

# Article 4

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## General Provisions

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### Section 400      General Provisions

The regulations contained within this Article 4 shall apply to all uses within the Township.

### Section 401      Accessory Uses and Structures

401.1.      Fences and Walls – No fence or wall (except livestock, required junkyard or tennis court walls or fences, or a retainer wall of a building permitted under the terms of this Ordinance) shall be erected to a height of more than three (3) feet in a front yard and more than six (6) feet in any other yard within the A, RR, VR, and VC Zones. Within any C/I Zone, no fence or wall shall be erected to a height of more than ten (10) feet in any yard. No fence or wall shall block a motorist's view of vehicles entering or exiting a property.

401.2.      Swimming Pools - **(Amended by Ordinance 2015-03 adopted May 7, 2015)**

1. No swimming pool shall be permitted without an operating filtering system utilizing an antibacterial agent. All swimming pools shall be enclosed by a permanent fence which is at least four (4) feet in height. No fence will be required for above ground swimming pools which have sides which are at least four (4) feet above grade and access to the swimming pool can be secured, unless the zoning officer determines that conditions warrant greater safety measures. Fences shall be erected immediately after completion of construction of structures described in this section and before water is added to the pool.
2. No swimming pool shall be within ten (10) feet of any property line as measured from the water surface. Swimming pools shall be located to the rear of the principal dwelling. No swimming pools shall be erected in the front yard.

- 3. Discharge of swimming pool water shall be in accordance with the Drumore Township Stormwater Management Ordinance. No discharge shall be permitted to flow onto adjoining properties.
- 4. Swimming pools shall be permitted as a residential accessory use in all zoning districts except the Commercial/Industrial zoning district.

401.3. Tennis Courts – Tennis courts may be permitted in any zone. All tennis courts in residential zones shall include an open mesh permanent fence ten (10) feet in height behind each baseline. Such fence shall extend parallel to said baseline at least ten (10) feet beyond the court’s playing surface unless the entire court is enclosed. Any lighting fixtures shall be arranged to prevent objectionable glare on adjoining property.

401.4. **Satellite Dish Antennas – (Amended by Ordinance 2015-03 adopted May 7, 2015)**

- 1. Within any Zone, roof or window mounted satellite dish antennas up to one meter (39.4 inches) in diameter are permitted by right as accessory uses. Residential properties shall contain no more than two (2) such devices.
- 2. Within any Zone, one (1) ground mounted satellite dish antenna up to one meter (39.4 inches) in diameter is permitted by right as an accessory use to a single family dwelling unit provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those specifically as follows:
  - A. All accessory residential installations must comply with all residential accessory use requirements specified within the Zone;
  - B. All installations shall be located (where possible) to prevent obstruction of the antenna’s reception window from potential permitted development on adjoining properties;

- C. All installations must include screening treatments located along the antenna's non-reception window axes and low-level ornamental landscape treatments along the reception window axes of the antenna's base. Such treatments should completely enclose the antenna. Required screening shall consist of evergreen plantings that provide eighty percent (80%) visual blockage of the area between ground level and a height of six (6) feet along the antenna's non-reception window axes. Required low-level ornamental landscaping shall consist of vegetative materials that are planted with sufficient density to form an enclosure with the required screening, around the base of the antenna. Ornamental landscaping height will be determined by the installation's required elevation alignments. All screening and landscaping requirements can be waived if the satellite dish antenna is at least fifty (50) feet from any property line;
- D. All installations shall be securely anchored to the ground to prevent detachment during foul weather conditions. The applicant shall furnish evidence (statements and/or drawings) indicating the foundation method to be employed;
- E. No transmission of video format data shall be permitted and;
- F. The allowance of a satellite dish antenna shall in no way place any liability upon the Township for obstruction of the antenna's reception window due to permitted construction on adjoining or nearby properties. Any arrangements made to protect the antenna's reception window shall be between private parties, and not the Township.

3. Within the A Zone, roof or ground mounted satellite dish antennas larger than one meter (39.4 inches) up to twelve feet (12') in diameter are permitted by special exception, provided that the applicable regulations contained within this Ordinance specifically as follows:
  - A. Demonstration by the applicant that compliance with the applicable accessory yard, setback and height requirements would cause obstruction of a ground-mounted satellite dish antenna's reception window; furthermore, such obstruction involves factors beyond the applicant's control;
  - B. All applications must include certification by a Commonwealth registered engineer that the proposed installation complies with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§403.1 – 403.142. Furthermore, written documentation of such compliance, including load distributions within the building's support structure, shall be furnished;
  - C. No transmission of video format data shall be permitted.
  - D. The satellite antenna must be set back at least the horizontal distance equal to its maximum height from all property lines and,
  - E. Any granting of a special exception for a satellite dish antenna shall in no way place any liability upon the Township or its Zoning Hearing Board for the obstruction of the antenna's reception window due to permitted construction on adjoining or nearby properties. Any arrangements made to protect the antenna's reception window shall be between private parties, and not the Township.

- F. Any screening must be as per 1403.4.B.3.
4. In the C/I Zone, satellite dish antennas are permitted by right provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those as specifically as follows:
- A. All installations shall comply with the area, height, bulk and setback standards imposed upon principal uses;
  - B. All applications must include certification by a Commonwealth registered engineer that the proposed installation complies with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§403.1 – 403.142. Furthermore, written documentation of such compliance, including load distributions within the building’s support structure, shall be furnished;
  - C. All ground-mounted installations shall be screened from any adjoining properties per 1403.4.B.3. Such screening can be waived if the antenna is set back a distance at least five times its diameter from the adjoining property;
  - D. Those ground-mounted installations used to transmit video format data shall be completely enclosed by an eight (8) foot high fence. Such shall include signs warning of dangerous radiation levels, must be screened from adjoining properties, and must be locked at all times. This screening requirement can be waived if the fence is set back a distance at least five times the diameter of the satellite dish antenna, from the adjoining property and;

- E. The allowance of a satellite dish antenna(s) shall in no way place any liability upon the Township for the obstruction of the antenna's reception window due to permitted construction on adjoining or nearby properties. Any arrangements made to protect the antenna's reception window shall be between private parties, and not the Township.

401.5. Alternative Energy Sources –

- 1. Solar Energy – Solar energy electrical generation systems shall be permitted in all zones as an accessory use subject to the provisions of Section 429.1, herein.
- 2. Non-Commercial Windmills – Non-commercial windmills for residential use and non-commercial windmills for non-residential use, as defined herein, shall be permitted in all zones as an accessory use subject to the provisions of Sections 429.2 and 429.3, herein.
- 3. Wood Fired Boilers – Wood fired boilers shall be permitted as an accessory use in the Agriculture and Rural Residential Zone subject to the provisions of Section 429.4, herein.
- 4. Accessory Anaerobic Digesters – Accessory anaerobic digesters shall be permitted as an accessory use in the Agriculture Zone subject to the provisions of Section 429.5, herein.

401.6. Ornamental Ponds and Wading Pools – Ornamental ponds and wading pools may be permitted in any zone, subject to the following:

- 1. Such structures shall comply with all accessory use setbacks.
- 2. No such impoundment shall contain more than 26.6 cubic feet of water (200 gallons). All ponds, pools or other impoundments exceeding the requirements of this section shall be considered as "Man-made Lakes, Dams and Impoundments," and are subject to the criteria listed in Section 401.7 of this Ordinance.

3. No such impoundment shall have a length or diameter exceeding fifteen (15) feet or a maximum depth exceeding three (3) feet.
4. All such ponds or pools shall be maintained so as to not pose a nuisance by reason of odor, or the harboring of insects.
5. No such pond(s) shall be used for the commercial hatching of fish or other species.
6. No such pond(s) shall rely on a lake or stream as a water source, but rather shall employ a public or well source of water.

401.7. Man-Made Lakes, Dams, Ponds, and Impoundments – All lakes, dams, ponds and impoundments may be permitted in any zone, subject to the following:

1. All dams, ponds, lakes and impoundments located along and connected to a stream that involve any of the following, shall require a permit from the PA DEP Bureau of Dams and Waterways, Division of Dam Safety, or a letter indicating that the proposed use does not require a PA DEP permit:
  - A. The dam, pond or impoundment contains a volume of at least fifty (50) acre feet.
  - B. The dam reaches a height of fifteen (15) feet.
  - C. The dam, pond or impoundment impounds the water from a watershed of at least one hundred (100) acres. All such dams, ponds and impoundments shall be located seventy-five (75) feet from all adjoining lot lines, as measured from the closest point of the adjoining property line to the maximum anticipated water surface elevation.
2. All dams, ponds and impoundments not contiguous to a stream that have an intake, outlet, or both, and/or have an embankment within fifty (50) feet of a stream shall require a permit from the PA DEP Bureau of Dams and Waterways Division of Waterways and Storm Water Management.
3. All other dams, ponds and impoundments require the submission of a statement by a qualified engineer that the proposed use is properly constructed and will not pose a

threat to the public safety nor the environment during normal flow conditions and those associated with the base flood. All dams shall be constructed to a height of one (1) foot above the water surface elevation occurring during the base flood. All dams, ponds and impoundments shall be constructed in accordance with the Drumore Township Floodplain Management Ordinance. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

- 4. Setbacks - All dams, ponds and impoundments, including storm water management basins, shall be located a minimum of fifty (50) feet from any subsurface sewage disposal system or well.
- 5. Fencing - All ponds constructed within areas subject to livestock shall be enclosed by fencing that prevents livestock from trampling the pond's shores and polluting the waters.
- 6. Maintenance - All ponds shall be regularly maintained and floating debris shall be removed from all pipes and spillways. All ground cover shall be trimmed. Weeds, brush and trees shall not be permitted to grow on the dam or spillway.

401.8. Garage/Yard Sales – Within any zone, an owner and/or occupant may conduct up to two (2) garage/yard sales per year. No garage or yard sale shall be conducted for a period longer than three (3) consecutive days. Such sales may offer for sale personal possessions; no import or stocking of inventory shall be permitted. Only one (1) sign of a maximum of four (4) square feet shall be permitted advertising the garage/yard sale located upon the premises where the sale occurs, and shall be removed promptly upon the completion of the sale. In no case shall any aspect of the garage/yard sale be conducted in a street right-of-way. The conduct of garage sales beyond the extent described herein represents a commercial business and requires appropriate zoning authorization.

401.9. Accessory Repair of Personal Motor Vehicles - Within any residential zone, or upon any property used principally for residential purposes, the routine maintenance, repair and servicing of personal motor vehicles, owned and/or leased in writing by the person performing such services, is permitted, subject to the following:

- 1. All vehicles shall be maintained with proper licensure.



- 2. All work shall be performed on the vehicle owner's (lessee's) property of residence.
- 3. All by-product or waste fuels, lubricants, chemicals, and other products shall be properly disposed of.
- 4. All such activities shall be conducted at times, and in such manner, that adjoining residents are not disturbed.

401.10. Transportation Horse Boarding Requirements within Agricultural Zoning District on Residential Lots – Within the agricultural zoning district on lots less than two (2) acres, the non-commercial keeping of horses used solely as the resident's principal mode of transportation is permitted as an accessory use to a principal residence; however, adequate, safe and healthful means of animal waste disposal shall be used at all times. One horse and carriage barn shall be permitted with a maximum size of one thousand (1,000) square feet and twenty (20) feet in height. A maximum of two (2) horses shall be permitted as the resident's principal mode of transportation. All pasture areas shall be set back a minimum of ten (10) feet from any property line and be located in the rear yard area. All other zoning districts and lot sizes shall comply with the Non-Commercial Keeping of Animals requirements as stated in Section 201.5.5. **(Amended by Ordinance 2015-03 adopted May 7, 2015)**

401.11. Residential Accessory Use Setback and Height Regulations (All Zones except the C/I Zone)

- 1. Accessory structures of two hundred and fifty (250) square feet and greater shall comply with the principal use setback requirements.

Front yard setback - No accessory use shall be permitted within the front yard.

Maximum permitted height - Twenty (20) feet.

- 2. Accessory structures of less than two hundred and fifty (250) square feet.

Front yard setback - No accessory use shall be permitted within the front yard.

Maximum permitted height - Twelve (12) feet.

Minimum rear yard/side yard setback – Ten (10) feet.

401.12. Internal Combustion Engine Generators – Internal Combustion Engine Generators shall be permitted as an accessory use in the Agriculture zoning district and shall be prohibited within all other zoning districts. Internal Combustion Engine Generators shall be subject to the following regulations: **(Amended by Ordinance 2015-03 adopted May 7, 2015)**

1. The engine shall be housed within an insulated concrete block enclosure. The enclosure shall provide an insulated roof structure.
2. The engine shall be muffled via an exhaust silencer which provides a minimum of 25dBA of noise attenuation.
3. The structure shall be located a minimum of fifty (50) feet from any property line and a minimum of 500 feet from the nearest adjoining dwelling other than that of the owner. No structure shall be located within the front yard.
4. Applicant shall obtain a building permit in accordance with the PA UCC Act 45.
5. Emergency Standby Generators shall be exempt from the above requirements and permitted within all zoning districts.

**Section 402 Unenclosed Storage**

402.1. Recreational Vehicles, Boats, Campers, Trailers, and Trucks - Within any residential zone, or upon any property used principally for residential purposes, the storage of recreational vehicles, travel trailers, trucks, boats, and trailers used solely for the transport of the residents’ recreational vehicle(s) is permitted only in accordance with the following requirements:

1. For purposes of this section, recreational vehicles, travel trailers, boats (including trailers), and other trailers used solely for the transport of the residents’ recreational

vehicles(s) are divided into two separate categories, as follows:

**Class I Vehicles** - Those recreational vehicles, travel trailers, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles(s) that possess no more than two hundred (200) square feet, as measured to the vehicle's outermost edges, nor exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g. air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but shall be measured to the highest point of any flybridge or other boat console.

**Class II Vehicles** - Those recreational vehicles, travel trailers, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicle(s) that possess more than two hundred (200) square feet, as measured to the vehicle's outermost edges, and/or exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g. air conditioners, vents, hatches, antennas, masts, outrigger fishing poles, etc), but shall be measured to the highest point of any flybridge or other boat console.

2. The temporary parking of one (1) Class I or Class II vehicle for periods not exceeding seventy two (72) hours during any seven (7) day period is permitted on a paved or gravel surface in any yard, so long as the vehicle is set back no less than ten (10) feet from any street right-of-way, and five (5) feet from adjoining property lines.
3. The storage of one (1) Class I vehicle shall be permitted per lot behind the building setback line, so long as the vehicle is set back no less than five (5) feet from any adjoining lot line. All areas used for the storage of Class I vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licensure and prevent the leakage of fuels and/or lubricants into the ground.
4. The parking or storage of one Class II vehicle on a residentially-zoned parcel, or a parcel used for a principal

residence, is permitted, subject to the following requirements:

- A. In no case shall the vehicle contain more than three hundred twenty (320) square feet, as measured to the vehicle's outermost edges, nor exceed a height of thirteen (13) feet, as measured from the ground to the highest point of the vehicle's main body. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, antennas, masts, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.
- B. All vehicles shall be set back a horizontal distance equal to twice the vehicle's height from every side and rear lot line.
- C. No vehicle shall be stored in front of the building setback line. On vacant lots, the vehicle must be stored behind the required front yard setback line, as specified for principal uses.
- D. Screening, in conformance with the provisions of this subsection 402.1.4.D shall be provided to provide a completely opaque sight barrier, from adjoining properties and roads, as follows:
  - (1) Two (2) rows of evergreen trees at least six (6) feet in height shall be planted at intervals no greater than twenty (20) feet on center in a buffer area a minimum of ten (10) feet in width.
  - (2) The evergreen trees shall be backed by a solid (sight-obscuring) fence or wall at least five (5) feet in height.
  - (3) Shrubs at least three and one-half (3½) feet in height and other plant material shall be planted to provide a complete ground cover within the ten (10) foot buffer area.
  - (4) As an alternative to a solid fence or wall, a berm, a minimum of fifteen (15) feet in width and a minimum of five (5) feet in height and landscaped with the plantings required in

paragraphs (1) and (3), above, may be provided.

Such screening shall not extend into the required front yard. Screening shall not be required along a common side lot line when the owner resides on one lot, and stores the vehicle on an adjacent vacant lot that he/she owns. One ten (10) foot wide break in required screening may be provided along one rear or side lot line for vehicular access onto an adjoining alley.

E. All areas used for the storage of Class II vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licensure and prevent the leakage of fuels and/or lubricants into the ground.

402.2. Outdoor Stockpiling - In all zones, no outdoor stockpiling of any material or outdoor storage of trash is permitted in the front yard. The outdoor stockpiling of material or storage of trash is subject to all accessory use setbacks. In any residential zone, the outdoor stockpiling of materials (except firewood) for more than one (1) year is prohibited.

402.3. Trash, Garbage, Refuse, or Junk - Except as provided in Sections 527 and 539, the outdoor accumulation of trash, garbage, refuse, or junk, for a period exceeding fifteen (15) days is prohibited.

402.4. Dumpsters - All trash dumpsters shall be located as specified in the A, VC and C/I Zones and screened as set forth in Section 414 of this Ordinance.

402.5. Domestic Composts - The placement of framed enclosure composts as an accessory residential use is permitted, subject to all accessory use setbacks. Only waste materials from the residential site shall be deposited within the compost, and in no case shall meat, or meat by-products be composted. All composts shall be properly maintained so as not to become a nuisance to nearby properties.

**Section 403           Setback Modifications**

- 403.1.           Front Yard Setback of Buildings on Built-Up Streets - Where at least two (2) adjacent buildings within one hundred (100) feet of a property are set back a lesser distance than that required, the average of the lesser distances becomes the required minimum front setback for the property. However, in no case shall the setback line be less than twenty (20) feet from any abutting street right-of-way line.
  
- 403.2.           Accessory or Appurtenant Structures - The setback regulations do not apply to the following however do apply to porches and above-grade patios whether covered or not:
  - 1.    Bus shelters; telephone booths; and cornices, eaves, chimneys, steps, canopies, and similar extensions.
  - 2.    Open fire escapes.
  - 3.    Minor public utilities structures, articles of ornamentation or decoration.
  - 4.    Fences, hedges, at-grade and uncovered patios and retaining walls.
  - 5.    Driveways and access drives.

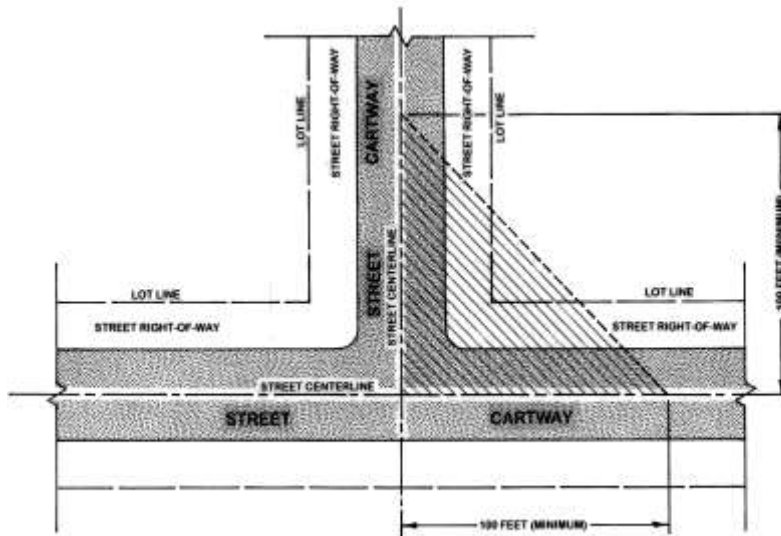
**Section 404           Height Limit Exceptions**

- 404.1.           The height regulations do not apply to the following structures or projections, provided such structures or projections are set back a horizontal distance at least equal to their height from any property line.
  - 1.    Water towers, antennas, utility poles, smokestacks, chimneys, farm silos, windmills, flagpoles, or other similar structures.
  - 2.    Rooftop structures for the housing of elevators, stairways, water storage tanks, heating, ventilating and air conditioning equipment, and other mechanical equipment.
  - 3.    Parapet walls or cornices used solely for ornamental purposes if not in excess of five (5) feet above the roof line.

404.2 In no case shall any freestanding or rooftop structure above the maximum permitted height be used for the purpose of providing additional floor space for residential, commercial or industrial purposes.

**Section 405 Clear Sight Triangle**

On corner lots, there shall be provided and maintained a clear sight triangle of at least one hundred (100) feet as measured along the centerline from the intersecting roads. No structure, planting, excavation, or other visual obstruction shall be permitted at a height greater than thirty (30) inches within such area. All clear sight triangles shall be depicted upon proposed subdivision and land development plans and sketch plans for zoning permit applications. In addition, any vegetative material that is greater than thirty (30) inches in height, that existed on the effective date of this Ordinance, and that is located within the above-described clear sight triangle shall be considered a nonconforming use. Such existing vegetation shall be permitted to continue however the Township may require removal for reasons of safety.



**CLEAR-SIGHT TRIANGLE**

**Section 406 Minimum Habitable Floor Area**

Compliance with the following standards for habitable floor area, as defined in Section 112, herein, shall be required for all dwelling units:

406.1. Single-family, duplex, and townhouse dwelling units: A minimum of one thousand (1,000) square feet per dwelling unit.

- 406.2. Multi-family dwellings: A minimum of eight hundred (800) square feet per dwelling unit.
- 406.3. Cabins, ECHO housing, temporary farm employee housing and apartments of two-family conversions: A minimum of five hundred (500) square feet per dwelling unit.

#### **Section 407 Permanent/Temporary Occupancy Requirements**

No persons or family shall be permitted to permanently reside within any tent, travel trailer, bus, boat, camper, or motor home. However, temporary occupancy of a tent, travel trailer, camper, or motor home shall be permitted within an approved campground or for periods of up to seven (7) days in any calendar year on the property of a friend or relative.

#### **Section 408 Establishment of More Than One Principal Use on a Lot**

More than one principal use may be established on a single lot, provided that all lot and yard requirements, standards, and other requirements of this Ordinance shall be met for each structure, as though it were on an individual lot. In addition, such proposals shall require County approval for any required land development or subdivision plan, and provide individually approved methods of sewage disposal. Two-family conversions do not require land development approval however shall comply with the Pennsylvania Department of Environmental Protection sewage planning requirements as stated in title 25 Chapters 71 and 72.

#### **Section 409 Required Vehicular Access**

Every building hereafter erected or moved shall be on a lot adjacent to or with approved access to a public or private street. The erection of buildings without approved access shall not be permitted. Access to lots containing one or two single-family dwellings shall be via driveways and comply with the requirements of the Township Driveway Ordinance. Access to lots containing other uses, including three or more single-family dwellings, shall be via access drives and comply with the requirements of Section 411. For all other lots requiring a subdivision or land development plan, approved access is defined by the Lancaster County Subdivision and Land Development Ordinance's Lot Access and Access Drive requirements.



**Section 410 Driveway Requirements (Single-Family Dwelling)**

Driveways shall include private drives serving individual single-family detached dwellings, townhouses on individual lots and townhouses on common property, as well as shared driveways serving two single-family dwellings. Driveways shall be designed and constructed to meet the standards of the Drumore Township Driveway Ordinance.

**Section 411 Access Drive Requirements (Non-Single-Family Dwelling)**

Access drives shall be consistent with the applicable provisions of the Lancaster County Subdivision and Land Development Ordinance and the Township Driveway Ordinance. Access drives shall, in addition, meet the following standards:

411.1. General Requirements:

- 1. Number Per Lot – The number of access drives intersecting with a street may not exceed one (1) per property unless special permission is granted by the Board of Supervisors. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**
- 2. Setback - The edge(s) of all access drives shall be set back at least fifteen (15) feet from any side and/or rear property lines; however, this setback can be waived along one property line when a joint parking lot, or shared access drive is proposed.
- 3. Access Drive Width – Access drive widths shall be in accordance with the Drumore Township Subdivision and Land Development Ordinance. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

**Section 412 Off-Street Parking Requirements**

412.1 Off-street parking shall be required in accordance with the provisions of this section prior to the occupancy of any building or use. All parking exclusively serving agricultural and/or forestry-related activities shall be exempt from off-street parking requirements. Off-street parking shall be provided whenever:

- 1. A building is constructed or a new use is established.

2. The use of any existing building is changed to a use requiring more parking facilities.
3. An existing building or use is altered or enlarged so as to increase the amount of parking space required.

412.2. Parking for Single Family Dwellings - Every single-family dwelling, including townhouse dwellings, shall be required to provide at least two (2) off-street parking spaces. Such spaces must be provided behind the street right-of-way line and may take the form of garages, carports or driveways. Additional regulations pertaining to driveways are contained in the Township Driveway Ordinance. In addition multiple-family developments shall provide an overflow parking area(s) to accommodate a minimum of one-half (0.5) parking spaces per dwelling unit. Such parking area(s) shall be located no further than three hundred and fifty (350) feet from any dwelling unit.

412.3. Parking for All Other Uses:

1. General Requirements:
  - A. Site Plan - Each application for a zoning permit or a use for which parking spaces are required shall include a site plan showing the proposed layout of the lot. The site plan shall clearly indicate all of the design elements required below. No zoning permit shall be issued for any use for which parking spaces are required unless the site plan has been approved or necessary variances have been obtained.
  - B. Surface - All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another approved dust-free surface.
  - C. Drainage - Parking lots shall be graded to a minimum slope of one percent (1%) to provide for drainage. Adequately sized inlets and storm sewers shall be provided to discharge stormwater in accordance with the requirements of the Lancaster County Subdivision and Land Development Ordinance or the prevailing Stormwater Management Ordinance.
  - D. Lighting - Adequate lighting shall be provided in accordance with the provisions of Section 428 of this Ordinance. The lighting shall be arranged so that it is



G. Joint Parking Lots:

- (1) In commercial shopping centers over three (3) acres in size, joint parking lots may be permitted. These joint facilities can reduce the total number of parking spaces required by a maximum of twenty percent (20%). Therefore, the resulting joint parking lot will be required to provide at least eighty (80%) of the total number of spaces required by the sum of all of the shopping center's tenants. Such reduced parking spaces must be appropriately distributed on the lot to provide convenient walking distance between every vehicle and each of the shopping center's stores.
  
- (2) Required parking spaces may be provided in parking lots designated to jointly serve two (2) or more establishments or uses, provided that the number of required spaces in such joint facility shall not be less than the total required separately for all such establishments or uses. However, where it can be conclusively demonstrated that one (1) or more uses will be generating a demand for parking spaces, primarily during periods when the other use(s) is not in operation, the total number of required parking spaces may be reduced to:
  - a. That required number of spaces that would be needed to serve the use generating the most demand for parking; plus,
  
  - b. Twenty percent (20%) of that number of required parking spaces needed to serve the use(s) generating the demand for lesser spaces.

H. Schedule of Required Spaces - The following lists required numbers of parking spaces by use type. Any use involving a combination of several uses shall provide the total number of spaces required for each individual use.

Type of Use	Minimum of One Parking Space for Each
<b>Commercial Uses</b>	
Automobile repair, filling and washing facilities	400 sq. ft. of gross floor and ground area devoted to repair and service facilities, in addition to areas normally devoted to automobile storage and one per employee on major shift
Automobile, boat and trailer sales	1,000 sq. ft. of gross indoor and outdoor display areas
Carpeting, drapery, floor covering and wall covering sales	500 sq. ft. of gross floor area
Convenience stores	75 sq. ft. of gross floor area
Drive-thru and/or fast-food restaurants	Two seats and one per each two employees
Food markets and grocery stores	150 sq. ft. of gross floor area for public use one per each employee on two largest shifts
Funeral homes	100 sq. ft. of gross floor area, one per each employee, and one per each piece of mobile equipment, such as hearses and ambulances
Furniture sales	500 sq. ft. of gross floor area
Hotels, motels	Guest sleeping room and one per each employee on two largest shifts (restaurants and other accessory uses shall add to this requirement)
Mini-warehouses	25 units plus one per 250 sq. ft. of office space, plus two per any resident manager
Office buildings	300 sq. ft. of gross floor area
Professional offices of veterinarians, physicians, dentists, etc.	6 spaces per each veterinarian, physician, dentist, etc.
Retail stores or shops (except those listed above)	200 sq. ft. of gross floor area of display area or sales area and one per each employee on two largest shifts.
Restaurants	Four seats plus one per each employee on largest shift
Shopping centers or malls	222 sq. ft. of gross leasable floor area
Other commercial buildings	400 sq. ft. of gross floor area

**Industrial Uses**

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Industrial and heavy manufacturing establishments	Two employees on the two largest shifts or at least one space per each 1,000 sq. ft. of gross floor area, whichever is the greater number
Warehousing	Employee on the two largest shifts

**Recreation Uses**

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Amusement arcades	80 sq. ft. of gross floor area
Athletic fields	Four seats of spectator seating; however if no spectator seating is provided, a temporary parking area shall be provided on the site. such area must provide sufficient numbers of spaces to serve all users of the site and include a fence delineating such parking area
Bowling alleys, billiards rooms	¼ lane/table and one per each two employees
Campgrounds	Per campsite, plus one per employee, plus 50% of the spaces normally required for accessory uses
Golf courses	⅛ hole, plus one per employee plus 50% of the spaces normally required for accessory uses
Golf driving ranges	Tee and one per employee
Miniature golf courses	½ hole and one per employee
Riding schools and horse stables	Two stalls plus one per every four seats of spectator seating
Skating rinks	Four persons of legal occupancy
Swimming pools (other than one accessory to a residential development)	Four persons of legal occupancy
Tennis or racquetball clubs	¼ court plus one per employee plus 50% of the spaces normally required for accessory uses

**Residential Uses**

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Single-family detached dwellings duplex and townhouse dwelling units	0.5 dwelling unit (2 spaces per dwelling unit)
Boarding houses, group homes, and bed and breakfasts	Bedroom
Multiple-family and conversion apartment dwellings	0.4 dwelling unit (2.5 spaces per dwelling unit) Such parking spaces can take the form of private driveways, or garages and/or common parking lots, provided all spaces required are within 350 feet of the unit served

**Social and Institutional Uses**

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Auditorium, banquet, conference, and meeting facilities; church, theater, and other such places of public assembly	200 sq. ft., but not fewer than one space per each three seats
Clubs, lodges, and other similar places	200 sq. ft. of gross floor area and one per each employee on the two largest shifts
Nursing, rest or retirement homes	Three accommodations (beds) in addition to those needed for doctors and support staff
Hospitals, sanitariums	Spaces shall be provided for visitors, at the rate of at least one space per each 1.5 accommodations (beds). Such spaces shall be in addition to those necessary for doctors and other personnel
Museums, art galleries, cultural centers, libraries	400 sq. ft. of gross floor area
Rehabilitation centers (without overnight accommodations)	Per each employee and one per each three people anticipated to be handled through the facility
Schools, below grade ten, including principal day-care and kindergarten	Six students enrolled
Schools, tenth grade and above, including colleges	Three students enrolled
Vocational training and adult education facilities	1.5 students enrolled

3. Interior Drives:

- A. Widths - Interior drives between rows of parking spaces shall have the minimum widths indicated in the following table:

<b>Angle of Parking</b>	<b>Width of Driveway One-Way Traffic</b>	<b>Width of Driveway Two-Way Traffic</b>
90 Degrees	25 Ft.	25 Ft.
60 Degrees	20 Ft.	22 Ft.
45 Degrees	18 Ft.	22 Ft.
30 Degrees	11 Ft.	22 Ft.
Parallel	11 Ft.	22 Ft.

- B. Horizontal Curves - Not less than a four (4) foot radius of curvature shall be permitted for horizontal curves in parking areas.

- C. Back-Up Area - All dead-end parking lots shall be designed to provide sufficient back-up area for all end spaces.

- D. Speed Tables:

Speed tables shall be constructed in accordance with the PA DOT "Traffic Calming Manual" design guidelines.

4. Prohibited Uses of a Parking Lot - Automobile parking lots are for the sole purpose of accommodating the passenger vehicles of persons associated with the use which requires them. Parking lots shall not be used for the following:

- A. The sale, display or storage of automobiles or other merchandise.
- B. Parking/storage of non-passenger vehicles accessory to the use.
- C. Performing services, including services to vehicles.



- D. Loading and unloading purposes, except during hours when business operations are suspended

**Section 413 Off-Street Loading Facilities**

413.1. Off-street loading shall be required in accordance with this section prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:

- 1. A new use is established.
- 2. The use of a property or building is changed and thereby requiring an increase in loading space.
- 3. An existing use is enlarged, thereby requiring an increase in loading space.

413.2. General Requirements

- 1. Site Plan - Each application for a zoning permit, or use for which off-street loading spaces are required, shall include a site plan showing the proposed layout of the loading area. The site plan shall clearly indicate the design elements required below. No zoning permit shall be issued for any use for which a loading area is required unless the site plan has been approved or necessary variances have been granted.
- 2. Location - Except as provided elsewhere, a ground level loading area may be located in any side or rear yard. No exterior portion of an off-street loading facility, including access drives, shall be located within fifty (50) feet of any land within a residential zone. Off-street loading facilities shall be located on the face of a building not facing any adjoining land in a residential zone.
- 3. Sizes - The following table provides the required minimum loading space dimensions, excluding access drives, entrances and exits.

Facility	Length	Width	Height when Covered or Obstructed
Industrial, Wholesale And Storage Uses	63 Ft.	12 Ft.	15 Ft.
All Other Uses	33 Ft.	12 Ft.	15 Ft.

4. Separation - Off-street loading spaces shall be designed so that there will be no need for service vehicles to back over streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots.
5. Connection to Street - Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least twenty-four (24) feet wide for two-way travel, or eighteen (18) feet wide for one way travel, exclusive of any parts of the curb and gutters. Section 411 specifies other requirements for access drives.
6. Surface - All off-street loading facilities, including access drives, shall be constructed and maintained with a paved surface of concrete or bituminous materials, or other dust-free surface.
7. Drainage - Off-street loading facilities, including access drives shall be drained to prevent damage to other properties or public streets. Furthermore, all off-street loading facilities shall be designed to prevent the collection of standing water on any portion of the loading facility surface, particularly next to access drives.
8. Lighting - Adequate lighting shall be provided if the loading facility is to be used at night. The lighting shall be designed and installed in accordance with the provisions of Section 428, herein.
9. Landscaping and Screening - Unless otherwise indicated, all off-street loading facilities shall be surrounded by a fifteen (15) foot wide landscape strip. All off-street parking facilities shall also be screened from adjoining residentially-zoned properties and/or adjoining public streets according to the requirements of Section 414 of this Ordinance.

10. Schedule of Required Loading Spaces:

Type of Use	Number of Spaces Per	Gross Floor Area/Dwelling Unit
Hospital or Other Institution	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Hotel, Motel and Similar Lodging Facilities	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square Feet (or fraction)
Industry or Manufacturing	None	First 2,000 square feet
	1.0	2,000 to 25,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)
Multi-Family Dwelling	None	Less than 100 dwelling units
	1.0	100 to 300 dwelling units
	+1.0	Each additional 200 dwelling Units (or fraction)
Office building, including banks	None	First 10,000 square feet
	1.0	10, 000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Retail sales and services, per store, and restaurants	None	First 2,000 square feet
	1.0	2,000 to 10,000 square feet
	2.0	10,000 to 40,000 square feet

	+1.0	Each additional 100,000 square feet (or fraction)
Shopping centers (integrated shopping centers, malls and plazas) having at least 25,000 square feet	1.0	25,000 square feet up to 100,000 square feet
	+1.0	Each additional 100,000 square feet
Theater, auditorium, bowling alley, or other recreational establishment	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Undertaking establishment	None	First 3,000 square feet
	1.0	3,000 to 5,000 square feet
	+1.0	Each additional 10,000 square feet (or fraction)
Wholesale or Warehousing (except mini-warehousing)	None	First 1,500 square feet
	1.0	1,500 to 10,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)

**Section 414 Landscaping, Screening and Buffering Requirements for Non-Residential and Multi-Family Development Uses (Excluding Agricultural Uses)**

414.1 Landscape plans, prepared by a Landscape Architect registered as such in the Commonwealth of Pennsylvania that demonstrates compliance with all provisions of this Section, required by this Section shall be submitted as part of any preliminary/final subdivision or land development plan proposing a non-residential or multi-family development use and/or any application for a non-residential or multi-family development building / zoning permit.

414.2 Any portion of the lot or tract not used for buildings, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas shall be planted and continually

maintained with an all-season ground cover and otherwise landscaped in accordance with a landscape plan approved by the Township. Landscaping shall comply with the minimum design and planting standards and the criteria for the selection of plant material of this Section.

- 414.3 A perimeter buffer of one hundred (100) feet shall be provided between any proposed non-residential use located on a tract of ten (10) acres or more in size and all adjacent non-commercial uses and zones. Within such perimeter buffer area no principal or accessory building or other structure, except for permitted signs, no loading area, no outdoor storage area, no parking area, no internal vehicular circulation roads or driveways, except for approved access from a public street, shall be located.

A completely landscaped visual barrier, or landscape screen, shall be provided and continually maintained within the buffer area. Such landscape screen shall be designed as part of the landscape plan as required under Section 414.1 herein, and may require, at the discretion of the Board of Supervisors in order to meet the objectives of this Section, more than the minimum number of plantings as provided in Section 414.5 herein.

A perimeter buffer shall be provided for commercial/industrial uses on lots of less than 10 acres when adjoining residential zoning or residential uses in accordance with Section 609.1 of the Drumore Township Subdivision and Land Development Ordinance. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

- 414.4 Setbacks

1. No trees shall be planted within five (5) feet of any property line nor shall trees be planted within any street or utility right-of-way or easement.
2. For non-residential or multi-family development uses that are adjacent to agricultural lots, no shrubs shall be planted within ten (10) feet of any property line and no trees shall be planted within 30 feet of any property line.

414.5 Minimum Planting Standards **(Amended by Ordinance 2015-03 adopted May 7, 2015)**

1. The total number of plantings shall be no less than the total calculated from all columns in the following table.

Improvement/Conditions	Deciduous		Evergreen	
	Shrubs	Trees	Shrubs	Trees
Per 1,000 Sq. Ft. of Gross Building Area	3	1	3	1
Per 2,000 Sq. Ft. of Parking or Loading Area	1	1	1	1
Per 100 Lineal Ft. of New and Existing Road Frontage (Measured on Both Sides where Applicable)	1	4	1	4
Per 100 Lineal Ft. of Existing Tract Boundary	1	2	1	4

2. Where the applicant can demonstrate to the satisfaction of the Board of Supervisors that existing vegetation and/or topographic conditions located within one hundred (100) feet of the existing tract boundaries or within one hundred (100) feet of the cartway of existing or new road segments will conceal, on a year-round basis, adjacent properties from view from such tract boundary or road segment, the linear footage of such tract boundary or road segment may be excluded from the calculation of required plantings.
3. Any fractional plantings resulting from the calculation of required planting shall be rounded up to the nearest whole number.
4. All plantings used to comply with the minimum required number of plantings shall be:
  - A. Trees            Deciduous - 2 ½ Inch Caliper, Minimum Evergreen 6 foot, Minimum (B&B) Buffer/Screening Evergreen 8 foot, Minimum (B&B). **(Amended by Ordinance 2015-03)**
  - B. Shrubs            24 to 30 Inches in Height, Minimum

- C. Evergreen plantings used to comply with the visual screening and buffering requirements shall be provided in accordance with Section 414.6, below.

Plantings and their measurement shall conform to the standards of the American or U.S.A. Standard for Nursery Stock, ANSI or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same USDA hardiness zone as the site and shall be nursery grown unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this Section. The Board of Supervisors, upon recommendation of the Planning Commission, may waive or reduce the required number and/or size of plantings if the applicant can demonstrate to the satisfaction of the Board that retaining existing plant material or other means of landscaping substantially achieves the objectives of this Section.

414.6 Criteria for Plant Material Selection

- 1. The species shall be selected from Appendix B – Native Plant List of the Pennsylvania Stormwater Best Management Practices Manual dated December 2006, or subsequent edition. The selected plant materials shall not include any species considered invasive as listed by the PA Department of Conservation and Natural Resources publication titled Invasive Plants in Pennsylvania.
- 2. The selection of plant material shall reflect a careful evaluation of the required existing resources and site analysis and in particular:
  - A. Existing and proposed site conditions and their suitability for the plant material based upon the site’s geology, hydrology, soils and microclimate.
  - B. Specific functional and design objectives of the plantings, which may include but not be limited to: the provision of a landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitat and aesthetic values.

- C. Maintenance considerations such as hardiness, insect and disease resistance, longevity and availability.
- 3. The applicant is encouraged to conform to the requirements of this Section through the use of nursery grown native tree and shrub species.
- 4. Species for shade trees shall be selected on the basis of hardiness, growing habit considering pedestrian and vehicular passage, minimal need for maintenance and compatibility with other features of the site and surrounding environs.
- 5. In order to promote disease protection, minimum maintenance, diverse natural plant associations and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under natural conditions on comparable sites.

414.7 Landscape Design Standards

- 1. The minimum number of plantings shall be determined in accordance with Section 414.5, above, however additional plantings may be provided to further the objectives of this Section. The use of linear measurements to calculate the minimum number of plantings is not intended to specify a linear arrangement. Rather, groupings of plantings are encouraged consistent with the provisions of this Section.
- 2. The applicant shall provide the plantings and other landscaping improvements such as berms, solid fencing and/or walls, as necessary, to mitigate any adverse impacts, including visual impacts that the proposed activity will have on the site and adjoining properties as well as the Township overall and otherwise address all issues as identified in the review of the required existing resources and site analysis.
- 3. Plantings and other landscape improvements shall be provided according to a design in response to specific site conditions and which best mitigate adverse site activity impacts. The amount, density and types of plantings in any given location shall be based upon the natural features of the site, feasibility of using native



species, proximity to existing dwellings, compatibility with adjacent uses, nature of views into and across the site and in consideration of privacy of residential uses that may be impacted.

- 4. Where a specific need for visual screening or buffering has been identified, evergreen plantings shall be provided that are a minimum of eight (8) feet in height, measured from ground level, and planted at intervals of no less than eight (8) feet nor more than twelve (12) feet on center. The screen shall consist of two staggered rows of plantings. **(Amended by Ordinance 2015-03)**

- 5. Parking Lot Landscaping

All off-street parking areas shall be landscaped with trees and shrubs of varying species.

- A. Parking areas shall be bordered by planting areas at least five (5) feet in width adjoining buildings and at least ten (10) feet elsewhere, except where interrupted by access ways. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

- B. Planting areas shall be placed so as to facilitate snow removal and proper surface water drainage and to provide for safe movement of traffic and pedestrians. Planting areas shall be elevated above the parking lot surface or bordered appropriately to prevent erosion or damage from vehicles. Bollards may be used to afford protection of trees.

- 6. Planting areas shall be selected and designed to reflect the natural landscape characteristics that existed prior to site disturbance as well as those environmental conditions to be created on the site.

- 7. The locations, dimensions and spacing of required plantings shall be adequate for their proper growth and maintenance, with consideration of the sizes of such plantings at maturity and their initial and future environmental requirements such as moisture and sunlight. In the selection of shade trees, consideration shall also be given to the aesthetic qualities of the site and to the protection of solar access. In the selection of the layout of landscape screens and buffers or the

location and mix of the required plantings, consideration shall be given to the natural topographical setting of the site and the texture, coloration and compatibility of the varying plant species.

It is strongly encouraged that improved landscapes be designed creatively in such a manner as to be attractive while maintaining the integrity of the natural landscape within which such landscapes are proposed.

8. Plantings shall be limited or carefully selected for locations where they may be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include, but are not limited to parking area edges, underground and above ground utilities and sight triangles at intersections. No trees shall be planted closer than fifteen (15) feet from fire hydrants, streetlights or stop signs.

414.8 Conservation of Existing Vegetation and Natural Features

No portions of tree masses or trees of eight (8) inches DBH or greater shall be cleared unless a reforestation plan is prepared which demonstrates that 2½ inch caliper trees, exclusive of street trees and buffer plantings, will replace those cleared. Such replacement trees shall be planted at a ratio of two trees for each tree cleared. The Applicant shall make all reasonable efforts to harmonize his plans with the preservation of existing trees. The areas surrounding all trees to be preserved shall not be disturbed within ten (10) feet of the drip line. Trees of 25-inch DBH or greater shall not be disturbed.

1. When site disturbance necessitates the clearing of trees or portions of tree masses, the applicant shall be guided by the following criteria in the selection of vegetation for retention and clearing:
  - A. Aesthetic values including, but not limited to, autumn coloration, types of flower or fruit, bark and crown characteristics and amount of dieback present.
  - B. Susceptibility to disease and/or insect infestation.
  - C. Species longevity.
  - D. Wind firmness and capability of soil to hold trees.

- E. Existence of disease, rot or other damage. Such damaged trees should be removed.
  - F. Protection of buildings and other structures.
  - G. The size of trees at maturity.
2. The applicant shall exercise care to protect retained trees from damage during construction. The following procedures shall be utilized in order to protect such trees:
- A. Where trees are to be retained, no disturbance or construction shall be permitted within ten (10) feet of the drip line of the trees. Where trees to be retained are adjacent to proposed disturbance or construction, appropriate fencing, four (4) feet in height, shall be placed at ten feet outside the drip line of such trees. Such fencing shall remain in place throughout the duration of construction activity. Roots shall not be cut within the drip line of retained trees.
  - B. Trees within twenty-five (25) feet of a building or other structure or bordering entrances and exits to a building site or site otherwise to be disturbed shall be protected by a temporary barrier.
  - C. No material shall be nailed or otherwise attached that may cause damage to trees during construction or site disturbance.
  - D. Tree trunks and exposed roots accidentally damaged during construction or site disturbance shall be protected from further damage by being immediately and professionally treated.
  - E. Tree limbs accidentally damaged during construction or disturbance shall immediately be sawed flush to the trunk.
  - F. Non-dormant trees located adjacent to construction of site disturbance activity shall be given an application of the appropriate type and amount of fertilizer to aid in recovery from potential accidental damage.

- G. Construction debris or other debris shall not be stored or disposed of within ten (10) feet of the drip line of retained trees except for mulched vegetative matter used to prevent soil compaction.

414.9 Site Maintenance and Guarantee

1. All landscape improvements to be provided in accordance with this Section shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, as appropriate and not limited to provisions for surface mulch, guy-wires and stakes, irrigation, fertilization, insect and disease control, pruning, and weeding.
2. The applicant shall guarantee in a form acceptable to the Township that all landscape improvements required in accordance with this Section shall be installed and maintained in a healthy and/or sound condition, or otherwise be replaced by equivalent improvements, for a period of at least eighteen (18) months. After installation and prior to acceptance of the landscape improvements by the Township, the Township shall perform an inspection of such improvements for compliance with the approved landscape plan.
3. The installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with the provisions for such in the Lancaster County Subdivision and Land Development Ordinance. The cost of the landscape improvements including material and installation shall be considered in determining the amount of the performance guarantee required. The applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the installed plantings or other material during the eighteen- (18) month replacement period.

**Section 415****Outdoor Signs**

415.1. Sign Area and Height - The following guidelines shall apply when interpreting area and height regulations of signs in this Article:

1. Area - The area of a sign shall be the area of the smallest geometric shape that will encompass all elements of the sign, such as letters, figures, symbols, designs, or other display.
  - A. When the sign is a separate unit, the area shall include any borders, framing, trim, decorative attachments, background, and space between elements; it shall not include any supporting structure unless that structure is illuminated, is in the form of a symbol, or contains advertising elements.
  - B. When the sign is applied to a wall or otherwise has no definable edges, the area shall include all color, artwork, or other means used to differentiate the sign from the surface upon which it is placed.
  - C. When a single sign structure has more than one face with the same message, and no two sign faces are more than three (3) feet apart at any point, the area shall be computed by determining the greatest total area of all sign faces visible from any single location.
2. Height - The height of a sign shall be measured from the average ground level beneath the sign to the highest point of the sign. The ground level shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. This prior ground level may be established by any reliable source, including, without limitation, existing topographic maps, aerial photographs, photographs of the site, or affidavits of people who are personally familiar with the site. No person(s) shall artificially increase the maximum height of a sign by altering the grade at the base of the sign by any means.

- A. No sign shall be higher than the height limitation of the district in which it is located.
- B. The height of freestanding signs shall be controlled by the regulations in Tables 1 and 2.
- C. Wall signs may be at any height on the wall to which they are attached, except that they may not extend higher than the top of the wall.
- D. Roof signs may extend no more than five (5) feet above the lowest point where they are attached to the building and may not extend above the highest point of the roof.

415.2

General Regulations - The following regulations shall apply to all signs, in addition to the specific regulations contained in the following provisions of this Section. Where the general regulations are contradicted by a specific regulation, the specific regulation shall control:

- 1. All signs shall reflect the general character of the neighborhood.
- 2. All signs shall be constructed of durable materials, maintained in good condition, and secured in a safe manner.
- 3. When a sign becomes unsafe, the zoning officer shall give written notice to the owner of the premises on which the sign is located that the sign must be made safe or removed immediately.
- 4. The areas surrounding all signs shall be maintained in a neat, clean, and attractive condition.
- 5. All signs shall be removed within three (3) months if the purpose for which they were erected no longer exists.
- 6. Each property that displays one or more permanent freestanding signs and that is in an area where street addresses have been assigned, must prominently display the address on one permanent freestanding sign visible from the street. The address must include the street number; the street name is optional. The address must be of a size and design that is easily identifiable and legible from

moving traffic in the street at a distance of one hundred (100) feet (three (3) inch high lettering/numerals with a three quarter (3/4) inch stroke). The area taken up by the address does not count as part of the sign area. Center signs are exempt from this requirement.

7. No temporary signs shall be permitted except as authorized elsewhere in this Section.
8. No sign shall be located within a street right-of-way except a government sign or a sidewalk sign on a pedestrian walkway in a business district.
9. No sign within the clear sight triangle should obstruct vision between the heights of thirty (30) inches and eight (8) feet above the elevation of the centerline of the street.
10. No signs shall be painted, pasted, nailed, stapled or otherwise attached to utility poles, trees, fences, fire hydrants, or in an unauthorized manner to walls or other signs, except insofar as such signs comply with generally applicable rules, regulations or policies formally adopted by the Board of Supervisors.
11. Any freestanding sign within a floodplain must be approved as a special exception.
12. No sign shall be placed so as to obstruct any door, stairway, window, fire escape, or other means of ingress and egress.
13. No sign shall be placed so as to obstruct building ventilation or light.
14. No overhead sign shall have a clearance of less than eight (8) feet between any pedestrian walk and the lowest part of the sign; and less than seventeen feet -six inches (17' - 6") between any roadway and the lowest part of the sign.
15. No sign that is parallel to and attached to the face of a building shall project more than eighteen (18) inches over a public sidewalk.
16. No sign that is perpendicular to and attached to the face of a building shall project more than forty eight (48) inches from the building.

17. No sign shall have lights or other illuminating devices that constitute a public safety or traffic hazard.
18. No sign shall be permitted that imitates, or that might be confused with, an official traffic sign or signal, such as by containing the words "Stop" or "Danger" , or by including red, green or yellow lights.
19. No sign or window display shall include a revolving beam or beacon of light resembling an emergency vehicle or facility.
20. No sign shall advertise activities or products that are illegal under Federal, State or Township laws or regulations.
21. No sign shall include statements, words, or pictures that are considered to be vulgar, obscene, or pornographic.
22. No streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons or similar materials shall be displayed outside a building. (See "Special Event Sign" in Table 2 for regulations that apply to banners used as special event signs).
23. In addition to any other signage permitted by this Section, each commercial or industrial property may display one flag, not to exceed thirty five (35) square feet, with a company or corporate identification logo on premise on an approved, standard flag pole.
24. No animated, sequential, intermittent, flashing, rotating, or oscillating signs shall be permitted except for time and temperature signs.
25. No sign shall emit smoke, visible vapors, particles, sound or odor.
26. No sign shall be placed on an automobile, truck, or other vehicle if that vehicle is being used primarily for displaying such sign.
27. No permanent inflatable signs shall be permitted.
28. No open flames shall be permitted as part of a sign or in any other way to attract attention.
29. Advertising painted upon or displayed upon a barn or other structure shall be considered a sign and shall comply with the regulations of this Section.
30. Any sign that has been authenticated as historically significant and accurate for its specific location, whether original or a replica may



be exempted from the regulations of this Section as a special exception.

31. Signs may be interior lighted with non-glaring lights; signs may be externally lighted by shielded fixtures that provide downward lighting so there is no direct light transmitted to other properties, public rights-of-way or the night sky.
32. The light from any illuminated sign shall not adversely affect the safe vision of operators of vehicles moving on public or private streets or parking areas; any residential district; or any part of a building or property used for residential purposes.
33. No lighting shall be permitted to outline buildings or structures or parts thereof through the use of exposed neon tubing, strings of lights, or other means, with the exception of customary holiday decorations, which may be installed thirty (30) days prior to, and removed not later than twenty one (21) days after, the holiday.
34. Business signs in other than commercial and industrial zones shall not be illuminated when the business is closed.
35. All electrically illuminated signs shall be constructed to the standards/listing of the Underwriters Laboratories, Inc. and the latest edition of the National Electric Code.

415.3 Electronic Message Center and Dynamic Display Signs.  
**(Amended by Ordinance 2015-03 adopted May 7, 2015)**

1. Electronic Message Center Signs
  - (A) One electronic message center sign is permitted within the Commercial/Industrial (C/I) Zoning District, per lot; the message board shall not exceed 20 square feet and must be located below the name of the business or center, and must be part of the freestanding business or center sign. The area of the electronic message center sign shall be deducted from the total permissible area of freestanding signage on the subject lot.
  - (B) The text portrayed on the message center portion of the sign shall be of one color and shall be displayed on a black, unlit background.

- (C) No more than four lines of text shall be displayed at one time.
- (D) Electronic message center signs shall be permitted to change, alter or move images at a minimum of an eight-second interval.

## 2. Dynamic Display Signs

- (A) Dynamic display signs shall only be permitted by special exception in the Commercial/Industrial Zoning District (C/I), subject to the following conditions, as well as all other applicable requirements:
- (B) Dynamic display signs shall be located no closer than 300 feet to any existing residential use.
- (C) All dynamic display signs shall be set back a minimum of 35 feet from a street right-of-way.
- (D) Only one dynamic display sign shall be permitted per property and shall not be located any closer than 200 feet to any other dynamic display sign on an adjacent property.
- (E) Dynamic display signs shall be permitted to change, alter, or move images at a minimum of a ten-second interval.
- (F) The images that are portrayed on the sign must be static, and the change to another static image must be instantaneous without any special effects. The images that are portrayed shall be complete in themselves without continuation of content to the next image, display or to another sign.
- (G) All dynamic display signs shall be erected with a light detector or photocell by which the sign's brightness can be dimmed when ambient light conditions darken. In no case shall a dynamic display sign cause objectionable glare to motorists, bicyclists and other pedestrian travel along any roadway, pathway, or driveway. A lighting diagram or other documentation acceptable to the Zoning Hearing Board shall be submitted with the application to demonstrate compliance with the lighting regulations of this chapter. In the event the light emits more illumination onto adjoining properties than what is permitted by this ordinance, illumination levels or the sign location shall be adjusted accordingly.

- (H) If the sign malfunctions as to create a violation of any of these regulations, as determined by the Zoning Officer, the sign shall be turned off immediately and kept off until the sign can be repaired to be in full compliance with the above-mentioned regulations.
- (I) Applicants proposing a dynamic display sign shall be required to obtain a sign permit and a Uniform Construction Code permit in the event an approval is given to their application.
- (J) Any billboard which is a dynamic display sign or which contains dynamic display components shall, in addition to the requirements of this section, meet all requirements of Table 1. Where there is a conflict between this section and Table 1, the more stringent regulation shall apply.

415.4

Specific Regulations:

Tables 1, 2 and 3 provide regulations for specific kinds of signs in each zone. Table 1 provides regulations for permanent signs; Table 2 provides regulations for temporary signs; Table 3 provides regulations for issue signs. Types of signs not provided for in Tables 1, 2 or 3 or anywhere else in this Section shall not be permitted.

415.5

Permitting Procedures and Fees:

Permits for the placement of signs are required as indicated by the last column in Tables 1, 2 and 3. Sign permit application requirements, such as forms, plans, and fees, shall be established, from time to time, by resolution of the Board of Supervisors.

TABLE 1 REGULATIONS FOR PERMANENT SIGNS											
Kind of Sign	Zone	Total Signs on Lot		Freestanding Signs				Building Signs		Other Requirements	Permit Required
		Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Height	Minimum Required Setback from Street ROW	Maximum Permitted Number	Maximum Permitted Area		
Business Sign (Except Center Signs)	C/I VC	2 Per Lot	80 Sq. Ft. 12 Sq. Ft.	1 Per Lot	60 Sq. Ft. See Note 1	20 Ft.	12 Ft. See Note 2	2 Per Lot	40 Sq. Ft. See Note 1	Business Signs For Individual Businesses Must Be Located So They Are Identified With The Individual Business, i.e. Rather Than Being At The Street Frontage Of A Large Center, Away From The Business They Are Identifying	Yes
Business Sign	All Other Zones	2 Per Lot	2 Sq. Ft.	1 Per Lot	2 Sq. Ft.	6 Ft.	10 Ft.	2 Per Lot	2 Sq. Ft.		Yes
Home Occupation Sign	VR RR A	1 Per Lot	2 Sq. Ft.	1 Per Lot	2 Sq. Ft.	6 Ft.	10 Ft.	1 Per Lot	2 Sq. Ft.	A Home Occupation Sign May Include A Name, An Address, An Occupation or Activity, And A Logo or Trademark; There May Be No Illumination	Yes
Home Occupation Sign	VC	1 Per Lot	12 Sq. Ft.	1 Per Lot	12 Sq. Ft.	6 Ft.	12 Ft.	1 Per Lot	12 Sq. Ft.		Yes

Note 1: Building Sign Maximum - 40 Sq. Ft.  
 Freestanding Sign Maximum - 60 Sq. Ft.

Note 2: Setback is 12 Ft. From Both Property Lines and Street Rights-of-Way Lines

TABLE 1 REGULATIONS FOR PERMANENT SIGNS (CONTINUED)						
Kind of Sign	Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Height For Freestanding Signs	Maximum Required Setback From Street Right-Of-Way For Freestanding Signs	Other Requirements	Permit Required
Billboard (Allowed Only in C/I Zone)	1 Per Lot	300 Sq. Ft.	25 Ft.	35 Ft.	Subject to Approval as a Conditional Use and Subject to Additional Requirements in Section 507. In Addition, a Billboard May Have 2 Surfaces with a Total of 2 Messages, Provided that the Surfaces are Back-To-Back or at an Angle Less Than or Equal to 45 Degrees	Yes
Center Sign (Allowed Only in C/I Zone)	1 Per Street	100 Sq. Ft.	20 Ft.	12 Ft.	Center Signs are Allowed Only for Centers Such as Shopping Centers, Office Complexes, and Industrial Parks Which Meet at Least 2 of the Following Minimums: (1) 5 Units, (2) 20,000 Square Feet of Building Area, and (3) 5 Acres of Land.	Yes
Development Sign	For Each Residential Development, 1 Per Principal Entrance, Up to a Maximum of 2 Entrances	20 Sq. Ft.	6 Ft.	10 Ft.	Development Signs are Allowed Only for Residential Developments. They May Include Only the Name of the Development and May Not Include any Commercial Advertising.	Yes
Government Sign	Placed Within Rights-Of-Way, Generally not Regulated by this Section					
Incidental Sign	No Limit	2 Sq. Ft.	6 Ft.	10 Ft., Except No Setback is Required if Sign is No More Than 30 Inches High		No
Non Profit Organization Sign	As Approved by the Board of Supervisors	4 Sq. Ft.	6 Ft.	Not Applicable	May be Placed in Street Right-Of-Way With the Approval of the Board of Supervisors.	
Public Use Sign	1 Building Sign Per Lot and 1 Freestanding Sign Per Principal Entrance	40 Sq. Ft.	6 Ft.	10 Ft.		Yes

TABLE 1 REGULATIONS FOR PERMANENT SIGNS (CONTINUED)											
Kind of Sign	Zone	Total Signs on Lot		Freestanding Signs				Building Signs		Other Requirements	Permit Required
		Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Height	Minimum Required Setback from Street ROW	Maximum Permitted Number	Maximum Permitted Area		
Identification Sign (Except Development Signs and Public Use Signs)	All Zones Except C/I	2 Per Lot	12 Sq. Ft.	1 Per Lot	8 Sq. Ft.	6 Ft.	10 Ft.	2 Per Lot	8 Sq. Ft.		Yes
	C/I	No Limit	200 Sq. Ft.	1 Per Street Frontage, Except That In A Structure With Multiple Businesses The Individual Businesses May Not Have Their Own Freestanding Signs	40 Sq. Ft. On Each Street Frontage	20 Ft.	10 Ft.	No Limit	1½ Sq. Ft. Per Lineal Foot Of Façade To Which The Sign Is Attached, Up To A Maximum Of 200 Sq. Ft. Of Signage Per Lot Also See Note 1		Yes

Note 1: The Length of the Façade of an Irregularly Shaped Building (e.g. a Circular Building, an "S" Shaped Building, or a Building with One or More Angles on the Side in Question) is the Straight Line Distance Between the Two Ends of the Building

TABLE 2 REGULATIONS FOR TEMPORARY SIGNS							
Kind of Sign	Permitted Time for Display	Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Height For Freestanding Signs	Maximum Required Setback From Street Right-Of-Way For Freestanding Signs	Other Requirements	Permit Required
Contractor Sign	During Construction	1 Per Contractor Per Lot	6 Sq. Ft.	6 Ft.	See "Other Requirements"	Must be Set Back at Least 10 Ft. from the Cartway or at the Building Face, Whichever is less; May not be in the Side Yard Setback. May not be Illuminated. Not Permitted Off Premise. If There are 4 or More on a Lot, They Must be Combined in a Single Display by Attachingm Them to a Single Background Panel or Frame. The Background is not Included in Calculating the Sign Area. The Height of the Display May not Exceed 10 Ft. The Display May Project a Maximum of 12 Inches From the Wall if Attached Parallel to the Building. Also See Note 1.	No
Garage/Yard Sale Sign	From 48 Hours Before Sale to End of Day of Sale	1 Per Sale Per Lot	6 Sq. Ft.	6 Ft.	10 Ft.	Not Permitted Off Premise Also See Note 1	No
Open House Sign	From 3 Days Before Open House to 2 Hours After House. Display May Not Exceed 6 Days Per Month Per Lot.	1 On Premise; 2 Off Premise, With No More Than 1 Per Intersection	6 Sq. Ft.	10 Ft. in C/I Zone; 6 Ft. in All Other Zones	Not Applicable	Must Include the Words "Open House", Day and Time of Open House, and Name of Realtor. Open House Must be Attended by the Seller or the Seller's Representative During Entire Advertised Time of Open House. Must Not Interfere With Pedestrian or Vehicular Traffic. Also See Note 1.	No
Real Estate Sign	Until 5 Days After Completion of the Activity They Advertise	1 Per Street Frontage, Up To 2 Per Lot	6 Sq. Ft.	6 Ft.	10 Ft.	Not Permitted Off Premise Also See Note 1	No
Sidewalk Sign	No Limit	1 Per Street Frontage, Up To 2 Per Lot	See "Other Requirements"	See "Other Requirements"	Not Applicable	Shall Not be More Than 24 Inches Wide and 48 Inches High if Placed Next to Curb; If Placed Next to Buildings Having Obstructions Such as Steps, Shall Not be More Than 42 Inches Wide and 72 Inches High. Distance Between Sidewalk Signs Shall be at Least 15 Ft. Minimum of 4 Ft. of Unobstructed Walkway Shall be Maintained.	No
Special Event Sign	If Event Has Specific Date, From 21 Days Before Event to 5 Days After Event. Also See "Other Requirements"	1 Per Lot Per Event	16 Sq. Ft.	6 Ft.	10 Ft.	An On Premise Auction Sign Advertising the Auctioning of Real Estate Only May be Displayed More Than 21 Days in Advance of the Auction if It Follows all Real Estate Sign Standards. Also See Note 1	No

Notes:

1 - Signs which are not removed within the time limits may be removed and impounded by the township, and the township may recover a fee equal to the cost of removal and storage.

TABLE 3 REGULATIONS FOR ISSUE SIGNS							
Kind of Sign	Permitted Time for Display	Maximum Permitted Number	Maximum Permitted Area	Maximum Permitted Height For Freestanding Signs	Maximum Required Setback From Street Right-Of-Way For Freestanding Signs	Other Requirements	Permit Required
Issue Signs	No Limit	No Limit	12 Sq. Ft.	10 Ft. in C/I Zone; 6 Ft. in All Other Zones	None	None	No



**Section 416 Roadway Classifications**

For the purpose of this Ordinance, the Township’s roads shall be classified according to the following categories:

Arterial Roads	Collector Roads		Local Roads
Holtwood Road (PA 372)	Cherry Hill Road	River Road	All Roads not listed As Arterial Roads or Collector Roads
Lancaster Pike (PA 272)	Chestnut Level Road	Slate Hill Road	
	Furniss Road	Susquehannock Drive	
	Harmony Ridge Road		

**Section 417 Zoning Requirements for Use of On-Lot Sewage Disposal Systems**

- 417.1. As of the effective date of this Ordinance, all future uses that rely upon on-lot sewage disposal systems shall be required to specifically test for and secure one disposal site (field, bed or trench) and another alternate disposal site. Both disposal sites shall be approved by the Sewage Enforcement Officer. Furthermore, the alternate disposal site shall be perpetually protected from excavation, construction and other activities that would result in disturbance of the soils’ ability to renovate sewage effluent, until such time as the alternate field may be activated due to malfunction of the initial disposal site.
- 417.2. Regardless of any maximum lot area requirements listed elsewhere in this Ordinance, the minimum required lot size may be increased to insure an acceptable level of nitrate-nitrogen in the adjoining groundwater. Such determinations will be made by the PA DEP, through its sewage facilities planning module review process.
- 417.3. Every owner of a use relying upon on-lot sewage disposal systems shall be required to properly maintain and repair such system in accordance with the Drumore Township On-Lot Sewage Management Ordinance.

## **Section 418 Operations and Performance Standards**

All uses proposed within Drumore Township shall operate in compliance with applicable State and federal regulations, as they are periodically amended. The following lists known governmental regulations associated with various land use impacts. This list in no way excludes or limits Federal or State jurisdiction over uses within the Township, but is merely provided for information to applicants and landowners.

- 418.1. Air Pollution, Airborne Emissions and Odor: “Rules and Regulations” of the Pennsylvania Department of Environmental Protection;
- 418.2. Water Pollution: The Clean Streams Law, June 22, 1937 P.L. 1987, 35 P.S. 691.1, as amended;
- 418.3. Glare and Heat: “Rules and Regulations” of the Pennsylvania Department of Environmental Protection; and,
- 418.4. Handicap Access: The latest version of the Americans with Disabilities Act.

## **Section 419 Common Open Space Requirements**

In those instances where open space is required elsewhere in this Ordinance, or when an applicant proposes the use of open space, such open space shall comply with the following:

- 419.1. Required open space shall be designed and arranged to achieve at least one of the following objectives, and the applicant shall demonstrate those specific measures employed to achieve these objectives:
  - 1. Protection of important natural resources, e.g., streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.
  - 2. Protection of important historical and/or archaeological sites.
  - 3. Provision of usable play and recreation areas that are conveniently accessible to residents within the development and the Township.

4. Integration of greenways throughout the development that link residences with on-site or adjoining parks, schools or other similar features.

419.2. An essential element of the provision of open space is a written description, an open space management plan, regarding its ownership and/or disposition. Such ownership and/or disposition shall be accomplished through one of the following:

1. An offer of dedication to the Township, however the Township shall not be obligated to accept dedication.
2. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the preservation of open space land and/or natural resources. The organization shall be a bona fide conservation organization with a perpetual existence; the conveyance must contain appropriate provision for reverter or retransfer if the organization is unable to maintain the land; and the organization must enter into a maintenance agreement with the Township.
3. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners; associations found in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. § 4101 et seq. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:
  - A. Such organization shall not dispose of the common open space by sale or otherwise, except to the Township unless the Township has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Ordinance.

- B. The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of common open space.
- C. The Township may require the establishment of a reserve fund to provide for maintenance of or capital improvements to the common open space.

**Section 420                      Traffic Impact Study**

- 420.1.                      Applicability - For those uses requiring a traffic impact study, the study shall be prepared in accordance with the PA DOT "Policies and Procedures for Transportation Impact Studies", latest edition.
- 420.2.                      Improvements
  - 1.                      Responsibility for Improvements - The applicant shall be responsible for the improvements required to provide safe and convenient ingress and egress to the development site and other improvements required by the PA DOT approved Traffic Impact Study.
  - 2.                      Coordination with Municipal Requirements - The applicant shall be responsible for other improvements as may be agreed to with the Board of Supervisors to be installed or paid for by the applicant consistent with provisions of Article V-A of the Municipalities Planning Code.

**Section 421                      Required Nutrient Management Plans**

All agricultural uses shall comply with the Pennsylvania "Nutrient Management Act" of 1993, as may be amended.

**Section 422 Well Water Provisions**

422.1. It shall be the responsibility of prospective buyers of properties which are intended to be served by area groundwater to ascertain to the buyers' satisfaction that sufficient groundwater quantity and acceptable water quality exist at the site.

**Section 423 Flag Lots**

All flag lots shall comply with the applicable regulations in the Drumore Township Subdivision and Land Development Ordinance. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

**Section 424 Litter**

424.1. No property shall be developed, used or maintained in a state that creates litter either on the property or upon any adjoining properties and/or roads.

424.2. Any property containing litter on the effective date of this Ordinance shall be considered nonconforming. Such litter may continue for a period not to exceed ten (10) days from the effective date of this Ordinance. After the ten (10) day period, such litter shall be removed by the owner.

424.3. Should any property or use be conducted or maintained in a condition that causes repeated litter complaints or violations, the owner shall be required, upon the instruction of the Zoning Officer, to prepare and implement a working plan for the clean-up of such litter as a condition of zoning compliance.

**Section 425 Materials and Waste Handling Requirements**

425.1. All principal commercial, industrial, institutional, and health care related uses shall be required to provide detailed information regarding materials and waste handling, including:

1. Listing of all materials to be used and/or produced on the site.
2. Listing of all wastes generated on the site.

3. Written evidence that the storage, treatment, processing, transfer, and disposal of all materials and wastes shall be accomplished in a manner that complies with all applicable Federal, State, County, and municipal requirements, including, but not limited to, the following:
  - A. The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101).
  - B. The Pennsylvania Solid Waste Management Act (Act 97).
  - C. The Federal Emergency Management Act.
  - D. The Federal Superfund Amendment and Reauthorization Act.
  - E. The Pennsylvania Hazardous Materials Emergency Planning and Response Act.
  - F. The Pennsylvania Low-Level Radioactive Waste Disposal Act.

**Section 426 Outdoor Storage and Display Requirements**

- 426.1. Shopping Cart Storage - For grocery stores, or other stores containing grocery departments, the outdoor storage and collection of shopping carts is permitted under the following conditions:
  1. Shopping carts may be collected and stored immediately in front of the storefront (upon sidewalks, or under canopy) and/or within the parking lot.
  2. In no case shall such designated shopping cart storage and collection areas be located upon any facilities used for vehicle circulation, parking, loading, or emergency vehicle access (e.g., fire lanes). While shopping cart storage and collection areas may be contained within parking lots, they may not occupy required parking spaces.
  3. Such shopping cart storage and collection areas shall be situated so as to provide clear pedestrian access

(sidewalk or other area) at least eight (8) feet wide adjoining the storefront.

4. Signage for such shopping cart storage and collection areas shall be governed by those regulations pertaining to on-site informational signs as regulated by Section 415 of this Ordinance.
5. The applicant shall submit a working plan for the collection of shopping carts from the parking lot. Also, the applicant shall be required to depict intended shopping cart storage and collection areas upon any permits and/or plans required by the Township. No additional permits shall be required unless such areas change location or size.

426.2. Seasonal Sidewalk Displays -

1. Only seasonal merchandise may be displayed, and shall be limited to the calendar periods between April 1 and October 1, and November 25 and January 5, of each year.
2. The location of such outdoor displays shall be limited to sidewalks, under canopies, or other areas immediately in front of the building's storefront. The stacking and/or display of such items shall be arranged to provide clear pedestrian access (sidewalk or other area) at least eight (8) feet wide adjoining the storefront.
3. In no case shall the location of such sidewalk display areas occur within any area used for vehicular circulation, parking, and loading, or emergency vehicle access (e.g., fire lanes).
4. In no case shall such sidewalk display area exceed fifty percent (50%) of the lineal storefront dimension. (For example, a 200 foot long storefront could display no more than 100 lineal feet of a sidewalk display).
5. No signage, except as authorized by Section 415, herein, shall be permitted.
6. The applicant shall submit a working plan to the Township for the cleanup of litter and debris which may result from such outdoor display. Also, the applicant shall depict intended sidewalk display areas upon any permits and/or plans required by the Township. No additional permits

shall be required, unless such area is to change location or size.

426.3. Special Event Sales -

1. In addition to the above, two special event sales shall be permitted per calendar year. Such special event sales shall be limited to no more than a total of thirty (30) days per calendar year;
2. Special event sales displays shall be located no closer than forty-five feet (45') from an adjoining road, nor ten feet (10') from any side or rear lot lines;
3. Special event sales may be located within the parking lot, provided that such location minimizes congestion within the parking lot, and those access drives that provide direct vehicular access to adjoining roads. Within parking lots, such display areas shall be specifically delineated from the adjoining parking lot by the use of identifiable barriers (e.g., tents, canopies, temporary fences, or ropes). Additionally, location within the parking lot shall only be permitted upon parking spaces in excess of the number required by Section 412.3.2.H, herein.
4. Special event sales shall not be located within the parking lot during the months of November, December, January, February, and March, because of the potential need for snow removal.
5. The area devoted to special event sales displays shall not exceed twenty percent (20%) of the gross leasable floor area of the use(s) conducting the special event sale.
6. In planned centers, special event sales shall be jointly held by all of those occupants of the planned center who wish to participate. No individual occupants of a planned center shall be permitted to conduct separate special event sales;
7. All uses conducting a special event sale shall be responsible for the ongoing cleanup of litter and debris. Also, no exterior public address, nor lighting systems shall be used which produce impacts beyond the subject property; and,



8. Signage for special event sales shall comply with the applicable requirements of Section 415, herein.

**Section 427                      Forestry Uses**

427.1. In accordance with State law, forestry (as defined herein) uses are permitted, by right, in every zone, subject to the following standards.

427.2. Logging Plan Requirements - Every landowner on whose land timber harvesting is to occur shall obtain a zoning permit, as required by this Ordinance. In addition to the zoning permit requirements listed in Section 801 of this Ordinance, the applicant shall prepare and submit a written logging plan in the form specified below. No timber harvesting shall occur until a building permit has been issued. The provisions of the permit shall be followed throughout the operation. The logging plan shall be available at the harvest site at all times during the operation, and shall be provided to the Zoning Officer upon request. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan and the zoning permit.

1. Minimum Requirements - At a minimum, the logging plan shall include the following:
  - A. Design, construction, maintenance and retirement of the access system, including haul roads, skid roads, skid trails, and landings.
  - B. Design, construction and maintenance of water control measures and structures, such as culverts, broad-based dips, filter strips, and water bars.
  - C. Design, construction and maintenance of stream and wetland crossings.
  - D. The general location of the proposed operation in relation to municipal and State highways, including any accesses to those highways.
2. Map - Each logging plan shall include a sketch map or drawing containing the following information:

- A. Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place, and the boundaries of the proposed harvest area within that property.
  - B. Significant topographic features related to potential environmental problems.
  - C. Location of all earth disturbance activities, such as roads, landings and water control measures and structures.
  - D. Location of all crossings of waters of the Commonwealth.
  - E. The general location of the proposed operation to municipal and State highways, including any accesses to those highways.
3. Compliance With State Law - The logging plan shall address and comply with the requirements of all applicable State regulations, including, but not limited to, the following:
- A. Erosion and sedimentation control regulations contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. §691.1 et seq.).
  - B. Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. §693.1 et seq.).
4. Relationship of State Laws, Regulations and Permits to the Logging Plan - Any permits required by State laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map specified in Sections 427.2.1 and 427.2.2., above, provided that all information required by these sections is included or attached.

427.3. Required Forest Practices - The following requirements shall apply to all timber harvesting operations:

1. Felling or skidding on, or across, any public road is prohibited without the express written consent of the Township, or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.
2. No treetops or slash shall be left within twenty-five (25) feet of any public road, or private roadway providing access to adjoining residential property.
3. All treetops and slash between twenty-five (25) and fifty (50) feet from a public roadway, or private roadway providing access to adjoining residential property, or within fifty (50) feet of adjoining residential property, shall be lopped to a maximum height of four (4) feet above the ground.
4. No treetops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
5. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.

427.4. Responsibility for Road Maintenance and Repair; Road Bonding - Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and Title 67 Pennsylvania Code, Chapter 189, the landowner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation, to the extent the damage is in excess of that caused by normal traffic, and shall be required to furnish a bond to guarantee the repair of such potential damages, as determined by the Township Engineer.

**Section 428 Outdoor Lighting Requirements**

428.1 Purpose

The standards for outdoor lighting in this Section are established for the following purposes:

1. To provide lighting in outdoor public places for the protection of the public health, safety and general welfare.
2. To control glare from non-vehicular light sources that impair safe pedestrian and vehicular travel.
3. To protect land uses and the night sky from nuisance glare and stray light resulting from improperly aimed, placed, applied, maintained, or shielded light sources.

428.2 Applicability

Outdoor lighting shall be required in areas of public assembly and travel including, but not limited to: streets, multi-family dwelling developments, manufactured home parks, public or private recreation areas, in commercial, industrial and institutional uses and developments, and in such other uses or developments which the Board of Supervisors deems necessary.

The glare control requirements and standards of this Section shall apply to all of the above uses and developments as well as to sign, architectural, landscape and all other residential lighting.

428.3 Lighting Plans

Lighting plans required by this Section shall be submitted as part of any preliminary/final subdivision or land development plan proposing a non-residential or multifamily development use and/or any application for a non-residential or multifamily development building/zoning permit. For the purpose of this section, agricultural uses shall not be held to the following design standards. Such lighting plans shall include a schematic layout of all proposed lighting fixture locations, both free-standing and building mounted, and isofootcandle plots of individual fixture installations and ten (10) foot by (10) foot illuminance grid plots for multi-fixture installations that demonstrate full compliance with the illuminance requirements herein specified.

The plan shall also include complete catalog numbers of fixtures and lamps, fixture catalog cuts, the lamp lumen ratings and light-loss factors used in illuminance calculations, proposed hours of operation, specific fixtures proposed for security lighting, if any, on/off control devices and proposed fixture mounting heights.

The applicant shall demonstrate that no nuisance glare or disabling glare will result from the implementation of the

proposed lighting plan. In addition the applicant shall also demonstrate that the lighting plan provides adequate measures to conceal visibility of the light source from any point off the property being illuminated.

428.4 Outdoor Lighting Illumination and Fixture Design Standards

1. All outdoor lighting facilities required by this Section shall provide an illumination level utilizing the current recommended practices and standards of the Illuminating Engineering Society of North America (IESNA).
2. Illumination where required by this Section shall have the lighting intensities and uniformity ratios as provided in the most recent edition of the Lighting Handbook of the Illuminating Engineering Society of North America (IESNA), as follows:

USE	MAINTAINED FOOTCANDLES	UNIFORMITY AVERAGE: MINIMUM
<b>PARKING, MULTI-FAMILY</b>		
Vehicular/Pedestrian Activity		
Low Activity	0.2 Min	4:1
Medium Activity	0.6 Min	4:1
<b>PARKING, INDUSTRIAL/COMMERCIAL/ INSTITUTIONAL/MUNICIPAL/RECREATIONAL</b>		
High Activity Regional Shopping Centers/ Fast Food Facilities/ Major Athletic, Civic, Cultural Facilities	0.9 Min	4:1
Medium Activity Community Shopping Centers/ Office Parks, Hospitals, Commuter Parking Lots/Recreational, Civic, Cultural Facilities	0.6 Min	4:1
Low Activity Neighborhood Shopping Centers/ Industrial Employee Parking/ Schools, Church Parking	0.2 Min	4:1
<b>STREETS</b>		
Local Residential	0.4 Avg	6:1
Local Commercial	0.9 Avg	6:1
<b>BUILDING ENTRANCES</b>	5.0 Avg	NA
<b>WALKWAYS/BIKEWAYS</b>	0.5 Avg	5:1

- Notes: 1. Illumination levels are maintained horizontal footcandles on the task, e.g. pavement area surface.
2. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio, e.g. for commercial parking, high activity, the average footcandles shall not exceed 3.6 (0.9 x 4)
3. Lighting fixtures shall be of a type and design appropriate to the lighting application and sensitive to the architecture and overall character of the area in which they are located.
  4. For lighting horizontal surfaces such as streets and parking areas, fixtures shall meet IESNA full cutoff criteria.
  5. The use of floodlighting, spotlighting, wall mounted fixtures, decorative globes and other fixtures not meeting IESNA full cutoff criteria may be permitted by the Board of Supervisors only when the applicant can demonstrate acceptable glare and light trespass control and concealment of the light source.
  6. Fixtures shall be equipped with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution or conceal the light source.
  7. NEMA-head fixtures, such as dusk-to-dawn lights, shall not be permitted where they are visible from other uses unless fitted with a reflector to render them fully shielded.
  8. Canopy lighting shall be accomplished using flat-lens full-cutoff fixtures aimed straight down and shielded in such a manner that the lowest opaque edge of the fixture shall be level with or below the light source.

428.5 Control of Nuisance Glare, Disabling Glare and Light Source

1. All outdoor lighting shall be aimed, located, designed, installed and maintained so as not to present a hazard (disabling glare) to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light (nuisance glare) onto neighboring properties or uses.

2. Floodlights and spotlights, when specifically permitted by the Board of Supervisors, shall be so installed and aimed so that they do not project their output into windows of neighboring residences, adjacent uses, directly skyward or onto a street.
3. Unless otherwise permitted by the Board of Supervisors for reasons of safety and security, all exterior lighting required by this Section shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells to permit extinguishing light between 11 p.m. and dawn so as to mitigate nuisance glare and skyward light trespass.
4. When all-night safety or security lighting is permitted by the Board of Supervisors, the lighting intensity levels between the hours of 11pm and dawn shall not exceed twenty percent (20%) of the levels permitted by this Section.
5. Vegetative or other screens shall not be employed as a primary means of controlling glare. Glare control shall be achieved through the use of such means as cutoff fixtures, shields and baffles and the appropriate selection and application of fixture mounting height, wattage, aiming angle and fixture placement.
6. The intensity of illumination projected onto a residential use from another property shall not exceed one tenth (0.1) vertical footcandles measured at thirty (30) inches above the ground at the property line.
7. Fixtures meeting IESNA full cutoff criteria shall not be mounted in excess of twenty (20) feet above finished grade.
8. Fixtures used for architectural lighting, e.g. façade, fountain, feature and landscape lighting, shall be aimed so as not to project their output beyond the objects intended to be illuminated and shall be extinguished between 11 p.m. and dawn, unless specifically approved by the Board of Supervisors.
9. The source of all lighting shall be sufficiently shielded and concealed so that it shall not be visible from any point off the property being illuminated.

10. Externally illuminated signs shall be lighted by fixtures mounted at the top of the sign and aimed downward.

428.6 Installation

1. Electrical feeds for exterior lighting standards shall be placed underground.
2. Exterior lighting standards shall be placed a minimum of five (5) feet outside of paved or on concrete pedestals at least thirty (30) inches high above the pavement or suitably protected by other means as approved by the Township.

428.7 Maintenance

Lighting fixtures and ancillary equipment shall be maintained so as to continuously meet the requirements of this Section.

428.8 Inspection and Compliance

1. The Township shall conduct a post-installation nighttime inspection to verify compliance with the requirements of this Section and if appropriate require remedial action, the cost of which shall be borne by the applicant.
2. Nuisance Glare and Inadequate Illumination
  - A. The owner of an exterior lighting fixture or installation that produces unacceptable levels of nuisance glare, skyward light, excessive or insufficient levels of illumination, or otherwise does not conform to the requirements of this Section shall be notified thereof by the Township and shall be required to take remedial action.
  - B. Remedial action shall be completed within thirty (30) days of notification by the Township after which the Township may levy a fine or take such other action as allowed by law.

428.9 Dedication of Street Lighting Facilities

1. The Township may accept dedication of street lighting facilities when such facilities are installed in the right-of-



way of a street dedicated to the Township. Street lighting may be accepted with the acceptance of the street.

- 2. Until such time of dedication of street lighting facilities, the developer of a tract (having escrowed funds for the street lighting) shall be responsible for all costs associated with each street light, including, but not limited to, the costs of administration, placement, electrical charges and maintenance.
- 3. Street lighting facilities not dedicated to the Township shall remain the responsibility of the developer or a private entity granted authority thereof which private entity shall assume all costs and responsibilities, in perpetuity, for the street lighting facilities.

428.10 Existing Lighting

The installation and/or upgrading of any existing lighting as defined by this Ordinance shall comply with the requirements of this Ordinance.

**Section 429 Alternative Energy Systems Design Requirements**

429.1. Solar Energy

- 1. Permit Required - No person shall install, construct or otherwise implement any solar panel(s) or solar energy collector(s) for a building or structure, residential or commercial, within the Township, without first obtaining a permit from the Township. No person shall repair or modify any existing solar panel(s) or solar energy collector(s) in the Township without first obtaining a permit from the Township.
- 2. Fees - All applicants for a solar panel(s) or solar energy collector(s) permits shall pay all fees for application and inspection as established by resolution of the Board of Supervisors, from time-to-time. No application shall be considered complete and processing of said application shall not begin, until the fee is paid.
- 3. Regulations for Solar Panels and Solar Energy Collectors - All solar panels and solar energy collectors installed and/or repaired or modified within the Township shall comply with all of the following:

- A. An applicant shall comply with the Uniform Construction Code Act 45 (UCC), as amended for solar panels and solar energy collectors, in addition to the requirements of this Section. In the event of a conflict between the provisions of this Section and the UCC, the UCC requirements shall control.
- B. All solar panels and solar energy collectors shall be accessory to the principal use of the lot and shall be located on the same lot as the principal use which they serve.
- C. All solar panels and solar energy collectors shall be located so as not to cast glare upon any neighboring properties or any public or private street.
- D. Solar panels and solar energy collectors shall be located to minimize visual impact to neighboring properties.
- E. Solar panels and solar energy collectors shall not create any additional heat load upon neighboring properties.
- F. All solar panels and solar energy collectors which are not mounted on the principal use building on a lot shall be located in the rear or side yards, only.
- G. All solar panels and solar energy collectors shall be promptly removed and properly disposed of when damaged or otherwise no longer in use.
- H. There shall be no commercial use of solar panels or solar energy collectors. Energy generated in excess of the requirements of the principal use of the property may be purchased or acquired by a public utility in accordance with the law or other government regulations.
- I. Solar panels and solar energy collectors shall be set back a minimum of fifteen (15) feet or up to 125% of the height of the solar panel or solar

energy collector (if not attached to the principal use building or structure), whichever is greater.

- J. No point of a solar panel, solar energy collector or its support structure, which is not attached to the principal use building or structure, shall exceed a height of eighteen (18) feet.
- K. Solar panels or solar energy collectors which are attached to the principal use building or structure, may, when attached, cause said building or structure to exceed the maximum height requirements of the zoning district in which it is located by no more than thirty-six (36) inches.

429.2 Non-Commercial Windmills for Residential Wind Energy Generation

- 1. Power generated by a windmill under this Section shall not exceed 10 KW. There shall be no commercial use of the windmills for the generation of energy, except for that energy generated in excess of the requirements of the property and purchased by a public utility in accordance with the law or other government regulations.
- 2. Wind energy generation shall be limited to one (1) windmill per lot or tract of land.
- 3. The applicant shall demonstrate that the proposed site has sufficient wind for the continued and proper operation of the windmill.
- 4. The maximum height of any windmill, measured from the average approved finished grade at the perimeter of the windmill foundation to the highest vertical point of a blade at its maximum vertical position, shall not exceed forty five (45) feet.
- 5. No windmill shall be placed in a front yard.
- 6. Only single pole (monopole) windmill structure shall be permitted. A windmill pole shall be self-supporting upon its foundation, i.e., no guy wires shall be permitted.

7. No windmill shall be placed closer to a property line, occupied structure, utility, utility line, structure or fuel source, than the distance measured by its height plus twenty-five percent (25%) of its height, measured in feet.
8. No windmill blade at its lowest point shall be closer to the surface of the ground than fifteen (15) feet.
9. The proposed location of the windmill shall be demonstrated to protect and maintain, to the greatest extent possible, existing view sheds of the subject property and those of surrounding properties. In addition, the design color and other visual features of the windmill shall be designed and installed in such a manner so as to create the least visual impact practicable. The applicant shall demonstrate compliance with this section by, among other things, providing photographic perspectives of the proposed site from all sides of the property, adjacent road ways and neighboring properties (with permission of the owners).
10. The proposed location and operation of the windmill shall be demonstrated not to interfere with any broadcast, radio, wireless or other telecommunication signals or facilities. In all cases, the location of a windmill shall be clear of and shall not interfere with any existing trees, structures, wires and the like.
11. All utilities, lines, cables, wires and other connections to or from the windmill and any other structure associated with the windmill shall be at or below grade.
12. Windmills shall not be lighted except as otherwise required by law.
13. There shall be no antennas, advertising or other items or material affixed to or otherwise placed on the windmill, except those required for safety or otherwise permitted by the Township.
14. Access to a windmill shall not be provided any lower than fifteen (15) feet at the highest point of the windmill base.
15. Caution signs shall be placed at the setback limit warning of ice and blade throws. Signs shall be placed

at 100' intervals, no lower than three feet (3') high and a minimum of one (1) square foot, maximum of two (2) square feet reading CAUTION: FALLING OBJECTS. Each sign shall also contain the name and address of the property owner.

16. A site plan shall be prepared and certified by a professional engineer, registered in the commonwealth of Pennsylvania, and submitted with, and as part of, the zoning permit application. Applications submitted without a site plan shall be returned to the applicant as incomplete. The site plan shall contain at a minimum, in addition to the other requirements of this Section, the following: (Amended by Ordinance 2012-1)
  - A. Property boundaries and identities of neighboring property owners.
  - B. The location of all man made structures on the property, as well as all man made structures within two hundred (200) feet of the proposed windmill.
  - C. All wires, and overhead structures, both natural and man made.
  - D. Soil type(s) where the foundation will be constructed.
  - E. Complete structural and construction details, including narrative descriptions, demonstrating how the foundation, support and other parts of the windmill will be constructed, installed and maintained, together with the safety features proposed to prohibit unauthorized access.
  - F. All new structures, together with any alterations to or modifications of existing structures, proposed in connection with the windmill installation.
  - G. The applicant shall demonstrate that should the windmill fall, it will fall within the setback prescribed by Section 429.2.7; otherwise the applicant shall provide sufficient setbacks in addition to those prescribed by Section 429.2.7 to comply with the setback area demonstrated

by the applicant. In no case shall the setbacks be reduced below those prescribed by Section 429.2.7. (Amended by Ordinance 2012-1)

- H. Information regarding the speed of operation and the braking mechanism(s). No windmill shall be permitted which lacks an automatic braking, governing or feathering system to prevent uncontrolled rotation, over-speeding and/or excessive pressure on the windmill or any of its component parts.
17. An applicant shall comply with the Uniform Construction Code Act 45 (UCC), as amended for windmills, in addition to the requirements of this Section. In the event of a conflict between the provisions of this Section and the UCC, the UCC requirements shall control.
18. Removal of windmills.
- A. Any windmill which has not been in active and continuous service for a period of one (1) year shall be removed from the property to a place of safe and legal disposal.
  - B. All structures, enclosures and other appurtenances, accessory to the windmill, shall be completely removed from the property to a place of safe and legal disposal.
  - C. The windmill shall be removed and the former windmill site restored to as natural condition as possible within six (6) months after termination of the one (1) year cessation of active and continuous use period.
19. Certifications and Inspections.
- A. National and State Standards - The applicant shall demonstrate compliance with all applicable manufacturer's, Commonwealth of Pennsylvania, and U.S. standards for the construction, operation and maintenance of the proposed windmill, including without limitation, back feed prevention and lightning grounding. Windmills shall be built, operated and maintained to the applicable industry standards

of the Institute of Electrical and Electronic Engineers (IEEE) and the American National Standards Institute (ANSI). The applicant for a windmill shall furnish evidence, under the signature of a professional engineer, licensed to practice in the Commonwealth of Pennsylvania, that the windmill is in compliance with such standards.

- B. No windmill shall commence operation until the Township has certified in writing that the conditions of this Section have been satisfied and the windmill has been constructed and installed in accordance with the approved plans and specifications.

429.3 Non-Commercial Windmills for Non-Residential Wind Energy Generation

- 1. Except as otherwise provided in the Township Zoning Ordinance, windmills shall be considered accessory structures and the generation of energy as an accessory use, only in non-residential districts, or for existing non-residential uses and only in accordance with this Section. Power generated by a windmill under this Section shall not exceed 20KW. There shall be no commercial use of the windmills for the generation of energy, except for that energy generated in excess of the requirements of the property and purchased by a public utility in accordance with the law or other government regulations.
- 2. Wind energy generation shall be limited to one (1) windmill per lot or tract of land, unless the applicant shall demonstrate that the energy provided by a single windmill is insufficient to provide energy for the tract or property. In no event shall any property contain more than three (3) windmills.
- 3. The applicant shall demonstrate that the proposed site has sufficient wind for the continued proper operation of the windmill.
- 4. The maximum height of any windmill, measured from the average approved finished grade at the perimeter of the windmill foundation to the highest vertical point of a

blade, at its maximum vertical position, shall not exceed fifty five (55) feet.

5. No windmill shall be placed in a front yard.
6. Only single pole (monopole) windmill structures shall be permitted. A windmill pole shall be self-supporting upon its foundation, i.e., no guy wires shall be permitted.
7. No windmill shall be placed closer to a property line, occupied structure, utility, utility line, structure or fuel source, than the distance measured by its height plus twenty-five percent (25%) of its height, measured in feet.
8. No windmill blade at its lowest point shall be closer to the surface of the ground than fifteen (15) feet.
9. The proposed location of the windmill shall be demonstrated to protect and maintain existing view sheds, to the greatest extent possible, of the subject property and those of surrounding properties. In addition, the design color and other visual features of the windmill shall be designed and installed in such a manner so as to create the least visual impact practicable. The applicant shall demonstrate compliance with this section, by among other things, providing photographic perspectives of the proposed site from all sides of the property, adjacent road ways and neighboring properties (with permission of the owners).
10. The proposed location and operation of the windmill shall be demonstrated not to interfere with any broadcast, radio, wireless or other telecommunication signals or facilities. In all cases, the location of a windmill shall be clear of and shall not interfere with any existing trees, structures, wires and the like.
11. All utilities, lines, cables, wires and other connections to or from the windmill and any other structure associated with the windmill shall be at or below grade.
12. Windmills shall not be lighted except as otherwise required by law.
13. There shall be no antennas, advertising or other items or material affixed to or otherwise placed on the



windmill, except those required for safety or otherwise permitted by the Township.

14. Access to a windmill shall not be provided any lower than fifteen (15) feet at the highest point of the windmill base.
15. Caution signs shall be placed at the setback limit warning of ice and blade throws. Signs shall be placed at intervals of one hundred (100) feet, no lower than three (3) feet high and a minimum of one (1) square foot, maximum of two (2) square feet reading CAUTION: FALLING OBJECTS. Each sign shall also contain the name and address of the property owner.
16. A site plan shall be prepared and certified by a professional engineer, registered in the Commonwealth of Pennsylvania, and submitted with, and as part of, a zoning permit application. Applications submitted without a site plan shall be returned to the applicant as incomplete. The site plan shall contain at a minimum, in addition to the other requirements of this Section, the following: (Amended by Ordinance 2012-12)
  - A. Property boundaries and identities of neighboring property owners.
  - B. The location of all man made structures on the property, as well as all man made structures within two hundred (200) feet of the proposed windmill.
  - C. All wires, and overhead structures, both natural and man made.
  - D. Soil type(s) where the foundation will be constructed.
  - E. Complete structural and construction details, including narrative descriptions, demonstrating how the foundation, support and other parts of the windmill will be constructed, installed and maintained, together with the safety features proposed to prohibit unauthorized access.
  - F. All new structures, together with any alterations to or modifications of existing structures,

proposed in connection with the windmill installation.

- G. The applicant shall demonstrate that should the windmill fall, it will fall within the setback prescribed by Section 429.3.7; otherwise the applicant shall provide sufficient setbacks in addition to those prescribed by Section 429.3.7 to comply with the setback area demonstrated by the applicant. In no case shall the setbacks be reduced below those prescribed by Section 429.3.7. (Amended by Ordinance 201201)
  - H. Information regarding the speed of operation and the braking mechanism(s). No windmill shall be permitted which lacks an automatic braking, governing or feathering system to prevent uncontrolled rotation, over-speeding and/or excessive pressure on the windmill or any of its component parts.
17. An applicant shall comply with the Uniform Construction Code Act 45 (UCC), as amended for windmills, in addition to the requirements of this Section. In the event of a conflict between the provisions of this Section and the UCC, the UCC requirements shall control.
18. Removal of windmills.
- A. Any windmill which has not been in active and continuous service for a period of one (1) year shall be removed from the property to a place of safe and legal disposal.
  - B. All structures, enclosures, and other appurtenances, accessory to the windmill shall also be completely removed from the property to a place of safe and legal disposal.
  - C. The windmill shall be removed and the former windmill site restored to as natural condition as possible within six (6) months after termination of the one (1) year cessation of active and continuous use period.

- 19. Certifications and Inspections
  - A. National and State Standards - The applicant shall demonstrate compliance with all applicable manufacturer's, Commonwealth of Pennsylvania, and U.S. standards for the construction, operation and maintenance of the proposed windmill, including without limitation, back feed prevention and lightning grounding. Windmills shall be built, operated and maintained to be applicable industry standards of the Institute of Electrical and Electronic Engineers (IEEE) and the American National Standards Institute (ANSI). The applicant for a windmill shall furnish evidence, over the signature of a professional engineer licensed to practice in the Commonwealth of Pennsylvania that such windmill is in compliance with such standards.
  - B. No windmill shall commence operation until the Township has certified in writing that the conditions of this Section have been satisfied and the windmill has been constructed and installed in accordance with the approved plans and specifications.
- 20. Industrial wind energy generation and wind energy generation for commercial sale to users or customers not located on the property where the energy is generated are incompatible with the Township Comprehensive Plan, the intent of this Ordinance, and the general health, safety and welfare and are therefore not permitted.

429.4 Outdoor Wood Fired Boilers

- 1. Permit Required - No person shall install, construct or otherwise implement any outdoor wood fired boiler, within the Township, without first obtaining a permit from the Township.

2. Regulations for Outdoor Wood Fired Boilers - All outdoor wood fired boilers installed and/or repaired or modified within the Township shall comply with all of the following:
  - A. An applicant shall comply with the Uniform Construction Code Act 45 (UCC), as amended for outdoor wood fired boilers, in addition to the requirements of this Section. In the event of a conflict between the provisions of this Section and the UCC, the UCC requirements shall control.
  - B. No person shall install an outdoor wood fired boiler that is not a Phase 2 outdoor wood fired boiler.
  - C. No person shall install an outdoor wood fired boiler unless it is installed at least 150 feet from the nearest property line.
  - D. No person shall install an outdoor wood fired boiler unless it has a permanent attached stack with a minimum stack height of 10 feet above the ground.
  - E. No person that operates a new or existing outdoor wood fired boiler shall use a fuel other than the following:
    - (1) Clean wood
    - (2) Wood pellets made from clean wood
    - (3) Home heating oil, natural gas, or propane that complies with all applicable sulfur limits and is used as a starter or a supplement fuel for dual fired outdoor wood fired boilers.

F. No person shall operate a new or existing outdoor wood fired boiler unless it complies with all existing state and local regulations. The following regulations may apply:

- (1) 25 Pa. Code Section 121.7 – Air Pollution
- (2) 25 Pa. Code Section 123.1 – Fugitive Emissions
- (3) 25 Pa. Code Section 123.31 – Odor Emissions
- (4) 25 Pa. Code Section 123.41 – Visible Emissions
- (5) Section 8 of the APCA, 35P.S. Section 4008 – Unlawful Conduct
- (6) Section 13 of the APCA, 35 P.S. Section 4013 – Public Nuisances

429.5 Accessory Anaerobic Digesters

- 1. Minimum Lot Area – 10 acres
- 2. Permit Required - No person shall install, construct or otherwise implement any accessory anaerobic digester, within the Township, without first obtaining a permit from the Township and any other required local, state or federal permit.
- 3. Regulations for Accessory Anaerobic Digesters - All accessory anaerobic digesters installed and/or repaired or modified within the Township shall comply with all of the following:
  - A. An applicant shall comply with the Uniform Construction Code Act 45 (UCC), as amended, in addition to the requirements of this Section. In the event of a conflict between the provisions of this Section and the UCC, the UCC requirements shall control.
  - B. The applicant shall address and document performance standards for digester location to minimize impacts on neighboring properties which shall include considerations of odor, prevailing wind patterns, proximity to non-agricultural properties, operational noise, and hours of operation.
  - C. Anaerobic digester systems shall be designed and constructed in compliance with guidelines outlined in the publication Manure Management

for Environmental Protection, Bureau of Water Quality Management, and any revisions, supplements and successors thereto, of the PA DEP.

- D. Anaerobic digesters shall be designed and constructed in compliance with applicable local, state and federal codes and regulations. Evidence of all regulatory agency approvals shall be included with the application.
- E. A certified professional, qualified to do such, shall furnish and explain all details of construction, operation and maintenance and necessary controls related to the anaerobic digester.
- F. The applicant shall provide either (1) a letter from the Lancaster County Conservation District stating the applicant's anaerobic digester system has been reviewed and approved by the Lancaster County Conservation District and that all regulations and requirements of the State manure management program have been satisfied, or (2) submit a letter from the Lancaster County Conservation District stating that it will not review the plan or that no review is required under the applicable ordinances.
- G. Except as otherwise provided for under the provisions of the PA Nutrient Management Act, no underground storage, in ground storage, trench silo, earthen bank, stacking area or above ground storage facility, related to the anaerobic digester system shall be located within two hundred (200) feet from any property line or within five hundred (500) feet from Waters of the Commonwealth. Additionally, no building, structures, or facility shall be located nearer than three hundred (300) feet to a road right of way line, property line, Waters of the Commonwealth or an existing residential building unless the owner of such residence waives this restriction in writing to Drumore Township.

- H. The applicant shall submit a plan for the removal of the manure digestion facility when it becomes functionally obsolete or is no longer in use. The owner shall be responsible for removal of the facility within six (6) months from the date the owner ceases use of the facility or the facility becomes obsolete.
  
- I. No anaerobic digester system shall be approved until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer owned generator. Off- grid systems shall be exempt from this requirement.