded by 2009-6	Emergency Management
9/5/1983	9/5/1983	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
10--/1983	10--/1983	Appendix D	Governmental and Intergovernmental Affairs
1983-1	12/30/1983	Annual Budget for 1984	
1984-1	1--/1984	Amending 1983-1	
1/2/1984	1/2/1984	§13-301	Licenses, Permits and General Business Regulations
5/17/1984	5/17/1984	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/13/1984	12/13/1984	Superseded by 1990-11	Solid Waste
6/13/1985	6/13/1985	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
10/22/1985	10/22/1985	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
3/13/1986	3/13/1986	§§2-411–2-413	Animals
5/8/1986	5/8/1986	§§21-201–21-204	Streets and Sidewalks
5/8/1986A	5/8/1986	Superseded by 1993-12	Motor Vehicles and Traffic
5/8/1986B	5/8/1986	Superseded by 1993-12	Motor Vehicles and Traffic
6/12/1986	6/12/1986	Superseded by 1993-12	Motor Vehicles and Traffic
6/12/1986A	6/12/1986	§§1-311–1-320	Administration and Government
8/21/1986	8/21/1986	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
3/12/1987	3/12/1987	Appendix B	Debt and Bond Issues
8/13/1987	8/13/1987	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
12/16/1987	12/16/1987	§§24-601–24-609	Taxation; Special
4/4/1988	4/4/1988	Superseded by 1997-1	Licenses, Permits and General Business Regulations
5/12/1988	5/12/1988	Appendix C-A	Franchises and Services
6/1/1988	6/1/1988	§§6-301–6-303	Conduct

Ordinance	Date	Disposition	Subject
8/12/1988	8/12/1988	Superseded by 1993-12	Motor Vehicles and Traffic
8/24/1988	8/24/1988	§§21-101–21-164	Streets and Sidewalks
8/24/1988A	8/24/1988	Superseded by 2009-7	Licenses, Permits and General Business Regulations
11/18/1988	11/18/1988	Superseded by 1990-11	Solid Waste
–/–/1989	–/–/1989	Superseded by 1997-7	Subdivision and Land Development
1/12/1989	1/12/1989	Appendix D	Governmental and Intergovernmental Affairs
1/12/1989A	1/12/1989	Superseded by 2009-6	Emergency Management
2/9/1989	2/9/1989	Superseded by 1998-1	
12/31/1989	12/31/1989	Appendix D	Governmental and Intergovernmental Affairs
1990-1	1/25/1990	§1-201	Administration and Government
1990-2	2/8/1990	Amending the Budget of 1990	
1990-3	1/25/1990	Superseded by 1993-7	Administration and Government
1990-4	6/14/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-5	7/12/1990	Superseded by 1993-12	Motor Vehicles and Traffic
1990-6	9/26/1990	§§20-201–20-211	Solid Waste
1990-7	11/8/1990	Superseded by 1993-7	Administration and Government
1990-8	12/13/1990	Annual Budget for 1991	
1990-9	12/13/1990	Superseded by 2000-7	Emergency Management
1990-10	12/13/1990	Superseded by 2009-5A	Code Enforcement
1990-11	12/13/1990	§§20-101–20-112, 20-131	Solid Waste
1990-12	12/13/1990	§18-408	Sewers and Sewage Disposal`
1991-1	4/11/1991	Repealed by Ord. 2012-4	Sewers and Sewage Disposal
1991-2	5/9/1991	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
1991-3	8/8/1991	Superseded by 2009-6	Emergency Management
1991-3A	9/12/1991	Superseded by 1996-7	Conduct
1991-4		Missing Ordinance	
1991-5	12/12/1991	§5-223	Code Enforcement
1991-6	12/12/1991	§20-112	Solid Waste

Ordinance	Date	Disposition	Subject
1991-7	12/12/1991	Superseded by 2009-5A	Code Enforcement
1991-8	12/12/1991	Superseded by 1996-7	Conduct
1991-9	12/12/1991	Annual Budget for 1992	
1992-1	4/9/1992	Appendix B	Debt and Bond Issues
1992-2	7/16/1992	Superseded by 2009-6	Emergency Management
1992-3	12/10/1992	Superseded by 2009-6	Emergency Management
1992-4	12/10/1992	Superseded by 1993-7	Administration and Government
1992-5	12/10/1992	Annual Budget for 1993	
1993-1	1/14/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-2	2/11/1993	Superseded by 1993-12	Motor Vehicles and Traffic
1993-3	2/11/1993	§5-223	Code Enforcement
1993-4	2/11/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-5	4/8/1993	Superseded by 1993-12	Motor Vehicles and Traffic
1993-6	7/8/1993	Superseded by 1993-12	Motor Vehicles and Traffic
1993-7	9/9/1993	§§1-401–1-411	Administration and Government
1993-8	10/14/1993	§§13-301, 13-304	Licenses, Permits and General Business Regulations
1993-9	12/9/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-10	12/30/1993	Annual Budget for 1994	
1993-11	12/30/1993	§§1-331–1-336	Administration and Government
1993-12	–/–/1993	§§15-101–15-601	Motor Vehicles and Traffic
1994-1	4/14/1994	§§20-141–20-145	Solid Waste
1994-2	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-3	12/19/1994	Annual Budget of 1995	
1995-1	4/13/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-2	7/13/1995	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
1995-3	9/14/1995	Appendix C-A	Franchises and Services
1995-4	11/16/1995	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
1995-5	12/14/1995	Annual Budget for 1996	

Ordinance	Date	Disposition	Subject
1995-6	12/14/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-7	12/14/1995	Appendix D	Governmental and Intergovernmental Affairs
1996-1	6/13/1996	§§10-401–10-409	Health and Safety
1996-2	6/13/1996	§§10-501–10-514	Health and Safety
1996-3	8/8/1996	§§7-401–7-418	Emergency Management
1996-4	–/–/1996	§§6-601–6-606	Conduct
1996-5	12/9/1996	§§16-101–16-106	Parks and Recreation
1996-6	11/14/1996	§15-401	Motor Vehicles and Traffic
1996-6A	12/12/1996	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
1996-7	12/12/1996	§§6-201–6-204	Conduct
1996-8	–/–/1996	Annual Budget for 1997	
1997-1	3/13/1997	Superseded by 1998-2	Licenses, Permits and General Business Regulations
1997-2	6/12/1997	§15-401	Motor Vehicles and Traffic
1997-3	6/22/1997	§§6-101–6-103	Conduct
1997-4	8/5/1997	Superseded by 1998-1 Appendix J	Zoning Zoning; Prior Ordinances
1997-5	10/9/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-6	11/13/1997	Appendix B	Debt and Bond Issues
1997-7	11/13/1997	§§22-101–22-902	Subdivision and Land Development
1997-8	12/11/1997	Superseded by 2009-6	Emergency Management
1997-9	12/11/1997	§20-112	Solid Waste
1997-10	–/–/1997	Annual Budget for 1998	
1998-1	3/19/1998	Repealed by 2012-3	Zoning
1998-2	5/14/1998	§§13-401–13-408	Licenses, Permits and General Business Regulations
1998-3	5/14/1998	§§15-401, 15-505, 15-906	Motor Vehicles and Traffic
1998-4	6/11/1998	§15-404	Motor Vehicles and Traffic
1998-5	7/16/1998	Zoning Map Amendment	Zoning
1998-6	10/8/1998	Appendix B	Debt and Bond Issues

Ordinance	Date	Disposition	Subject
1998-7	–/–/1998	Annual Budget for 1999	
1999-1	12/9/1999	Annual Budget for 2000	
1999-2	12/9/1999	Appendix D	Governmental and Intergovernmental Affairs
2000-1	2/10/2000	§§27-506, 27-508, 27-1003	Zoning
2000-2	3/9/2000	§§24-202–24-203, 24-208–24-210	Taxation; Special
2000-3	–/–/2000	Superseded by 2009-6	Emergency Management
2000-4	6/8/2000	§§15-901–15-905	Motor Vehicles and Traffic
2000-5	7/13/2000	§21-130	Streets and Sidewalks
2000-6	9/14/2000	§27-507	Zoning
2000-7	10/12/2000	§7-201	Emergency Management
2000-8	10/12/2000	§§15-801–15-806	Motor Vehicles and Traffic
2000-9	–/–/2000	Superseded by 2009-6	Emergency Management
2000-10	12/21/2000	Annual Budget for 2001	
2001-1	11/8/2001	Appendix B	Debt and Bond Issues
2001-2	11/8/2001	Appendix B	Debt and Bond Issues
2001-3	12/13/2001	Annual Budget for 2002	
2002-1	9/12/2002	§§15-208, 15-216	Motor Vehicles and Traffic
2002-2	10/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-3	11/14/2002	§27-307	Zoning
2002-4	12/12/2002	§20-112	Solid Waste
2002-5	12/12/2002	§1-701	Administration and Government
2002-6	–/–/2002	Annual Budget for 2003	
2003-1	1/9/2003	§§13-501–13-502	Licenses, Permits and General Business Regulations
2003-2	–/–/2003	§15-404	Motor Vehicles and Traffic
2003-3	–/–/2003	§§27-202, 27-506, 27-707	Zoning
2003-4	10/6/2003	§§27-202, 27-404, 27-509, 27-707, 27-714, 27-802, 27-1117	Zoning
2003-5	–/–/2003	Annual Budget for 2004	
2004-1	3/11/2004	Appendix B	Debt and Bond Issues

Ordinance	Date	Disposition	Subject
2004-2	5/13/2004	§13-404	Licenses, Permits and General Business Regulations
2004-3	5/13/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-4	6/10/2001	§5-101	Code Enforcement
2004-5		Missing Ordinance	
2004-6	11--/2004	§27-1012	Zoning
2005-1	1/10/2005	Superseded by 2007-9	Taxation; Special
2005-2	--/2005	Revision of the Annual Budget for 2005	
2005-3	3/10/2005	§§20-301–20-310	Solid Waste
2005-4	3/10/2005	Superseded by 2006-3	Stormwater Management
2005-5	3/10/2005	§§27-202, 27-502–27-503, 27-506, 27-707, 27-713, 27-1117, 27-1506 Zoning Map Amendment	Zoning
2005-6	5/12/2005	§§13-701–13-731	Licenses, Permits and General Business Regulations
2005-7	5/12/2005	§1-701	Administration and Government
2005-8	--/2005	Annual Budget for 2006	
2006-1	1/12/2006	§22-102	Subdivision and Land Development
2006-2	--/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-3	2/9/2006	Superseded by 2012-2	Stormwater Management
2006-4	8/28/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-5	10/2/2006	Appendix B	Debt and Bond Issues
2006-6	--/2006	§§5-501–5-504	Code Enforcement
2006-7	--/2006	Annual Budget for 2007	
2007-1	5/10/2007	§§6-701–6-703	Conduct
2007-2	7/19/2007	§§24-701–24-703	Taxation; Special
2007-3	7/19/2007	§§7-301–7-306	Emergency Management
2007-4	7/19/2007	§15-402	Motor Vehicles and Traffic
2007-5	8/9/2007	Appendix H	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
2007-5A	9/19/2007	§§27-202, 27-319, 27-322–27-323, 27-404, 27-501–27-510, 27-711, 27-714–27-715, 27-802, 27-1004–27-1005	Zoning
2007-6	11/19/2007	Appendix F	Public Property
2007-7	11/19/2007	Appendix F	Public Property
2007-8	12/20/2007	§20-112	Solid Waste
2007-9	12/20/2007	§§24-301–24-313	Taxation; Special
2007-10	–/–/2007	Annual Budget for 2008	
2008-1	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-2	–/–/2008	Superseded by 2011-1	Animals
2008-3	6/12/2008	§§5-401–5-405	Code Enforcement
2008-4	10/9/2008	§§13-601–13-602	Licenses, Permits and General Business Regulations
2009-1	1/8/2009	§§6-401–6-407	Conduct
2009-2	1/8/2009	§§10-101–10-108	Health and Safety
2009-3	5/14/2009	§§2-401–2-404	Animals
2009-4	5/14/2009	§22-202	Subdivision and Land Development
2009-5	–/–/2009	Annual Budget of 2009	
2009-5A	6/11/2009	§§5-301–5-309	Code Enforcement
2009-5B	5/14/2009	§§27-202, 27-312, 27-324, 27-501–27-505, 27-507–27-510, 27-802	Zoning
2009-6	7/9/2009	§§7-101–7-106	Emergency Management
2009-7	9/10/2009	§§13-201–13-209	Licenses, Permits and General Business Regulations
2009-8	9/10/2009	§§15-701–15-706	Motor Vehicles and Traffic
2009-9	9/10/2009	§§2-421–2-424	Animals
2009-10	9/10/2009	§15-401	Motor Vehicles and Traffic
2009-11	–/–/2009	Annual Budget for 2010	
2010-1	1/14/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-2	3/11/2010	§5-111	Code Enforcement

Ordinance	Date	Disposition	Subject
2010-3	8/12/2010	§20-111	Solid Waste
2010-4		Missing	
2010-5	12/9/2010	Annual Budget for 2011	
2011-1	3/10/2011	§§2-101–2-105	Animals
2011-2	3/11/2011	§§13-202–13-209	Licenses, Permits and General Business Regulations
2011-3	7/14/2011	§§27-1001–27-1002	Zoning
2011-4	12/8/2011	Annual Budget of 2012	
2012-1	5/10/2012	§§27-1701–27-1712	Zoning
2012-2	5/10/2012	§§23-101–23-901	Stormwater Management
2012-3	8/9/2012	§§27-1201–27-1231	Zoning
2012-4	9/13/2012	§§18-301–18-361	Sewers
2012-5	12/13/2012	Annual Budget of 2013	
2013-1	1/10/2013	§§11-101–11-129	Housing
2013-2	1/10/2013	Appendix C-A	Franchises and Services
2013-3	10/10/2013	§§27-1707–27-1712	Zoning
2013-4	-/-/----	Annual Budget of 2014	
2014-1	1/9/2014	§§10-501–10-512	Health and Safety
2014-2	3/13/2014	§15-803, 15-806	Motor Vehicles and Traffic
2014-3	6/-/2014	Appendix D	Motor Vehicles and Traffic
2014-4	8/14/2014	§15-401	Motor Vehicles and Traffic
2014-5	8/14/2014	§§10-502; 10-504; 10-506; 10-509; 10-512	Health and Safety
2014-6	10/9/2014	Appendix D	Police Pension Fund
2014-7	11/20/2014	Appendix D	Police Pension Fund
2014-8	-/-/----	Annual Budget of 2015	
2015-1	5/14/2015	§§7-101–7-106	Emergency Management
2015-2	5/14/2015	§§21-101, 21-115, 21-118, 21-119, 21-128, 21-130, 21-131, 21-135, 21-138, 21-145, 21-146, 21-154, 21-155, 21-156, 21-157, 21-158, 21-161, 21-162, 21-163, Fee Schedule	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
2015-3	6/11/2015	§§20-111, 20-131	Solid Waste
2015-4	6/11/2015	§§24-1001–24-1004	Taxation
2015-5	7/9/2015	§§15-803, 15-806	Motor Vehicles and Traffic
2015-6	9/10/2015	§§27-202, 27-511, 27-1005, Zoning Map Amendment	Zoning
2015-7	- -	Annual Budget of 2016	
2016-1	2-11-2016	§§27-202, 27-501, 27-502, 27-503, 27-510	Zoning
2016-2	6-9-2016	§§13-801–13-806	Licenses, Permits and General Business Regulations
2016-3	7-14-2016	§20-111	Solid Waste
2016-4	-/-/----	Annual Budget - Tax Rate for 2017	
2017-1	6-8-2017	§§27-202, 27-503, 27-506, 27-507, 27-509	Zoning
2017-2	7-13-2017	§1-510	Wyoming Sanitary Authority
2017-3	7-13-2017	§1-510	Wyoming Sanitary Authority
2017-4	8-10-2017	§§10-401, 10-408	Disabled, Inoperable Vehicles, etc.
2017-5	8-19-2017	§§10-601-10-606	Knox boxes

Table of Disposition of Significant Resolutions

Resolution	Date	Disposition	Subject
-/-/-	-/-/-	Appendix D	Governmental and Intergovernmental Affairs
-/-/-	-/-/-	Appendix D	Governmental and Intergovernmental Affairs
-/-/-	-/-/-	Appendix D	Governmental and Intergovernmental Affairs
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-/-/-	-/-/-	Appendix D	Governmental and Intergovernmental Affairs
-/-/-	-/-/-	Appendix D	Governmental and Intergovernmental Affairs
-/-/-	-/-/-	Appendix F	Public Property
-/-/-	-/-/-	Appendix H	Streets and Sidewalks
-/-/-	-/-/-	Appendix H	Streets and Sidewalks
-/-/-	-/-/-	Appendix H	Streets and Sidewalks
-/-/-	-/-/-	Appendix I	Water
-/-/-	-/-/-	Appendix B	Debt and Bond Issues
-/-/-	-/-/-	Appendix B	Debt and Bond Issues
-/-/-	-/-/-	Appendix C-A	Franchises and Services
-/-/-	-/-/-	Appendix C-B	Franchises and Services
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49	-/-/-	Misnumbered	
6/5/1950	6/5/1950	Appendix C-B	Franchises and Services
12/7/1954	12/7/1954	Appendix B	Debt and Bond Issues
12/6/1955	12/6/1955	Appendix B	Debt and Bond Issues

Resolution	Date	Disposition	Subject
6/-/1956	6/-/1956	Appendix D	Governmental and Intergovernmental Affairs
6/4/1957	6/4/1957	Appendix D	Governmental and Intergovernmental Affairs
9/30/1959	9/30/1959	Appendix C-B	Franchises and Services
1/31/1962	1/31/1962	Appendix C-B	Franchises and Services
7/31/1962	7/31/1962	Appendix D	Governmental and Intergovernmental Affairs
9/17/1962	9/17/1962	Appendix D	Governmental and Intergovernmental Affairs
11/1/1962	11/1/1962	Appendix C-B	Franchises and Services
11/29/1963	11/29/1963	Appendix B	Debt and Bond Issues
1/15/1964	1/15/1964	Appendix B	Debt and Bond Issues
3/12/1965	3/12/1965	Appendix C-B	Franchises and Services
3/30/1965	3/30/1965	Appendix C-B	Franchises and Services
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7/15/1965	7/15/1965	Appendix C-B	Franchises and Services
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1/14/1966	1/14/1966	Appendix B	Debt and Bond Issues
4/29/1966	4/29/1966	Appendix C-B	Franchises and Services
1/13/1967	1/13/1967	Appendix B	Debt and Bond Issues
8/15/1967	8/15/1967	Appendix B	Debt and Bond Issues
8/31/1967	8/31/1967	Appendix H	Streets and Sidewalks
9/29/1967	9/29/1967	Appendix C-B	Franchises and Services
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11/30/1967	11/30/1967	Superseded by Ord. 5/29/1975	Motor Vehicles and Traffic
1/31/1968	1/31/1968	Appendix D	Governmental and Intergovernmental Affairs
10/31/1968	10/31/1968	Appendix C-A	Franchises and Services
1/31/1969	1/31/1969	Appendix C-A	Franchises and Services
5/15/1969	5/15/1969	Appendix B	Debt and Bond Issues
6/27/1969	6/27/1969	Appendix C-B	Franchises and Services
9/15/1969	9/15/1969	Appendix C-A	Franchises and Services
10/31/1969	10/31/1969	Appendix C-B	Franchises and Services

Resolution	Date	Disposition	Subject
11/14/1969	11/14/1969	Appendix C-B	Franchises and Services
1/15/1970	1/15/1970	Appendix B	Debt and Bond Issues
6/30/1970	6/30/1970	Appendix B	Debt and Bond Issues
9/15/1970	9/15/1970	Appendix C-B	Franchises and Services
10/15/1970	10/15/1970	Appendix C-B	Franchises and Services
10/14/1971	10/14/1971	Appendix C-B	Franchises and Services
10/28/1971	10/28/1971	Appendix H	Streets and Sidewalks
10/31/1972	10/31/1972	Appendix F	Public Property
10/31/1972A	10/31/1972	Appendix C-B	Franchises and Services
10/31/1972B	10/31/1972	Appendix B	Debt and Bond Issues
11/15/1972	11/15/1972	Appendix D	Governmental and Intergovernmental Affairs
Deed 1/2/1973	1/2/1973	Appendix G	Sewers
1/15/1973	1/15/1973	Appendix F	Public Property
2/28/1973	2/28/1973	Appendix D	Governmental and Intergovernmental Affairs
2/28/1973A	2/28/1973	Appendix D	Governmental and Intergovernmental Affairs
3/29/1973	3/29/1973	Appendix F	Public Property
4/12/1973	4/12/1973	Appendix D	Governmental and Intergovernmental Affairs
5/15/1974	5/15/1974	Appendix G	Sewers
8/29/1974	8/29/1974	Appendix B	Debt and Bond Issues
7/15/1975	7/15/1975	Appendix F	Public Property
8/29/1975	8/29/1975	Appendix H	Streets and Sidewalks
10/30/1975	10/30/1975	Appendix G	Sewers
11/26/1975	11/26/1975	Appendix F	Public Property
2/12/1976	2/12/1976	Appendix F	Public Property
3/15/1976	3/15/1976	Appendix G	Sewers
4/15/1976	4/15/1976	Appendix G	Sewers
5/13/1976	5/13/1976	Appendix F	Public Property
5/27/1976	5/27/1976	Appendix G	Sewers
5/27/1976A	5/27/1976	Appendix G	Sewers
6/15/1976	6/15/1976	Appendix G	Sewers

Resolution	Date	Disposition	Subject
8/12/1976	8/12/1976	Appendix G	Sewers
10/28/1976	10/28/1976	Appendix B	Debt and Bond Issues
1/13/1977	1/13/1977	Appendix G	Sewers
Agrmt. 5/5/1977	5/5/1977	Appendix C-A	Franchises and Services
Grant 8/4/1977	8/4/1977	Appendix G	Sewers
9/15/1977	9/15/1977	Appendix F	Public Property
11/17/1977	11/17/1977	Appendix D	Governmental and Intergovernmental Affairs
11/17/1977A	11/17/1977	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
4/13/1978	4/13/1978	Appendix G	Sewers
6/8/1978	6/8/1978	Appendix F	Public Property
6/8/1978A	6/8/1978	Appendix F	Public Property
7/13/1978	7/13/1978	Appendix C-B	Franchises and Services
7/13/1978A	7/13/1978	Appendix C-A	Franchises and Services
8/10/1978	8/10/1978	Appendix H	Streets and Sidewalks
8/29/1978	8/29/1978	Appendix G	Sewers
9/12/1978	9/12/1978	Appendix H	Streets and Sidewalks
9/14/1978	9/14/1978	Appendix F	Public Property
10/12/1978	10/12/1978	Appendix F	Public Property
5/10/1979	5/10/1979	Appendix G	Sewers
5/10/1979A	5/10/1979	Appendix F	Public Property
8/2/1979	8/2/1979	Appendix C-B	Franchises and Services
2/7/1980	2/7/1980	Appendix B	Debt and Bond Issues
3/20/1980	3/20/1980	Appendix D	Governmental and Intergovernmental Affairs
-/-/1981	-/-/1981	Appendix D	Governmental and Intergovernmental Affairs
-/-/1981A	-/-/1981	Appendix I	Water
9/3/1981	9/3/1981	Appendix I	Water
12/30/1981	12/30/1981	Appendix D	Governmental and Intergovernmental Affairs
2/1/1982	2/1/1982	Appendix B	Debt and Bond Issues
2/1/1982A	2/1/1982	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2/1/1982B	2/1/1982	Appendix D	Governmental and Intergovernmental Affairs
2/2/1982	2/2/1982	Appendix D	Governmental and Intergovernmental Affairs
8/2/1982	8/2/1982	Appendix D	Governmental and Intergovernmental Affairs
9/1/1982	9/1/1982	Appendix D	Governmental and Intergovernmental Affairs
5/2/1983	5/2/1983	Appendix F	Public Property
7/4/1983	7/4/1983	Appendix D	Governmental and Intergovernmental Affairs
8/15/1983	8/15/1983	Appendix D	Governmental and Intergovernmental Affairs
1/2/1984	1/2/1984	Appendix D	Governmental and Intergovernmental Affairs
2/9/1984	2/9/1984	Appendix D	Governmental and Intergovernmental Affairs
2/9/1984A	2/9/1984	Appendix D	Governmental and Intergovernmental Affairs
4/26/1984	4/26/1984	Appendix D	Governmental and Intergovernmental Affairs
5/17/1984	5/17/1984	Appendix C-B	Franchises and Services
10/11/1984	10/11/1984	Appendix D	Governmental and Intergovernmental Affairs
1/10/1985	1/10/1985	Appendix D	Governmental and Intergovernmental Affairs
2/14/1985	2/14/1985	Appendix D	Governmental and Intergovernmental Affairs
1985-36	12/30/1985	Appendix D	Governmental and Intergovernmental Affairs
1/6/1986	1/6/1986	Appendix D	Governmental and Intergovernmental Affairs
1/9/1986	1/9/1986	Appendix D	Governmental and Intergovernmental Affairs
2/13/1986	2/13/1986	Appendix D	Governmental and Intergovernmental Affairs
3/13/1986	3/13/1986	Appendix I	Water
4/10/1986	4/10/1986	Appendix D	Governmental and Intergovernmental Affairs
5/8/1986	5/8/1986	Appendix G	Sewers

Resolution	Date	Disposition	Subject
6/12/1986	6/12/1986	Appendix D	Governmental and Intergovernmental Affairs
9/11/1986	9/11/1986	Appendix D	Governmental and Intergovernmental Affairs
10/-/1986	10/-/1986	Appendix H	Streets and Sidewalks
10/9/1986	10/9/1986	Appendix C-B	Franchises and Services
11/-/1986	11/-/1986	§§24-901-24-911	Taxation; Special
11/13/1986	11/13/1986	Appendix I	Water
12/11/1986	12/11/1986	Appendix D	Governmental and Intergovernmental Affairs
12/11/1986A	12/11/1986	Appendix D	Governmental and Intergovernmental Affairs
12/11/1986B	12/11/1986	Appendix D	Governmental and Intergovernmental Affairs
3/13/1987	3/13/1987	Appendix D	Governmental and Intergovernmental Affairs
5/14/1987	5/14/1987	Appendix D	Governmental and Intergovernmental Affairs
5/14/1987A	5/14/1987	Appendix D	Governmental and Intergovernmental Affairs
5/21/1987	5/21/1987	Per Capita Tax	
6/11/1987	6/11/1987	Appendix D	Governmental and Intergovernmental Affairs
6/11/1987A	6/11/1987	Appendix D	Governmental and Intergovernmental Affairs
7/9/1987	7/9/1987	Appendix D	Governmental and Intergovernmental Affairs
8/13/1987	8/13/1987	Appendix D	Governmental and Intergovernmental Affairs
8/13/1987A	8/13/1987	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
8/13/1987B	8/13/1987	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
10/15/1987	10/15/1987	Appendix H	Streets and Sidewalks
10/15/1987	10/15/1987	Appendix H	Streets and Sidewalks
12/10/1987	12/10/1987	§24-903	Taxation; Special
12/10/1987A	12/10/1987	Appendix D	Governmental and Intergovernmental Affairs
12/10/1987B	12/10/1987	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1/1/1988	1/1/1988	Appendix D	Governmental and Intergovernmental Affairs
1/14/1988	1/14/1988	Appendix D	Governmental and Intergovernmental Affairs
2/11/1988	2/11/1988	Appendix D	Governmental and Intergovernmental Affairs
2/11/1988A	2/11/1988	Appendix B	Debt and Bond Issues
2/25/1988	2/25/1988	Appendix D	Governmental and Intergovernmental Affairs
4/14/1988	4/14/1988	Appendix D	Governmental and Intergovernmental Affairs
4/14/1988A	4/14/1988	Appendix D	Governmental and Intergovernmental Affairs
6/9/1988	6/9/1988	Appendix D	Governmental and Intergovernmental Affairs
10/13/1988	10/13/1988	Appendix D	Governmental and Intergovernmental Affairs
10/20/1988	10/20/1988	Appendix D	Governmental and Intergovernmental Affairs
12/29/1988	12/29/1988	Appendix E	Plan Approval
2/9/1989	2/9/1989	Appendix D	Governmental and Intergovernmental Affairs
2/9/1989A	2/9/1989	Superseded by Ord. 1998-1	
2/20/1989	2/20/1989	Appendix D	Governmental and Intergovernmental Affairs
3/9/1989	3/9/1989	Appendix D	Governmental and Intergovernmental Affairs
4/13/1989	4/13/1989	Appendix D	Governmental and Intergovernmental Affairs
5/25/1989	5/25/1989	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
5/25/1989A	5/25/1989	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
9/14/1989	9/14/1989	Appendix H	Streets and Sidewalks
9/14/1989A	9/14/1989	Appendix D	Governmental and Intergovernmental Affairs
11/9/1989	11/9/1989	Appendix H	Streets and Sidewalks
11/14/1989	11/14/1989	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1990-1	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-3	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-4	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-5	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-6	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-7	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-8	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-9	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-10	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-11	1/25/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-12	1/25/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-13	1/25/1990	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
1990-14	—/—/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-15	—/—/1990	Appendix H	Streets and Sidewalks
1990-16	8/8/1990	Appendix I	Water
1990-17	3/8/1990	Appendix C-A	Franchises and Services
1990-18	3/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-19	3/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-20	3/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-21	3/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-22	4/12/1990	Appendix F	Public Property
1990-23	3/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-24	3/8/1990	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1990-25	4/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-26	4/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-27	4/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-28	4/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-29	4/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-30	4/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-31	5/10/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-32	5/10/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-33	5/10/1990	Appendix F	Public Property
1990-34	5/10/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-35	5/10/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-36	5/10/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-37	5/10/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-38	5/24/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-39	5/24/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-40	5/24/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-41	6/14/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-42	6/14/1990	Appendix G	Sewers
1990-42A	7/12/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-43	7/12/1990	Appendix E	Plan Approval
1990-44	8/9/1990	Appendix G	Sewers
1990-45	8/9/1990	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
8/9/1990	8/9/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-46	9/13/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-47	9/13/1990	1990 Budget Changes	
1990-48	10/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-50	--/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-51	11/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-52	11/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-53	11/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-54	11/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-55	11/8/1990	Appendix D	Governmental and Intergovernmental Affairs
1990-56	12/13/1990	Appendix B	Debt and Bond Issues
1991-1	1/10/1991	Appendix B	Debt and Bond Issues
1990-2	1/10/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-2	1/11/1990	Appendix D	Governmental and Intergovernmental Affairs
1991-3	2/14/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-4	2/14/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-5	2/14/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-6	3/14/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-7	3/14/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-8	4/11/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-9	4/11/1991	Appendix G	Sewers
1991-10	4/11/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-12	5/9/1991	Superseded by Ord. 1993-12	Motor Vehicles and Traffic

Resolution	Date	Disposition	Subject
1991-13	6/6/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-14	7/1/1991	Appendix G	Sewers
1991-15	7/18/1991	Appendix F	Public Property
1991-16	7/18/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-17	7/18/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-18	7/18/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-19	8/8/1991	Appendix G	Sewers
1991-20	8/8/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-21	8/8/1991	Appendix G	Sewers
1991-22	8/8/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-23	9/12/1991	Appendix G	Sewers
1991-24	10/10/1991	Appendix F	Public Property
1991-25	10/10/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-26	12/12/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-27	12/12/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-28	12/12/1991	Appendix D	Governmental and Intergovernmental Affairs
1991-29	12/12/1991	Appendix D	Governmental and Intergovernmental Affairs
1992-1	1/30/1992	Appendix B	Debt and Bond Issues
1992-2	2/13/1992	Superseded by A.O.	Fee Schedule
1992-3	2/13/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-4	2/13/1992	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
1992-5	3/12/1992	Appendix G	Sewers
1992-6	3/12/1992	Appendix G	Sewers
1992-7	3/12/1992	Appendix G	Sewers
1992-8	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1992-9	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-10	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-11	3/16/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-12	3/16/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-13	3/16/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-14	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-15	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-16	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-17	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-18	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-19	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-20	3/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-21	3/23/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-22	3/23/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-23	3/23/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-24	3/23/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-25	3/23/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-26	3/23/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-27	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-28	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-29	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1992-30	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-31	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-32	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-33	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-34	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-35	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-36	4/9/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-37	5/14/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-38	5/14/1992	Appendix G	Sewers
1992-39	5/14/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-40	5/14/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-41	6/11/1992	Appendix G	Sewers
1992-42	7/16/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-43	8/13/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-43A	9/10/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-44	10/8/1992	Appendix G	Sewers
1992-45	10/8/1992	Appendix G	Sewers
1992-46	11/12/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-47	12/10/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-48	12/10/1992	Appendix D	Governmental and Intergovernmental Affairs
1992-49	12/10/1992	Appendix D	Governmental and Intergovernmental Affairs
1993-1	1/14/1993	Appendix B	Debt and Bond Issues
1993-2	1/14/1993	Superseded by Ord. 1993-12	Motor Vehicles and Traffic

Resolution	Date	Disposition	Subject
1993-3	1/14/1993	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
1993-4	1/14/1993	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
1993-5	1/14/1993	Superseded by Ord. 1993-12	Motor Vehicles and Traffic
1993-6	1/14/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-7	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-8	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-9	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-10	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-11	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-12	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-13	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-14	2/26/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-	3/11/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-16	3/11/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-16A	3/11/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-17	5/20/1993	Appendix G	Sewers
1993-18	6/10/1993	§15-206	Motor Vehicles and Traffic
1993-19	7/8/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-20	7/8/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-21	7/9/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-22	—/—/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-23	8/12/1993	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1993-24	9/9/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-25	9/9/1993	Appendix D	Governmental and Intergovernmental Affairs
9/9/1993	9/9/1993	§15-206	Motor Vehicles and Traffic
1993-27	9/9/1993	§15-206	Motor Vehicles and Traffic
1993-28	9/16/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-29	9/16/1993	Appendix H	Streets and Sidewalks
1993-30	11/11/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-31	11/11/1993	Appendix F	Public Property
1993-32	12/9/1993	Appendix I	Water
1993-33	12/9/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-34	12/9/1993	Appendix C-B	Franchises and Services
1993-35	12/30/1993	Appendix B	Debt and Bond Issues
1993-36	12/30/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-37	12/30/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-38	12/30/1993	Appendix D	Governmental and Intergovernmental Affairs
1993-39	12/30/1993	Appendix H	Streets and Sidewalks
1994-1	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-2	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-3	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-4	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-5	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-6	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-7	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-8	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1994-9	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-10	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-11	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-12	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-13	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-14	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-15	1/3/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-16	1/13/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-17	1/13/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-18	3/10/1994	§15-206	Motor Vehicles and Traffic
1994-19	3/10/1994	§15-206	Motor Vehicles and Traffic
1994-20	3/23/1994	Appendix B	Debt and Bond Issues
1994-21	3/23/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-22	5/12/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-23	6/9/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-24	6/9/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-25	7/14/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-26	7/14/1994	Appendix B	Debt and Bond Issues
1994-27	7/14/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-28	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-29	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-30	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-31	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1994-32	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-33	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-34	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-35	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-36	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-37	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-38	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-39	8/11/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-40	8/11/1994	§1-321	Administration and Government
1994-41	10/13/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-42	10/13/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-43	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-44	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-45	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-46	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-47	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-48	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-49	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-50	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1994-51	11/17/1994	Appendix D	Governmental and Intergovernmental Affairs
1995-1	1/12/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-2	—/—/1995	Appendix B	Debt and Bond Issues

Resolution	Date	Disposition	Subject
1995-3	1/12/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-4	1/12/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-5	1/12/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-6	2/9/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-7	2/9/1995	Appendix F	Public Property
1995-8	3/9/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-9	—/—/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-10	3/9/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-11	4/13/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-12	4/13/1995	Appendix I	Water
1995-13	6/8/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-14	6/8/1995	Appendix G	Sewers
1995-15	8/10/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-16	8/18/1995	§15-401	Motor Vehicles and Traffic
1995-17	9/14/1995	Budget Changes	
1995-18	9/14/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-19	9/14/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-20	10/12/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-21	11/9/1995	Appendix D	Governmental and Intergovernmental Affairs
1995-22	11/16/1995	§15-401	Motor Vehicles and Traffic
1996-1	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-2	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-3	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1996-4	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-5	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-6	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-7	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-8	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-9	1/18/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-10	1/18/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-11	1/18/1996	§15-206	Motor Vehicles and Traffic
1996-12	2/8/1996	Appendix G	Sewers
1996-13	2/8/1996	Appendix G	Sewers
1996-14	2/8/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-15	2/22/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-16	2/22/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-17	3/14/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-18	3/14/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-19	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-20	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-21	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-22	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-23	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-24	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-25	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1996-26	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-27	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-29	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-28	4/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-30	5/9/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-31	5/9/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-32	6/13/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-33	6/13/1996	Appendix I	Water
1996-34	6/13/1996	§15-305	Motor Vehicles and Traffic
1996-35	6/13/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-36	7/11/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-37	10/10/1996	§15-401	Motor Vehicles and Traffic
1996-38	12/12/1996	Appendix I	Water
1996-39	12/12/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-40	12/12/1996	Appendix D	Governmental and Intergovernmental Affairs
1996-41	12/12/1996	Appendix D	Governmental and Intergovernmental Affairs
1997-1	1/9/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-2	2/13/1997	Appendix B	Debt and Bond Issues
1997-3	2/13/1997	§15-401	Motor Vehicles and Traffic
1997-4	2/13/1997	§15-401	Motor Vehicles and Traffic
1997-5	3/13/1997	Appendix G	Sewers
1997-6	—/—/1997	§15-206	Motor Vehicles and Traffic
1997-7	3/13/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-8	3/13/1997	§15-906	Motor Vehicles and Traffic
1997-9	3/13/1997	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1997-10	3/13/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-11	4/10/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-12	4/10/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-13	3/20/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-14	5/8/1997	§15-402	Motor Vehicles and Traffic
1997-15	5/14/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-16	7/10/1997	Appendix I	Water
1997-17	7/10/1997	§15-208	Motor Vehicles and Traffic
1997-18	8/14/1997	Budget Changes	
1997-19	8/-/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-20	8/14/1997	§§15-208, 15-401	Motor Vehicles and Traffic
1997-21	8/14/1997	§§15-401, 15-906	Motor Vehicles and Traffic
1997-22	8/14/1997	§15-206	Motor Vehicles and Traffic
1997-23	8/14/1997	§15-206	Motor Vehicles and Traffic
1997-24	9/11/1997	§15-206	Motor Vehicles and Traffic
1997-25	10/9/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-26	11/13/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-27	11/13/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-28	11/13/1997	Appendix D	Governmental and Intergovernmental Affairs
1997-29	12/11/1997	Appendix B	Debt and Bond Issues
1998-1	1/8/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-2	1/8/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-3	2/12/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-4	2/12/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-5	3/19/1998	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
1998-6	3/19/1998	Superseded by A.O.	Fee Schedule
1998-7	3/19/1998	Superseded by A.O.	Fee Schedule
1998-8	4/30/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-9	5/14/1998	§15-402	Motor Vehicles and Traffic
1998-10	7/16/1998	Appendix B	Debt and Bond Issues
1998-11	9/10/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-12	10/8/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-10-9	10/9/1998	Appendix B	Debt and Bond Issues
1998-13	11/12/1998	Appendix B	Debt and Bond Issues
1998-14	12/14/1998	Appendix D	Governmental and Intergovernmental Affairs
1998-14A	12/29/1998	Appendix D	Governmental and Intergovernmental Affairs
1999-1	1/14/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-2	2/11/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-3	2/11/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-	2/11/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-5	4/8/1999	Appendix E	Plan Approval
1999-5A	4/8/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-6	5/13/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-7	6/10/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-8	7/15/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-8	7/15/1999		Taxation; Special
1999-9	7/15/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-10	8/15/1999	§15-216	Motor Vehicles and Traffic
1999-11	7/15/1999	Appendix I	Water
1999-12	8/12/1999	1999 Budget Changes	

Resolution	Date	Disposition	Subject
1999-13	8/13/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-14	9/10/1999	§15-906	Motor Vehicles and Traffic
1999-15	9/9/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-16	10/14/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-17	10/14/1999	§15-216	Motor Vehicles and Traffic
1999-18	12/9/1999	Appendix D	Governmental and Intergovernmental Affairs
1999-19	12/9/1999	Appendix B	Debt and Bond Issues
2000-1	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-2	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-3	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-4	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-5	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-6	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-7	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-8	1/6/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-9	1/13/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-10	1/13/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-11	1/13/2000	Appendix I	Water
2000-12	1/13/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-13	2/10/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-14	3/9/2000	§15-906	Motor Vehicles and Traffic
2000-15	4/13/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-16	7/13/2000	Budget Changes	

Resolution	Date	Disposition	Subject
2000-17	7/13/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-18	--/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-19	8/10/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-20	9/14/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-21	9/14/2000	§15-803	Motor Vehicles and Traffic
2000-22	10/12/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-23	11/9/2000	Superseded by A.O.	Fee Schedule
2000-24	12/21/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-25	12/21/2000	Appendix B	Debt and Bond Issues
2000-26	12/21/2000	Appendix D	Governmental and Intergovernmental Affairs
2001-1	1/11/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-2	2/8/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-3	2/8/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-4	3/27/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-5	4/12/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-6	6/14/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-7	8/9/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-8	8/9/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-9	9/13/2001	§15-206	Motor Vehicles and Traffic
2001-10	11/8/2001	§15-401	Motor Vehicles and Traffic
2001-11	12/27/2001	Appendix B	Debt and Bond Issues
2001-12	12/27/2001	Appendix B	Debt and Bond Issues
2002-1	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-2	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2002-3	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-4	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-5	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-6	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-7	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-8	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-9	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-10	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-11	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-12	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-13	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-14	--/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-15	1/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-16	2/14/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-17	3/14/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-18	3/14/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-19	9/12/2002	Superseded by A.O.	Fee Schedule
2002-20	9/12/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-21	10/10/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-22	11/14/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-23	11/14/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-24	12/12/2002	Appendix I	Water

Resolution	Date	Disposition	Subject
2002-25	12/12/2002	Appendix B	Debt and Bond Issues
2002-26	12/12/2002	Appendix D	Governmental and Intergovernmental Affairs
2003-1	1/9/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-2	1/9/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-3	2/13/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-4	4/10/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-5	4/10/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-6	5/20/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-7	5/8/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-8	6/12/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-9	9/11/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-10	9/11/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-11	9/11/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-12	12/16/2003	Appendix F	Public Property
2003-13	12/18/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-14	12/18/2003	Appendix B	Debt and Bond Issues
2003-15	12/18/2003	Appendix B	Debt and Bond Issues
2003-16	12/18/2003	Appendix D	Governmental and Intergovernmental Affairs
2004-1	1/8/2004	§1-503	Administration and Government
2004-2	2/12/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-3	2/12/2004	Appendix B	Debt and Bond Issues
2004-4	3/11/2004	Superseded by A.O.	Fee Schedule
2004-5	3/11/2004	Superseded by A.O.	Fee Schedule
2004-6	5/13/2004	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2004-7	5/13/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-8	5/13/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-9	5/13/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-10	6/10/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-11	8/23/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-12	9/9/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-14	10/14/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-14A	10/14/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-15	11/11/2004	Appendix B	Debt and Bond Issues
2004-16	11/11/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-17	--/2004	Appendix D	Governmental and Intergovernmental Affairs
2005-1	1/13/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-2	1/13/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-3	2/10/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-4	3/10/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-5	4/14/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-6	--/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-7	6/9/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-8	6/9/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-9	7/14/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-10	10/13/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-12	11/10/2005	Superseded by A.O.	Fee Schedule

Resolution	Date	Disposition	Subject
2005-13	9/8/2005	§15-401	Motor Vehicles and Traffic
2005-14	12/8/2005	§15-401	Motor Vehicles and Traffic
2006-1	12/22/2005	Appendix D	Governmental and Intergovernmental Affairs
2006-2	12/22/2005	Appendix D	Governmental and Intergovernmental Affairs
2006-3	12/22/2005	Appendix D	Governmental and Intergovernmental Affairs
2006-4	1/12/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-5	1/12/2006	Superseded by A.O.	Fee Schedule
2006-6	2/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-7	2/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-8	2/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-9	2/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-10	2/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-11	3/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-12	3/9/2006	§15-208	Motor Vehicles and Traffic
2006-13	3/9/2006	§15-208	Motor Vehicles and Traffic
2006-14	3/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-15	4/13/2006	Superseded by A.O.	Fee Schedule
2006-16	5/11/2006	§15-206	Motor Vehicles and Traffic
2006-17	5/11/2006	§15-206	Motor Vehicles and Traffic
2006-19	5/11/2006	§15-206	Motor Vehicles and Traffic
2006-18	5/11/2006	§15-206	Motor Vehicles and Traffic
2006-20	6/8/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-21	7/13/2006	Appendix B	Debt and Bond Issues
2006-22	—/—/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-23	11/9/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-24	—/—/2006	Appendix B	Debt and Bond Issues

Resolution	Date	Disposition	Subject
2006-25	10/12/2006	Appendix D	Governmental and Intergovernmental Affairs
2007-1	1/11/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-2	2/24/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-3	1/13/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-4	1/11/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-5	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-6	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-7	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-8	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-9	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-10	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-11	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-12	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-13	2/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-14	3/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-15	—/—/2007	Superseded by A.O.	Fee Schedule
2007-16	4/12/2007	Appendix E	Plan Approval
2007-17	4/12/2007	§15-402	Motor Vehicles and Traffic
2007-18	6/14/2007	Appendix F	Public Property
2007-19	6/14/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-20	8/9/2007	Appendix H	Streets and Sidewalks
2007-21	8/9/2007	§15-402	Motor Vehicles and Traffic
2007-22	10/11/2007	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2007-23	11/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-25	12/20/2007	Appendix D	Governmental and Intergovernmental Affairs
2008-1	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-2	1/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-3	1/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-4	2/14/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-5	2/14/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-6	2/14/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-7	2/20/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-8	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-9	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-10	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-11	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-12	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-13	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-14	4/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-15	5/8/2008	§15-206	Motor Vehicles and Traffic
2008-16	5/8/2008	§15-206	Motor Vehicles and Traffic
2008-17	5/8/2008	§15-206	Motor Vehicles and Traffic
2008-18	5/8/2008	§15-206	Motor Vehicles and Traffic
2008-19	6/12/2008	§15-206	Motor Vehicles and Traffic
2008-20	6/12/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-21	6/12/2008	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2008-22	6/12/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-23	7/10/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-24	7/28/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-25	10/22/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-26	11/13/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-27	12/11/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-28	12/11/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-29	12/11/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-30	12/11/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-31	12/11/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-32	12/31/2008	Appendix D	Governmental and Intergovernmental Affairs
2009-1	1/8/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-2	1/8/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-3	2/12/2009	Superseded by A.O.	Fee Schedule
2009-4	3/12/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-5	3/12/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-6	5/14/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-7	5/14/2009	§15-401	Motor Vehicles and Traffic
2009-8	5/14/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-9	5/14/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-10	7/2/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-11	8/13/2009	§15-206	Motor Vehicles and Traffic

Resolution	Date	Disposition	Subject
2009-12	8/13/2009	§15-206	Motor Vehicles and Traffic
2009-13	8/13/2009	§15-206	Motor Vehicles and Traffic
2009-14	8/13/2009	§15-206	Motor Vehicles and Traffic
2009-15	8/13/2009	§15-206	Motor Vehicles and Traffic
2009-16	8/13/2009	§15-206	Motor Vehicles and Traffic
2009-17	—/—/2009	Not used	
2009-18	8/13/2009	§15-216	Motor Vehicles and Traffic
2009-19	8/13/2009	§15-401	Motor Vehicles and Traffic
2009-20	8/13/2009	Superseded by A.O.	Fee Schedule
2009-21	9/10/2009	§15-206	Motor Vehicles and Traffic
2009-22	9/10/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-23	9/10/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-24	10/8/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-25	10/8/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-26	11/12/2009	§15-201	Motor Vehicles and Traffic
2009-27	11/12/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-28	11/12/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-29	12/10/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-30	12/10/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-31	12/10/2009	Appendix D	Governmental and Intergovernmental Affairs
2010-1	1/14/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-2	1/14/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-3	2/11/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-4	2/11/2010	§15-216	Motor Vehicles and Traffic
2010-5	3/11/2010	Superseded by A.O.	Fee Schedule
2010-6	5/14/2010	§15-401	Motor Vehicles and Traffic
2010-7	5/14/2010	§15-216	Motor Vehicles and Traffic

Resolution	Date	Disposition	Subject
2010-8	5/14/2010	§15-216	Motor Vehicles and Traffic
2010-9	6/10/2010	Superseded by A.O.	Fee Schedule
2010-10	6/10/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-11	6/10/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-12	8/12/2010	§15-216	Motor Vehicles and Traffic
2010-13	9/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-14	9/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-14A	2/10/2010	Superseded by A.O.	Fee Schedule
2010-15	9/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-16	9/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-17	12/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-18	12/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-19	12/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-20	12/9/2010	Appendix D	Governmental and Intergovernmental Affairs
2011-1	—/—/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-2	1/13/2011	Appendix B	Debt and Bond Issues
2011-3	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-4	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-5	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-6	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-7	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-8	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-9	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2011-10	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-11	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-12	1/14/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-13	1/13/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-15	2/10/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-16	3/10/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-16A	3/10/2011	§15-206	Motor Vehicles and Traffic
2011-17	6/9/2011	Superseded by A.O.	Fee Schedule
2011-18	8/12/2011	§15-208	Motor Vehicles and Traffic
2011-19	8/12/2011	§15-216	Motor Vehicles and Traffic
2011-20	9/9/2011	§15-303	Motor Vehicles and Traffic
2011-21	8/12/2011	§15-208	Motor Vehicles and Traffic
2011-22	9/8/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-23	9/8/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-24	10/13/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-25	11/10/2011	Appendix G	Sewers
2011-26	12/10/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-27	11/10/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-28	11/10/2011	Appendix D	Governmental and Intergovernmental Affairs
2012-1	1/5/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-2	1/12/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-3	2/9/2012	§15-206	Motor Vehicles and Traffic
2012-4	2/9/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-5	3/8/2012	§15-206	Motor Vehicles and Traffic
2012-6	3/8/2012	§15-206	Motor Vehicles and Traffic

Resolution	Date	Disposition	Subject
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2012-8	3/8/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-9	1/5/2012	Appendix D	Governmental and Intergovernmental Affairs
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