

CONTENTS

Foreword
Adopting Ordinance

Chapter 1	Administration and Government
Chapter 2	Animals
Chapter 3	(Reserved)
Chapter 4	Buildings
Chapter 5	Code Enforcement
Chapter 6	Conduct
Chapter 7	Fire Prevention and Fire Protection
Chapter 8	Floodplains
Chapter 9	(Reserved)
Chapter 10	Health and Safety
Chapter 11	(Reserved)
Chapter 12	(Reserved)
Chapter 13	Licenses, Permits and General Business Regulations
Chapter 14	Mobile Homes and Mobile Home Parks
Chapter 15	Motor Vehicles and Traffic
Chapter 16	Parks and Recreation
Chapter 17	(Reserved)
Chapter 18	Sewers and Sewage Disposal
Chapter 19	(Reserved)
Chapter 20	Solid Waste
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 23	Stormwater Management
Chapter 24	Taxation; Special
Chapter 25	Trees
Chapter 26	Water
Chapter 27	Zoning

Appendix

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

Table to Disposition of All Ordinances

CHAPTER 1
ADMINISTRATION AND GOVERNMENT

PART 1
PRELIMINARY PROVISIONS

- § 1-101. Short Title.**
- § 1-102. Citation of Code of Ordinances.**
- § 1-103. Arrangement of Code.**
- § 1-104. Headings.**
- § 1-105. Tenses, Gender and Number.**
- § 1-106. Construction.**
- § 1-107. Normal Numbering.**
- § 1-108. Special Numbering Problems.**
- § 1-109. Amending Code.**
- § 1-110. Altering Code.**
- § 1-111. Penalties.**

PART 2
ELECTED AND APPOINTED OFFICIALS

- A. Council Members.**
 - § 1-201. Compensation of Councilmen.**
- B. Mayor.**
 - § 1-211. Salary of Mayor.**
- C. Tax Collector.**
 - § 1-231. Commission of Tax Collector.**
 - § 1-232. Appointment; Tax Certifications.**
 - § 1-233. Fee for Certifications.**
 - § 1-234. Payment to Tax Collector.**
- D. Secretary/Treasurer.**
 - § 1-241. Same Person to Hold Offices of Secretary and Treasurer.**

PART 3
BOARDS AND COMMISSIONS

- A. Planning Commission.**
- § 1-301. Planning Commission Established.**
- B. Southern York Regional Planning Commission.**
- § 1-311. Title.**
- § 1-312. Purpose.**
- § 1-313. Powers and Duties (Activities).**
- § 1-314. Local Planning Commissions.**
- § 1-315. Withdrawal.**
- § 1-316. Dissolution.**
- C. Recreation Board.**
- § 1-321. Recreation Board Created.**
- § 1-322. Members of Recreation Board; Appointments.**
- § 1-323. Sources of Funds for Recreation Board.**
- § 1-324. Reports by Recreation Board.**

PART 4
FIRE INSURANCE PROCEEDS ESCROW

- § 1-401. Appointment of Designated Officer.**
- § 1-402. Insurance Certificate Required.**
- § 1-403. Payment of Claim.**
- § 1-404. Fees.**
- § 1-405. Penalty.**

PART 5
THIRD-PARTY BILLING FOR EMERGENCY RESPONSES

- § 1-501. Authorization for Collection.**
- § 1-502. Recovery.**
- § 1-503. Additional Fees.**

PART 1

PRELIMINARY PROVISIONS**§ 1-101. Short Title. [A.O.]**

The short title of this Code of Ordinances prepared and published for the Borough of Glen Rock shall be the "Borough of Glen Rock Code of Ordinances."

§ 1-102. Citation of Code of Ordinances. [A.O.]

The Borough of Glen Rock Code of Ordinances may be cited by section number. The approved short form is "Code." Thus, "Code, § 27-101" refers to § 101 of Chapter 27 of this Code of Ordinances.

§ 1-103. Arrangement of Code. [A.O.]

1. This Code is divided into chapters which are subdivided as follows:
 - A. Subchapters, identified by capital letters, beginning with a chapter title and number.
 - B. Parts, identified by Arabic numerals, beginning with a part title and number.
 - C. Subparts, identified by Arabic numerals, beginning with a title.

§ 1-104. Headings. [A.O.]

Chapter, Subchapter, Part, Subpart, Section, and Subsection contained in the Code may not be deemed to govern, limit, modify or affect the scope, meaning or intent of the Code. The headings of Sections, Subsections or other divisions of this Code are intended as mere captions to indicate the contents of the Section, Subsection or other division and shall not be deemed to be taken as titles of such Section, Subsection or other division, nor as any part of said Section, Subsection or other division unless expressly so provided.

§ 1-105. Tenses, Gender and Number. [A.O.]

Except as may be otherwise stated in any provision of this Code, the present tense includes the past and future tenses, and the future the present; the masculine gender includes the feminine and neuter, the feminine includes the masculine and neuter, and the neuter includes the masculine and feminine; and the singular includes the plural, and the plural the singular.

§ 1-106. Construction. [A.O.]

1. Except as may be otherwise specifically provided by any provision of this Code, the Statutory Construction Act of 1972, 1 Pa.C.S.A. § 1501 et seq., shall be applied in construing this Code.

2. Effect of Repeal or Expiration of Code Section.
 - A. The repeal of a Code Section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.
 - B. When any ordinance repealing a former Code Section, ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former Code Section, ordinance, clause or provision, unless it shall be expressly so provided.
3. Saving Clause. The provisions of this Code, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of this Code, are intended as a continuation of such ordinances, resolutions and regulations and not as a new enactment. The provisions of this Code shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations. Except as specifically stated in this Code or in the ordinance adopting this consolidation, codification and revision of the ordinances and regulations, it is the intention of the Borough Council that no ordinance or regulation of the Borough be amended, revised or repealed by implication.
4. Resolutions. The provisions of this Code of Ordinances may contain resolutions, that is, actions of the Borough Council (in written form and designated "resolution") which did not require prior public notice in accordance with the provisions of the Borough Code, 53 P.S. § 45101 et seq., at the time of their passage by the Borough Council. Such "resolutions" are included herein for ease of reference and the Borough Council does not intend by their inclusion herein to require prior public notice before amending, revising or repealing such resolution or resolutions as may have been included herein in the future. It is the intention of the Borough Council that such actions of the Borough Council that may be included in this Code and specifically cited and designated as a resolution shall not become an ordinance (requiring prior public notice before amendment, revision or repeal) by the simple fact of inclusion in this Code.

§ 1-107. Normal Numbering. [A.O.]

1. Chapters. Chapters are numbered sequentially in Arabic throughout this Code.
2. Parts. Parts are numbered sequentially in Arabic throughout this Code.
3. Whenever other divisions are necessary, Chapters shall be divided into Subchapters, Parts into Subparts and designated with the Chapter or Part number followed by a capital letter. For instance, Chapter 1 may be divided into Subchapters 1A and 1B.

4. Sections. Sections are numbered sequentially throughout a Chapter and a Part such that the first number or numbers is the Chapter number, followed by a hyphen, followed by the Part number, followed by the section number within the Part. For example, "§ 1-101" designates Chapter 1, Part 1, Section 1. Similarly, "§ 27-305" designates Chapter 27, Part 3, Section 5.
5. Internal Divisions of Sections. Whenever internal divisions are necessary, sections shall be divided into Subsections.

§ 1-108. Special Numbering Problems. [A.O.]

1. Addition of New Units Between Existing Units. If it becomes necessary to introduce a new Chapter, Part or Section between existing Chapters, Parts or Sections, the new Chapter, Part or Section shall be designated by the addition of a capital letter or point number suffix to the preceding Chapter, Part or Section number. Thus, a chapter introduced between Chapters 5 and 6 would be Chapter 5A and Sections in that Chapter would be numbered, for instance, "§ 5A-101." If it becomes necessary to introduce a Part between existing Parts 5 and 6, the new Part would be Part 5A, and Sections in that Part would be numbered, for instance, "§ 5-5A01." A new Section introduced between existing §§ 5-105 and 5-106 would be "§ 5-105.1." When a number of new Parts or Sections have been introduced, the Chapter or Part shall be renumbered.
2. If it becomes necessary to introduce a Subsection between Subsections, for instance, Subsections 5 and 6, the new Subsection would be numbered Subsection 5.1.
3. If it becomes necessary to introduce a unit smaller than a Subsection between existing units, the entire Subsection shall be revised and renumbered.
4. Vacated Numbers. Whenever a number is vacated by a revocation or repeal, the remaining elements in the overall unit shall retain their old numbers until the overall unit is completely revised. Prior to revision, the vacated number may be marked: "(Reserved)."

§ 1-109. Amending Code. [A.O.]

1. All ordinances passed subsequent to the adoption of this Code which amend, repeal or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed Chapters, Parts, Sections, Paragraphs, or other part or provision hereof, by subsequent ordinance, such repealed portions may be excluded from this Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until

such time as this Code and subsequent ordinances omitted are readopted as a new Code by the Borough Council.

2. Amendment to any provision of this Code shall be made by specific reference to the Chapter, Part, Section and/or Subsection number of this Code in the following language:
 - A. Amendment or Revision. "Chapter ____, Part ____, Section ____, Subsection ____, is hereby amended (revised) to read as follows" The amended or revised provisions may then be set out in full as desired.
 - B. Addition. "Chapter ____, Part ____, Section ____, Subsection ____, is hereby amended by the addition of the following" The new provision shall then be set out in full as desired.
 - C. Repeal. "Chapter ____, Part ____, Section ____, Subsection ____, is hereby repealed in its entirety."
3. It is the intention of the Borough Council that the numbering scheme of this Code be adhered to in enacting future ordinances. In the event that any ordinance or other enactment be adopted which does not conform to the numbering system of this Code, it is the intention of the Borough Council that such enactment be renumbered in the process of supplementing, revising or updating this Code to conform to the numbering scheme of this Code. The Borough Council hereby acknowledges and confirms that the numbering scheme herein is for ease of reference and that the renumbering of any enactment when added to this Code shall not in any manner affect the validity of said enactment.

§ 1-110. Altering Code. [A.O.]

It shall be unlawful for any person to change or amend by addition or deletion any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever, except by ordinance or resolution or other official act of the Borough Council.

§ 1-111. Penalties. [A.O.]

1. Penalty Where No Penalty Provided. Whenever in this Code or in any ordinance of the Borough any act is prohibited or is declared to be unlawful, or whenever in this Code or other ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor:
 - A. Violations of Health, Safety and Welfare Provisions. For violations of ordinances adopting building, housing, property maintenance, health, fire or public safety codes; and for ordinances regulating water services, water pollution, air pollution and noise, the following penalty shall be provided:

- (1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.
- B. Other Violations. All other penalties, except for penalties in Chapter 15, "Motor Vehicles and Traffic" (based on the Vehicle Code, 75 Pa.C.S.A. § 101 et seq.), penalties and ordinances adopted under the authority of the Municipalities Planning Code, 53 P.S. § 10101 et seq., earned income tax ordinances adopted under the Local Tax Enabling Act, 53 P.S. § 6913, and ordinances adopted under authority of the Sewage Facilities Act, 35 P.S. § 750.1 et seq., should provide, generally:
 - (1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.
2. The imposition of a penalty under the provisions of this Code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the laws of the Commonwealth of Pennsylvania and the United States of America. In addition, the Borough may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Code. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

PART 2

ELECTED AND APPOINTED OFFICIALS

A. Council Members.

§ 1-201. Compensation of Councilmen. [Ord. 216 (73-6), 11/13/1973, § 1; as amended by Ord. 413 (2002-1), 5/13/2002, § 1; and by A.O.]

Each member of the Council of Glen Rock Borough shall receive a maximum compensation of \$1,875 per year.

B. Mayor.

§ 1-211. Salary of Mayor. [Ord. 216 (73-6), 11/13/1973, § 2; as amended by Ord. 413 (2002-1), 5/13/2002, § 2; and by A.O.]

The Mayor shall receive compensation as set by the Borough Code.¹

C. Tax Collector.

§ 1-231. Commission of Tax Collector. [Ord. 114, 1/5/1961, § 1]

The compensation to be paid to the Tax Collector for the collection of all taxes of the Borough of Glen Rock which he is authorized to collect from and after January 1, 1962, shall be as follows: for all taxes collected at discount or at face, a commission of 3% for all taxes collected after the date when a penalty shall be added thereto, a commission of 5%.

§ 1-232. Appointment; Tax Certifications. [Ord. 470 (2012-03), 8/15/2012²]

Glen Rock Borough hereby appoints the Tax Collector elected to collect the taxes for Glen Rock Borough as the Borough Officer authorized to provide tax certifications and duplicate tax invoices upon request by the public, and further authorizes said Tax Collector to assess, collect and retain as compensation for such additional services a fee, in an amount as established from time to time by resolution of the Borough Council, except as outlined herein.

§ 1-233. Fee for Certifications. [Ord. 470 (2012-03), 8/15/2012]

The fee for tax certifications shall be \$20 per each certification provided.

¹Editor's Note: See 8 Pa.C.S.A. § 10A04.

²Editor's Note: This ordinance specifically repealed Ords. 335 and 427.

§ 1-234. Payment to Tax Collector. [Ord. 470 (2012-03), 8/15/2012]

The fee shall be paid to the Tax Collector. Ten dollars shall be considered compensation to the Tax Collector for the additional services. The additional \$10 shall not be considered part of the Tax Collector's Compensation until the new term of the Tax Collector, which begins in January of 2014. After January of 2014, the full payment of tax certifications shall be considered compensation of the Tax Collector after that time.

D. Secretary/Treasurer.**§ 1-241. Same Person to Hold Offices of Secretary and Treasurer. [Ord. 289 (87-2), 5/14/1987, §§ 1 and 2]**

1. The offices of Secretary and Treasurer of Glen Rock Borough may hereafter be held by the same person.
2. The Council of Glen Rock Borough shall from time to time hereafter determine if the offices of Secretary and Treasurer shall be held by the same person or by different persons and shall make appointments of such person or persons for such periods and upon such compensation and conditions as it deems appropriate.

PART 3

BOARDS AND COMMISSIONS

A. Planning Commission.

§ 1-301. Planning Commission Established. [Ord. 200 (72-7), 5/18/1972, § 1; as amended by Ord. 414 (2002-2), 5/8/2002, § 1; by Ord. 433 (2005-2), 4/13/2005, § 1; and by Ord. 452 (2008-04), 5/21/2008, § 1]

1. A Borough Planning Commission, composed of five members, appointed in the manner provided by law, is hereby created and established in and for the Borough of Glen Rock. The said Borough Planning Commission shall exercise all the powers and may perform all the duties vested by law in planning agencies for boroughs. Provided; the persons constituting the Borough Planning Commission now functioning in the Borough shall constitute the Planning Commission hereby created and established, and nothing in this Part shall affect the tenure of any member of the said present Planning Commission, but all vacancies hereafter occurring in said Planning Commission, regardless of the cause thereof, shall be filled in accordance with the provisions of the law governing planning agencies in boroughs at the time of the occurrence of such vacancy.
2. Each member of the Planning Commission of Glen Rock Borough shall receive compensation of \$25 per month. No member of Glen Rock Borough Council, who also serves as a member Glen Rock Borough Planning Commission, shall receive compensation as a Planning Commission member. Any alternate Planning Commission member shall be compensated only when actually substituting for a regular Planning Commission member.

B. Southern York Regional Planning Commission.

§ 1-311. Title. [Ord. 314 (— -90), 3/7/1990, Title]

This Part authorizes the establishment of and participation in the Southern York County Regional Planning Commission. Hereafter referred to as the "Commission." Membership on this Commission shall be contingent upon approval by the governing bodies of the "by-laws" which shall include rules governing transactions, findings, and determinations made by the Commission as well as explicit articles addressing financing of the Commission and expenditures of the Commission funds.

§ 1-312. Purpose. [Ord. 314 (— -90), 3/7/1990, Article I]

To coordinate the planning of future development among neighboring municipalities, counties, and other governmental agencies, and promoting health, safety, morals, and the general welfare of the citizenry.

§ 1-313. Powers and Duties (Activities). [Ord. 314 (— -90), 3/7/1990, Article II]

1. The Commission shall, at the request of the governing bodies, have the power and shall be required to:
 - A. Prepare a Comprehensive Plan for the development of the region, as set forth in Act 247 of 1968 as amended by Act 170 of 1988, hereafter referred to as Act 247, 53 P.S. § 10101 et seq., and present it for consideration of the governing bodies.
 - B. Maintain and keep on file records of its actions which shall be available for public inspection upon request. All records of the Commission shall be in the possession of the host municipality.
2. The Commission may at the request of the governing bodies or at the request of one governing body with regards to paragraphs .A, .B, .C and .N below:
 - A. Make recommendations to the governing bodies concerning the adoption or amendment of an Official Map.
 - B. Review existing zoning and subdivision and land development ordinances and make recommendations to the governing body on proposed amendments to such ordinances as set forth in Act 247, 53 P.S. § 10101 et seq.
 - C. The Commission may prepare and/or recommend subdivision and land development regulations as set forth in Act 247, 53 P.S. § 10101 et seq., where none exist. Where no municipal planning commission exists the Commission may administer subdivision and land development and/or zoning ordinances.
 - D. Prepare and present to municipalities a building and/or housing code and make recommendations concerning amendments proposed thereto.
 - E. Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by Act 247, 53 P.S. § 10101 et seq.
 - F. Prepare and present to the governing bodies environmental studies as requested.
 - G. Submit to the governing body, or any member municipality so requesting, a recommended capital improvements program.
 - (1) Prepare and present to any or all member municipalities' governing bodies a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. Said survey to be

conducted in consultation with any public water supplier(s) in the area to be surveyed.

- H. Promote public interest in, and understanding of, the Comprehensive Plan and planning.
- I. Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of such proposals of such agencies and individuals.
- J. Hold public hearings and meetings.
 - (1) Present testimony before any board.
- K. Require from other departments and agencies of the member municipalities such available information as relates to the work of the Commission.
- L. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
- M. Prepare and present to the governing bodies of the member municipalities a study regarding the feasibility and practicality of using renewable energy sources in specific areas within the region.
- N. Review the zoning and/or subdivision and land development and other such ordinances, Official Map(s), provisions for planned residential development and any regulations governing the development of land no less frequently than it review any municipal or regional Comprehensive Plan, should one exist.

§ 1-314. Local Planning Commissions. [Ord. 314 (— -90), 3/7/1990, Article III]

All existing or newly created municipal planning commissions of current or future member municipalities shall retain all of the powers and duties outlined in § 209.1 of Act 247, 53 P.S. § 10209.1.

§ 1-315. Withdrawal. [Ord. 314 (— -90), 3/7/1990, Article IV]

- 1. Should the governing body of any member municipality be inclined to withdraw from the Commission it shall be required to:
 - A. Notify the Chairman of the Commission via certified mail that the intent to withdraw has been approved by a majority vote of the governing body and the result of that vote as well as all reasons for the decision of the governing body.
 - B. The municipality shall then grant the Commission the opportunity to resolve any differences which led to the decision of the governing body.

- C. The governing body may appoint one of its members to represent it at the Commission meeting where the matter is to be discussed.
 - (1) This meeting shall be either a regular or special meeting at the discretion of the Chairman of the Commission.
- 2. No portion of funds contributed by the municipality by any means shall be utilized or considered for utilization after the date of receipt of the letter expressing intent to withdraw unless they are part of existing allocations or obligations.
 - A. In the event that the differences are not resolved and the municipality decides to withdraw from the Commission it shall do so by adoption of any ordinance that will repeal the ordinance it adopted to initiate its membership on the Commission.
- 3. The unused portion of any funds contributed by the municipality withdrawing from the Commission shall be treated in the following manner:
 - A. Any portion of the municipality's contribution that is part of the current allocation or obligation is non-refundable.
 - B. Any part of that contribution that is included in any fund that is for the purpose of obtaining matching funds, grants, or assistance shall be non-refundable unless the agreement(s) entered into by the Commission should not be accepted or approved.
 - C. All money contributed by the withdrawing municipality not obligated or relied on as herein stated shall be returned to the municipality within 30 days of the Commission meeting at which the intent to withdraw has been realized as an irrevocable decision.
 - D. Under no circumstances will the amount of money returned to the municipality exceed that of its contribution for the current year.
- 4. All municipalities' portion or share of any fund, allocation, or debt shall be equivalent to their percentage of the Commission's budget for the current year.
 - A. Should there be any disagreement regarding the amount of money to be returned to a withdrawing municipality, the Commission and the municipality shall agree to accept the amount determined by an independent auditor agreeable to both parties.

§ 1-316. Dissolution. [Ord. 314 (— -90), 3/7/1990, Article V]

- 1. In the event that the number of municipalities that elect to withdraw from the Commission leaves but one municipality as a member, and hence in violation of § 1102 (53 P.S. § 11102), or, should all member municipalities

elect to disband and dissolve the Commission, the following procedure will be followed:

- A. All debts, contracts, and obligations shall be paid, discontinued, or settled as the case may be.
 - B. All projects in progress that include any funds obtained pursuant to § 1103 of Act 247, 53 P.S. § 11103, will be followed through to completion.
 - C. Any agencies, be they governmental or private, as well as any individuals with whom contact has been made regarding funding or assistance or personnel to aid the Commission in any function it had endeavored to perform shall be immediately notified as to the intended dissolution of the Commission.
 - D. In addition all sources from which funding or aid of any kind, pursuant to § 1103 of Act 247, 53 P.S. § 11103, has been received shall be notified of the intended dissolution of the Commission.
 - E. After all of the aforementioned duties regarding funds and notification have been performed and there are no unsettled matters of any kind to address, the municipalities shall each receive a percentage of the remaining money equivalent to their percentage of the budget for the current year.
 - F. Each municipality shall terminate its membership by ordinance as set forth in § 1-315, Subsection 2A, of this Part.
2. All records, information, and material accumulated by the Commission shall remain in the possession of a single member municipality or governmental agency and shall remain accessible to any persons who should desire copies of any of the material.
- A. The municipality or governmental agency shall have the right to set fees, by resolution, to cover the cost of copies of the Commission records.

C. Recreation Board.

§ 1-321. Recreation Board Created. [Ord. 205 (72-12), 10/12/1972, § 1]

There is hereby created a Glen Rock Recreation Board. Said Board shall have all the powers and duties conferred upon it by law and any other powers vested in it by law, ordinance or direction of Borough Council.

§ 1-322. Members of Recreation Board; Appointments. [Ord. 205 (72-12), 10/12/1972, § 2; as amended by Ord. 318 (90-6), 11/7/1990, § 1]

The Glen Rock Recreation Board shall consist of five members who shall be appointed by Borough Council and shall serve without pay.

§ 1-323. Sources of Funds for Recreation Board. [Ord. 205 (72-12), 10/12/1972, § 3]

The Glen Rock Recreation Board may receive and expend for its proper purposes any gifts, grants and appropriations of money from any other source, including commonwealth, federal or local funds, and may contract with governmental or private agencies or individuals with respect thereto; provided, however, that it shall not accept funds which must be returned or repaid, or spend, commit or require funds for which the Borough could be liable for payment unless approval of the Borough Council is first obtained.

§ 1-324. Reports by Recreation Board. [Ord. 205 (72-12), 10/12/1972, § 4]

The Glen Rock Recreation Board shall report annually during the month of October to the Borough Council, and at other times upon request of Borough Council, showing its transactions and recommendations.

PART 4

FIRE INSURANCE PROCEEDS ESCROW**§ 1-401. Appointment of Designated Officer. [Ord. 349 (93-4), 9/1/1993, § 1]**

The Borough Secretary of Glen Rock Borough or such official's designee as hereby appointed as the designated officer who is authorized to carry out the responsibilities and duties stated herein.

§ 1-402. Insurance Certificate Required. [Ord. 349 (93-4), 9/1/1993, § 2; as amended by Ord. 362 (95-1), 3/1/1995, § 1]

No insurance company, association or exchange (hereinafter the "insuring agent") doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within the Borough of Glen Rock (hereinafter referred to as "Borough") for the amount recoverable for the fire loss to the structure under all policies exceeding \$7,500, unless the insuring agent is furnished by the Borough Treasurer with a municipal certificate pursuant to § 508(b) of Act 98 of 1992, as amended, and unless there is compliance with § 508(c) and (d) of Act 98 1992, 40 P.S. § 638, as amended, and the provisions of this Part.

§ 1-403. Payment of Claim. [Ord. 349 (93-4), 9/1/1993, § 3; as amended by Ord. 362 (95-1), 3/1/1995, § 2]

1. Where pursuant to § 508(b)(1)(I) of Act 98 of 1992, as amended, 40 P.S. § 638, the Borough Treasurer issues a certificate indicating that there are no delinquent taxes, assessments, penalties or user charges against real property, the insuring agent shall pay the claim of the name insured; provided, however, that if the loss agreed upon by the named insured and the insuring agent equals or exceeds 60% of the aggregate limits of liability on all fire policies covering the building restructure, the following procedures must be followed:
 - A. The insuring agent shall transfer from the insurance proceeds to the Secretary of the Borough in the aggregate of \$2,000 for each \$15,000 of a claim and for each fraction of that amount of a claim, this section to be applied such that if the claim is \$15,000 or less, the amount transferred to the Borough shall be \$2,000.
 - B. If at the time of a proof of loss agreed to between the named insured and the insuring agent, the named insured has submitted a contractor's signed estimate of the cost of removing, repairing or securing the building or other structure in an amount less than the amount calculated under the foregoing transfer formula, the insuring agent shall transfer to the Borough from the insurance proceeds the amount specified in the estimate.
 - C. The transfer of proceeds shall be on a prorated basis by all companies, associations or exchanges insuring the building or other structure.

- D. After the transfer, the named insured may submit a contractor's signed estimate of the cost of removing, repairing or securing the building or other structure, and the Borough Secretary shall return the amount of the funds transferred to the Borough in excess of the estimate to the named insured if the Borough has not commenced to remove, repair or secure the building or other structure.
- E. Upon receipt of the proceeds under this section, the Borough shall do the following:
- (1) The Borough Secretary shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing or securing the building or structure which are incurred by the Borough. Such cost shall include, without limitation, any engineering, legal or administrative costs incurred by the Borough in connection with such removal, repair or securing of the building or any proceedings related thereto.
 - (2) It is the obligation of the insuring agent, when transferring the proceeds, to provide the Borough with the name and address of the named insured. Upon receipt of the transferred funds and the name and address of the named insured, the designated officer shall contact the named insured, certify that the proceeds have been received by the Borough and notify the named insured that the procedures under this subsection shall be followed.
 - (3) When repairs, removal or securing of the building or other structure have been completed in accordance with all applicable regulations and orders of the Borough and the required proof of such completion is received by the Borough Secretary, and if the Borough has not incurred any cost from repairs, removal or securing, the funds shall be returned to the named insured. If the Borough has incurred costs from repairs, removal or securing of the building or other structure, the cost shall be paid from the funds and, if excess funds remain, the Borough shall transfer the remaining funds to the named insured.
 - (4) To the extent that interest is earned on proceeds held by the Borough pursuant to this section and not returned to the named insured, such interest shall belong to the Borough. To the extent that proceeds are returned to the named insured, interest earned on such proceeds shall be distributed to the named insured at the time the proceeds are returned.
- F. Nothing in this section shall be construed to limit the ability of the Borough to recover any deficiency. Furthermore, nothing in this subsection shall be construed to prohibit the Borough and the named

insured from entering into an agreement that permits the transfer of funds to the named insured if some other reasonable disposition of the damage property has been negotiated.

§ 1-404. Fees. [Ord. 349 (93-4), 9/1/1993, § 4]

The Borough Council, by resolution, may adopt procedures and regulations to implement Act 98 of 1992, as amended, and this Part and, by resolution, may fix reasonable fees to be charged for Borough activities or services provided pursuant to Act 98 of 1992 and this Part; including, but not limited to, issuance of certificates and bills, performance of inspections and opening separate accounts.

§ 1-405. Penalty. [Ord. 349 (93-4), 9/1/1993, § 5; as amended by A.O.]

Any owner of property, any named insured or any insuring agent who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

PART 5

THIRD-PARTY BILLING FOR EMERGENCY RESPONSES**§ 1-501. Authorization for Collection. [A.O.]**

Glen Rock Hose and Ladder Volunteer Fire Company, Rose Volunteer Fire Company and Shrewsbury Volunteer Fire Company are hereby authorized to recover the reasonable costs of firefighting materials, equipment, personnel hours, and hazardous abatement materials involving any hazardous material incident, or fire, or safety and rescue incident or operation, including vehicular accidents.

§ 1-502. Recovery. [A.O.]

Said reasonable costs may be recovered as outlined above may be recovered directly by a volunteer fire company, through Glen Rock Borough with the consent of Glen Rock Borough Council, or through a third-party billing service approved by Glen Rock Borough Council. Requests by the volunteer fire company for a third-party billing service will be considered and approved by resolution as an authorized agent for the collection of said reasonable costs.

§ 1-503. Additional Fees. [A.O.]

In addition to the aforementioned reasonable costs, the volunteer fire companies of Glen Rock Hose and Ladder Volunteer Fire Company, Rose Volunteer Fire Company and Shrewsbury Volunteer Fire Company, or a third-party billing company acting on behalf of a volunteer fire company, and approved by Glen Rock Borough Council, shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same, and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning and Response Act, 35 P.S. § 6022.101 et seq., or as authorized by any other statute, case law, or common law.

CHAPTER 2

ANIMALS

PART 1

CONTROL OF DOGS, CATS AND OTHER ANIMALS

- § 2-101. Purpose and Scope.**
- § 2-102. Definitions and Word Usage.**
- § 2-103. Noise Disturbance; Exceptions.**
- § 2-104. Responsibilities of Dog or Animal Owners.**
- § 2-105. Running at Large and Other Nuisances.**
- § 2-106. Restriction on Number.**
- § 2-107. Permits.**
- § 2-108. Treatment.**
- § 2-109. Dangerous Dogs.**
- § 2-110. Diseased Animals.**
- § 2-111. Keeping of Certain Animals Prohibited.**
- § 2-112. Removal and Disposal of Dead Animals.**
- § 2-113. Cleanliness of Enclosures.**
- § 2-114. Authorized Action/Duty of Animal Control Officer.**
- § 2-115. Notice.**
- § 2-116. Enforcement.**
- § 2-117. Penalties.**
- § 2-118. Repealer.**
- § 2-119. Interpretation.**
- § 2-120. Pennsylvania Dog Law.**

PART 1

CONTROL OF DOGS, CATS AND OTHER ANIMALS**§ 2-101. Purpose and Scope. [Ord. 451 (2008-03), 5/21/2008, § 1; as amended by A.O.]**

1. Uncontrolled dogs and animals are detrimental to the physical, mental and social well-being of the residents of Glen Rock Borough. Uncontrolled dogs and animals disturbing the peace, running at large, harboring disease or causing unsanitary conditions could adversely affect the health of individuals and interferes with their peaceable enjoyment of property within the Borough. This Part is adopted pursuant to § 1202(5), (6), (9), (12), (13), (14), (15) and (20) of the Borough Code.¹ In considering the adoption of this Part, the Borough makes the following findings:
 - A. There is concern in the Borough with the failure of some property owners and/or some dog or animal owners to properly control the conduct of their respective dogs or animals.
 - B. There is growing concern in the Borough created by a multitude of citizen complaints with the increased noise disturbance created by dogs or other animals within the Borough, especially concern due to the close proximity of the properties within the Borough.
 - C. Borough police records indicate an increasing number of complaints being made by the citizens of the Borough, said complaints including dogs found running at large within the Borough and noise disturbances created by barking dogs.

§ 2-102. Definitions and Word Usage. [Ord. 451 (2008-03), 5/21/2008, § 2; as amended by A.O.]

Unless otherwise expressly stated, the following terms shall, for purposes of this Part, have the meanings indicated as follows:

ANIMAL CONTROL OFFICER — Duly authorized police officers of the Borough and such other person or persons as may be designated by the Borough to enforce this Part.

ANIMAL(S) — Any domestic animal or fowl, any wild animal or any household pet as is authorized according to statute or ordinance.

BOROUGH — The Borough of Glen Rock, York County, Pennsylvania.

DANGEROUS DOG — Any one of the following:

¹Editor's Note: See 53 P.S. § 1205(5), (6), (9), (12), (13), (14), (15), (20).

- (1) Any dog which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property;
- (2) Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
- (3) Any dog used in the commission of a crime;
- (4) Any dog which in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks or any public grounds or places; or
- (5) Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

DOMESTIC ANIMAL — Any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

HOUSEHOLD PET — Any dog, cat, or other domestic animal including insects, arachnids and any other creatures normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

KENNEL — Any establishment wherein dogs or other animals are kept for the purpose of breeding, hunting, training, renting, buying, hoarding, sale, show or any other similar purpose and is so constructed that said dogs or other animals cannot stray therefrom.

LARGE ANIMAL — Any wild or domestic animal of the bovine, equine or sheep family.

OUTDOOR ANIMAL — Any animal(s) maintained primarily outside of the dwelling of its owner.

PERSON — A natural individual, unincorporated association, partnership, corporation, estate, trust or any other legally recognized entity, and the members of such partnership and the officers of such corporation.

PROPERTY — Any parcel of real estate within the Borough, including the land, all buildings and appurtenant structures.

SMALL ANIMAL — Any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse, or chinchilla; and any wild or domestic fowl such as a chicken, turkey, goose, duck, or pigeon (excepting homing pigeons).

WILD ANIMAL — Any animal, including bird, fowl, or reptile not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not capable of being

kept as a household pet. And any other creatures utilized by a person for personal, agricultural, commercial, or business purposes.

§ 2-103. Noise Disturbance; Exceptions. [Ord. 451 (2008-03), 5/21/2008, § 3; as amended by A.O.]

1. It shall be illegal within Borough for any person to own, possess or control any dog, cat or other animal that makes noises continuously or repeatedly either for a period of at least 15 minutes between the hours of 7:00 a.m. to 10:00 p.m. daily, or for a period of at least five minutes between the hours of 10:00 p.m. to 7:00 a.m. daily, regardless of whether the animal is physically situated in or upon private property. Such noises shall be considered a nuisance and shall be illegal, provided that none of the exceptions, set forth herein below, are applicable.
2. The following shall not be considered a violation of this Part and shall constitute exceptions thereto:
 - A. Noises made by farm animals located on farms that constitute agricultural operations protected from nuisance suits by the Right-to-Farm Law or any similar legislation now in force or hereinafter enacted to protect farm operations from legal actions that have the effect of restricting lawful agricultural operations.
 - B. Barking or other noises made by dogs or other animals in response to a person who is trespassing upon private property in or upon which the animal is lawfully situated or if the noise is made in response to an unlawful physical assault upon the dog or other animal or upon a person lawfully on the property on which the dog or other animal is situated. By way of illustration, but not limitation, this exception does not apply to noises made in response to a person walking, running or being present on a sidewalk intended for the public or within the public right-of-way of any road, regardless of whether the animal may perceive the presence of such person as being intrusive or alarming.
 - C. Barking or other noises made by dogs or other animals located in a licensed kennel, veterinarian's office or other similar lawful place of business, provided that the operator of the facility has adopted and implemented reasonable policies to avoid adverse impacts to the occupants of neighboring properties such as, by way of illustration, but not limitation, installing or constructing buffers between the location of the animals and affected neighboring properties, the placement of loud animals indoors or the refusal to accept, on other than an emergency basis, animals which have previously created noise problems for the operator.
 - D. Persons with defective eyesight, hearing or other disability who rely upon a service animal specifically trained for these purposes shall be exempt from compliance with this Section.

3. Each day that such noises occur shall constitute a separate violation of this Part; and multiple violations may be cited if such noises occur on different days.

§ 2-104. Responsibilities of Dog or Animal Owners. [Ord. 451 (2008-03), 5/21/2008, § 4; as amended by A.O.]

1. No person who owns, maintains, keeps or has custody of a dog, cat or other animal shall fail to use all reasonable precautions to confine or contain such dog, cat or other animal to the property of such person or the property which the owner, custodian or keeper has permission to use for such purposes.
 - A. Every keeper of any animal and every person, having custody, control or possession of any animal, shall be required to maintain the area in which such animal is kept, including the removal of feces and shall cause the litter and droppings therefrom to be collected in a container or receptacle that when closed shall be ratproof and flytight, and after every such collection shall cause such container or receptacle to be kept closed. At least weekly, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to permit the presence of fly larvae.
 - B. No person, having custody, control or possession of any animal, shall knowingly or negligently permit any animal to commit any nuisance, i.e., defecation or urination, upon any street, driveway, sidewalk, trail, alley or curb located in the Borough of Glen Rock, or upon the outside walkways, walls, floors, stairways of any building or place frequented by the public or used in common by tenants, or upon the grounds of any public park, which shall include Glen Rock Park, any public area or other private property.
 - C. If any such pet shall be kept in a dwelling owned or occupied by its owner, or in an enclosure outside such dwelling, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere than in such dwelling shall be created, and such individuals must comply with all sanitation requirements.

§ 2-105. Running at Large and Other Nuisances. [Ord. 451 (2008-03), 5/21/2008, § 5]

1. It shall be unlawful for any person to permit any dog, cat or other animal to become a nuisance in any way within the Borough. Nuisances shall include, but not be limited to, the following:

- A. Permitting any dog, cat or other animal to run at large within the Borough.
- B. Permitting a dog, cat or other animal to be upon any public or private property, including sidewalks and streets, within the Borough unless said dog, cat or other animal is on a leash or upon property owned by the owner of said dog, cat or other animal. The person holding the leash must be of sufficient size and experience to handle the dog or animal on the leash.
- C. Failing to immediately remove the droppings when a dog, cat or other animal is upon property other than that of the owner.
- D. Placing or otherwise securing any dog, cat or other animal in any of the streets of the Borough or at any location that allows the dog, cat or animal to enter any of the streets of the Borough or any other public place.
- E. No person having custody, control or possession of any large animals or wild animals within the Borough of Glen Rock shall allow such animals to roam upon any street, driveway, sidewalk, alley or curb located in the Borough of Glen Rock.
- F. Owning an animal that acts in such a manner as to cause annoyance or discomfort to a reasonable person of normal sensitivities.

§ 2-106. Restriction on Number. [Ord. 451 (2008-03), 5/21/2008, § 6; as amended by A.O.]

- 1. Due to the close proximity of the properties located within the Borough:
 - A. It shall be unlawful for any person to keep or to maintain on any property of 1/2 acre or less more than two dogs over six months of age, four cats over six months of age, or a total of eight animals of any type over six months of age, including both dogs and cats.
 - B. It shall be unlawful for any person to keep or to maintain on any property of 1/2 acre or greater more than four dogs over six months of age, eight cats over six months of age, or a total of 10 animals of any type of over six months of age, including both dogs and cats.

§ 2-107. Permits. [Ord. 451 (2008-03), 5/21/2008, § 6; as amended by A.O.]

- 1. Any person shall be permitted to make application to the Borough for an annual permit granting said person permission under this Part to keep or maintain on any property dogs, cats or other authorized animals in a number which exceed the limits as detailed in § 2-106, Subsection 1A and B, or for the keeping of any animals which require a permit. The permit shall be

granted by the Borough Council at the sole discretion of the Borough Council. At a minimum, the person must demonstrate the following:

- A. No adverse impact on adjoining property owners or residents;
 - B. The dogs, cats or other authorized animals will be kept or maintained in a safe and sanitary manner;
 - C. The keeping and maintaining of the dogs, cats or other authorized animals shall be done without violating any other section of this Part; and
 - D. Adherence with any other conditions as required by the Borough.
2. All permits issued hereunder must be renewed annually, within 30 days of receipt of the invoice and permit application from Glen Rock Borough. Failure to receive such invoice and application from the Borough does not excuse failure to comply with this Part annually.

§ 2-108. Treatment. [Ord. 451 (2008-03), 5/21/2008, § 7]

No person shall treat a dog, cat, or other animal in the Borough in a cruel or inhuman manner. Beating, underfeeding, overloading and abandoning animals shall be considered cruel and inhuman treatment within the meaning of this section.

§ 2-109. Dangerous Dogs. [Ord. 451 (2008-03), 5/21/2008, § 8]

No person shall permit a dangerous dog to run at large within the Borough. In addition, no person shall keep, maintain, or harbor any dangerous dog out of doors unless said dangerous dog is secured within a kennel, or is on a leash held by a person of sufficient size and experience to handle the dangerous dog on the leash. Any person who keeps, maintains, or harbors any dangerous dog shall place a sign upon his or her property warning all persons of the presence of a dangerous dog. The sign shall be conspicuously posted such that any person entering the property would be warned of the presence of the dangerous dog. Members of the Police Department and the Animal Control Officer are hereby authorized to kill any dangerous dog or other animal of any kind when it is necessary for the protection of persons or property.

§ 2-110. Diseased Animals. [Ord. 451 (2008-03), 5/21/2008, § 9]

1. No person shall maintain or expose any dog, cat or other animal that is afflicted with a contagious or infectious disease whereby the health of humans or other animals may be affected, nor shall any person ship any such diseased animal or remove it from the premises of the owner thereof except under the supervision of the Chief of Police, Animal Control Officer or any other duly authorized officer of the Borough.

2. It is hereby made the duty of the Animal Control Officer or any other duly authorized officer of the Borough to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication or spread of the contagion or infection, except in cases where the State Veterinarian is empowered to act.

§ 2-111. Keeping of Certain Animals Prohibited. [Ord. 451 (2008-03), 5/21/2008, § 10; as amended by A.O.]

1. No person shall keep or maintain out of doors any live swine or pig, chicken, turkey, pigeon or other domestic or wild fowl within the Borough, unless said person has applied for and obtained a permit from the Borough authorizing the keeping or maintaining of such animals. A person may keep or maintain such animals indoors if the conditions are safe, secure, sanitary and appropriate.
2. No person shall keep or maintain within the Borough roosters of any kind.
3. No person shall keep or maintain within the Borough any reptile with an overall length in excess of five feet nor any poisonous arachnid, insect, or reptile, regardless of its length or size, unless said person has applied for and obtained a permit from the Borough authorizing the keeping or maintaining of such animals.
4. Dead animals shall not be disposed of in the garbage or refuse collection as included in Chapter 20, Solid Waste. Dead animals shall not be buried on property in the Borough unless in an approved pet cemetery.

§ 2-112. Removal and Disposal of Dead Animals. [Ord. 451 (2008-03), 5/21/2008, § 11]

It shall be the duty and obligation of all owners, lessors or occupiers of property within the Borough to provide for the removal and disposal of any and all dead cats, dogs and other animals upon such property.

§ 2-113. Cleanliness of Enclosures. [Ord. 451 (2008-03), 5/21/2008, § 12]

No person shall cause or allow any stable, house, hut, area or place where any dog, cat or other animal is or may be kept to become unclean or unwholesome.

§ 2-114. Authorized Action/Duty of Animal Control Officer. [Ord. 451 (2008-03), 5/21/2008, § 13; as amended by A.O.]

Police Officers, the Animal Control Officer of the Borough, or other Borough official are hereby authorized to secure and use, with reasonable precautions, any device or gun that propels an instrument, pellet or drug for the purpose of immobilizing or anesthetizing an animal for the purpose of securing and impounding such animal. Further, it shall be the duty of the Animal Control Officer to take into custody any and all dogs, cats or other animals found in violation of any provision of this Part and not restrained, leashed or secured upon the owner's property or property which

the owner has permission to use and to convey the same to such shelter or pound as is from time to time designated by the Borough. A notice of seizure shall be sent to the owner of such dog, cat or other animal, if known, in accordance with the laws of the Commonwealth of Pennsylvania.

§ 2-115. Notice. [Ord. 451 (2008-03), 5/21/2008, § 14; as amended by A.O.]

1. The provisions of this Part shall be enforced by any elected or appointed Glen Rock Borough official, the Glen Rock Borough Codes Enforcement Officer, the Glen Rock Borough Animal Control Officer, or by any Police Officer having authority within Glen Rock Borough.
2. It shall be the duty of the Enforcement Officer, as defined above, to serve or cause to be served a notice of violation upon any person who is in violation of the provisions of this Part and to demand the abatement of the nuisance. Notice shall be served in one of the following manners:
 - A. By making personal delivery of the notice to the owner;
 - B. By handing a copy of the notice at the residence of the owner to an adult member of the family with which he resides, but if no adult member of the family is found, then to an adult person in charge of such residence;
 - C. By fixing a copy of the notice to the door at the entrance of the property in violation; or
 - D. By certified and regular mail to the owner's last known address or to other representative of the owner.

§ 2-116. Enforcement. [Ord. 451 (2008-03), 5/21/2008, § 15; as amended by A.O.]

All of the prohibited acts or types of conduct set forth herein are hereby declared to be a public nuisance, and shall be illegal, provided none of the exceptions in § 2-103 are applicable. Enforcement of this Part shall be as follows:

1. Enforcement thereof shall be by the issuance of notice of violation letters. A violation of this Part shall constitute a civil penalty punishable by a fine as set forth in § 2-117, and as set from time to time by resolution. Repeated notice of violation letters shall result in a higher fine. If, after a third notice of violation letter is issued for violations under this Part within 120 days of the first violation, and/or if full compliance has not been obtained, then such ordinance enforcement shall be by the filing of an action before a Magisterial District Judge in the same manner as provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure and the Borough Code Section 3321.² The Borough Solicitor may assume charge

²Editor's Note: See 8 Pa.C.S.A. § 3321.

of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 454 (relating to trial and summary cases).

2. The Borough Council may direct the removal of the nuisance as defined herein, as the case may be, to be completed by the Borough and to certify the costs thereof to the Borough Solicitor. The cost of such removal shall be a lien upon such property from the time of such removal, which date shall be determined by the certificate of the person doing such work, and filed with the Borough Secretary.
3. The Borough, by means of a complaint in equity, may compel the owner of the property to comply with the terms of any notice of violation or seek any such other relief as any such court of competent jurisdiction is empowered to afford.
4. Each day's continuance of a violation on any provision of this Section shall constitute a separate event.

§ 2-117. Penalties. [Ord. 451 (2008-03), 5/21/2008, § 16; as amended by A.O.]

1. Fines.
 - A. Any person who shall violate any provision of this Part shall pay a fine as follows:
 - (1) Fifty dollars, plus costs, for the first violation;
 - (2) One hundred dollars, plus costs, for the second violation;
 - (3) One hundred fifty dollars, plus costs, for third violation.
 - B. After such third notice, an action for enforcement shall be filed with the District Justice Office.
 - C. Such penalties may be modified and amended by the Glen Rock Borough Council through resolution.
2. Any person, firm or corporation who or which shall violate any provision of this Part, in addition to the above penalties, shall upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 or imprisoned not more than 30 days, or both.
3. The Borough of Glen Rock shall be entitled to be reimbursed for all attorneys' fees, costs and expenses incurred in the enforcement of this Part.
4. For purposes of this Section, "costs" shall include, but not be limited to, any and all money spent on investigating, mitigating, prosecuting, mailing of notices, delivery of notices or otherwise addressing any violation of this Part including, but not limited to, Police Officer and Animal Control Officer charges and attorneys' fees.

§ 2-118. Repealer. [Added by A.O.]

All prior ordinances or parts of ordinances which focus primarily on barking dogs are hereby repealed. All other prior ordinances which regulate the keeping or handing of animals shall remain unaffected by this Part except to the extent that the specific provisions are in conflict with those of this Part, in which case, this Part shall control. All ordinances or parts or provisions of such ordinances which are in conflict with the provisions hereof, including, but not limited to, Glen Rock Borough Ordinance Nos. 178 (69-2) and 386, shall be and the same are hereby expressly repealed.

§ 2-119. Interpretation. [Ord. 451 (2008-03), 5/21/2008, § 19]

When interpreting this Part, the singular shall include the plural, and the masculine shall include the feminine and the neuter.

§ 2-120. Pennsylvania Dog Law. [Ord. 451 (2008-03), 5/21/2008, § 21]

This Part seeks to supplement the provisions of the Pennsylvania Dog Law, as codified at 3 P.S. § 459-101 et seq., and this Part shall be interpreted in such a manner.

CHAPTER 3
(RESERVED)

CHAPTER 4
BUILDINGS

PART 1
DANGEROUS STRUCTURES

- § 4-101. Definitions.**
- § 4-102. Prohibition.**
- § 4-103. Investigation of Dangerous Structures and Dangerous Conditions.**
- § 4-104. Notice of Violation.**
- § 4-105. Condemnation as Unfit for Human Habitation.**
- § 4-106. Placarding of Structures.**
- § 4-107. Fire Limitations.**
- § 4-108. Failure to Comply.**

PART 1

DANGEROUS STRUCTURES**§ 4-101. Definitions. [Ord. 387 (98-6), 9/2/1998, § 1]**

1. Specific Definitions.

DANGEROUS CONDITION — Any quarry, sinkhole, accumulation of stagnant water, accumulation of materials, open pits or excavations or any other feature of any premises which is dangerous to the public health, safety or welfare and which may cause or aid in the spread of disease or may cause injury to the occupants or any other persons.

DANGEROUS STRUCTURE — Any building, shed, fence or other man-made structure, either occupied or unoccupied by human beings, which has become blighted because of faulty design or construction, failure to keep such structure in a proper state of repair, lack of proper sanitary facilities, lack of adequate lighting or ventilation, inability to heat properly, improper management or any combination of these factors, and, as a result thereof, has become so deteriorated, dilapidated, neglected, overcrowded with occupants or so unsanitary as to constitute a fire hazard or otherwise jeopardize or be detrimental to the health, safety or welfare of the residents of Glen Rock Borough.

2. Any such dangerous structure or condition within the Borough of Glen Rock is hereby declared to be a nuisance.

§ 4-102. Prohibition. [Ord. 387 (98-6), 9/2/1998, § 2]

The maintenance or existence of any dangerous structure or dangerous condition within the Borough of Glen Rock is prohibited by this Part; further, it shall be unlawful for the owner, occupant or person in custody of any dangerous structure or dangerous condition to permit the same to remain dangerous or to occupy or permit to be occupied such premises in its dangerous state.

§ 4-103. Investigation of Dangerous Structures and Dangerous Conditions. [Ord. 387 (98-6), 9/2/1998, § 3]

Whenever it shall be reported to the Mayor of Glen Rock Borough that any dangerous structure or dangerous condition exists, the Mayor shall immediately cause an investigation of such structure or condition by the Borough Engineer or his designated representative.¹ If such investigation indicates such structure or condition is dangerous as defined in this Part, the Engineer shall report the same to the Mayor, in writing, and in such report shall specify whether, and in what respect, the structure or condition is considered to be dangerous. Further, the Engineer shall report whether such structure or condition is capable of being properly corrected or whether it should be removed and/or demolished.

¹Editor's Note: See also Ch. 10, Health and Safety, Part 1, Nuisances.

§ 4-104. Notice of Violation. [Ord. 387 (98-6), 9/2/1998, § 4; as amended by Ord. 389 (98-8), 10/7/1998, § 1]

In the event that the Mayor finds such structure or condition to be dangerous as provided in § 4-103, he shall cause written notice thereof to be served upon the owner of the premises and upon the occupant thereof, if any, by certified mail or personal service. Such notice shall state that such dangerous structure or dangerous condition must be removed from the premises and that such danger must be remedied or removed by repair or alteration of the structure or condition or by demolishing the structure and that such danger must be corrected within a period not to exceed 180 days; provided, further, that such corrective action must commence within a period not to exceed 60 days. Further, the owner shall provide a schedule for completion of all corrective action.

§ 4-105. Condemnation as Unfit for Human Habitation. [Ord. 387 (98-6), 9/2/1998, § 5]

1. The Borough Engineer or any designated representative shall condemn as unfit for human habitation any structure wherein he finds any of the following defects:
 - A. One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe or vermin infested that it creates a hazard to the safety or welfare of the occupants or the public.
 - B. One which lacks illumination, ventilation or sanitary facilities adequate to protect the safety or welfare of the occupants or the public.
 - C. One which, because of its general condition or location, is unsanitary or otherwise dangerous to the safety or welfare of the occupants or the public.
2. Any structure may be condemned as unfit for human habitation by the Borough Engineer or any designated representative if the owner or occupant failed to comply with any order based on the provisions of this Part; provided, that such dwelling or dwelling unit is in the opinion of the Borough Engineer unfit for human habitation by reason of such failure to comply.

§ 4-106. Placarding of Structures. [Ord. 387 (98-6), 9/2/1998, § 6]

1. In all cases regulated by §§ 4-104 and 4-105 of this Part, the Borough Engineer or designated representative shall post at each entrance to such structure a notice to the effect that said structure is unsafe or unfit for human habitation and has been condemned or that the structure is illegally occupied or used and shall be vacated at once as ordered.
2. Such notice shall remain posted until the required repairs or alterations are made and it shall be unlawful for any person to remove such notice without written permission from the Borough Engineer and it shall be further

unlawful for any person to occupy, use or enter such structure thereafter except for the purpose of making the required repairs or alterations.

§ 4-107. Fire Limitations. [Ord. 387 (98-6), 9/2/1998, § 7; as amended by Ord. 389 (98-8), 10/7/1998, § 2; and by A.O.]

1. Any frame structure within the limits of the Borough of Glen Rock, which has been damaged by fire, decay or other causes to such an extent as to have been determined to be a dangerous structure or in dangerous condition as determined by the Fire Chief of Glen Rock Borough or the Glen Rock Borough Engineer, shall be demolished or rebuilt in compliance with the Uniform Construction Code [Chapter 5, Part 1] as adopted by Glen Rock Borough.
2. Upon written notice from the Fire Chief or his assistants to the Borough Secretary that such building has been damaged by fire to these extents, said Secretary shall notify the owner or occupant, if any, of the premises of the receipt of such notice from the Fire Chief. The Mayor may direct the Borough Engineer or a State Police Fire Marshal to investigate and verify the Fire Chief's findings.
3. If, in the judgment of the Borough Engineer, the Borough Fire Chief or the State Police Fire Marshal, such structure has been damaged by fire, decay or other causes to the extent that it is determined to be a dangerous structure or in dangerous condition, said individual shall so notify the Mayor of such findings.
4. In the event of such notification, the Mayor shall forward said report to the Borough Council and members of the Public Safety Committee. Said Committee shall verify as to whether said building has been so damaged to the extent that it is a dangerous structure or in dangerous condition.
5. If the findings of the Borough Engineer, Borough Fire Chief or State Police Fire Marshal are verified by the Public Safety Committee, it shall be the duty of the owner to tear down and remove said structure within a period not to exceed 180 days and to commence such corrective actions within a period not to exceed 60 days or to remodel said structure to the requirements that the Borough may deem necessary and it shall be unlawful to occupy or permit the occupancy of such structure after such findings until it is so remodeled and approved by the Public Safety Committee and the Borough Engineer.

§ 4-108. Failure to Comply. [Ord. 387 (98-6), 9/2/1998, § 8; as amended by A.O.]

1. In the event that any owner or occupant shall neglect, fail or refuse to comply with any notice required by this Part within the period of time stated, the Borough authorities may remove or correct any such dangerous

building or dangerous condition and the cost thereof, including engineering fees with any additional penalties authorized by law, may be collected by the Borough from any such owner or occupant in the manner authorized by law.

2. Any person who shall violate or fail, neglect or refuse to comply with this Part shall, for each and every such violation, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

CHAPTER 5
CODE ENFORCEMENT

PART 1
UNIFORM CONSTRUCTION CODE

- § 5-101. Election.**
- § 5-102. Modifications Made to International Building Code.**
- § 5-103. Modifications Made to International Residential Code.**
- § 5-104. Modifications Made to International Plumbing Code.**
- § 5-105. Modifications Made to International Fuel Gas Code.**
- § 5-106. Modifications Made to International Energy Conservation Code.**
- § 5-107. Modifications Made to International Mechanical Code.**
- § 5-108. Modifications Made to International Fire Code.**
- § 5-109. Modifications Made to International Electrical Code.**
- § 5-110. Modifications to UCC Authorizing Stricter Standards.**
- § 5-111. Administration and Enforcement.**
- § 5-112. Other Permits Required.**
- § 5-113. Schedule of Permit Fees.**
- § 5-114. Final Inspections and Occupancy Permits.**
- § 5-115. Board of Appeals.**
- § 5-116. Violation and Penalties.**
- § 5-117. Repealer and Automatic Amendment.**

PART 2
INTERNATIONAL PROPERTY MAINTENANCE CODE

- § 5-201. Adoption of Property Maintenance Code.**
- § 5-202. Revisions, Amendments and Additions to International Property Maintenance Code.**
- § 5-203. Effect on Other Provisions; Repealer.**
- § 5-204. Effect on Pending Proceedings.**

PART 1
UNIFORM CONSTRUCTION CODE

§ 5-101. Election. [Ord. 428 (2004-3), 6/9/2004, § 1]

The Borough of Glen Rock hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. § 7210.101 et seq., as amended from time to time, its regulations at 34 Pa. Code, Chapters 401 — 405, and the International Property Maintenance Code 2003, 1st edition, as published by the International Code Council, Inc., and all subsequent editions revised and issued (collectively referred to as the "UCC"). The UCC is hereby adopted and incorporated by reference as the building code of the Borough of Glen Rock, except as hereinafter modified in §§ 5-102 through 5-111.

§ 5-102. Modifications Made to International Building Code. [Ord. 428 (2004-3), 6/9/2004, § 2]

1. Insertions.
 - A. IBC § 101.1 — Insert: Borough of Glen Rock.
 - B. IBC § 1612.3 — Insert: Borough of Glen Rock.
 - C. IBC § 1612.3 — Insert: The Flood Insurance Study for the Borough of Glen Rock, dated September 24, 1994.

§ 5-103. Modifications Made to International Residential Code. [Ord. 428 (2004-3), 6/9/2004, § 3]

1. Insertions.
 - A. IRC § R101.1 — Insert: Borough of Glen Rock.
 - B. IRC Table R301.2(1) — Insert: Values.
 - C. Ground Snow Load — 30 pounds per square feet.
 - D. Wind Speed (mph) — < 90 mph.
 - E. Seismic Design Category — D2.
 - F. Damage from Weathering — Severe.
 - G. Damage from Frost Line Depth — 30 inches.
 - H. Damage from Termite — Moderate to heavy.
 - I. Damage from Decay — Slight to Moderate.
 - J. Winter Design Temp — 20° F.

K. Flood Hazards.

§ 5-104. Modifications Made to International Plumbing Code. [Ord. 428 (2004-3), 6/9/2004, § 4]

1. Insertions.
 - A. IPC § 101.1 — Insert: Borough of Glen Rock.
 - B. IPC § 108.5 — All penalties shall be in accordance with § 5-116 of this Part.
 - C. IPC § 305.6.1 — 18 (# of inches).
 - D. IPC § 904.1 — Roof Extensions: All open vent pipes that extend through a roof shall be terminated at least 18 inches above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven feet (2,134 mm) above the roof.

§ 5-105. Modifications Made to International Fuel Gas Code. [Ord. 428 (2004-3), 6/9/2004, § 5]

1. Insertions.
 - A. Section 101.1 — Insert: Borough of Glen Rock.
 - B. IFGC § 106.5.2 — See attached fee schedule.¹
 - C. IFGC § 108.5 — All penalties shall be in accordance with § 5-117 of this Part.

§ 5-106. Modifications Made to International Energy Conservation Code. [Ord. 428 (2004-3), 6/9/2004, § 6]

1. Insertions.
 - A. IECC § 101.1 — Insert: Borough of Glen Rock.

§ 5-107. Modifications Made to International Mechanical Code. [Ord. 428 (2004-3), 6/9/2004, § 7]

1. Insertions.
 - A. IMC § 101.1 — Insert: Borough of Glen Rock.
 - B. IMC § 106.5.2 — See attached fee schedule.²

¹Editor's Note: Said fee schedule is on file in the Borough offices.

²Editor's Note: Said fee schedule is on file in the Borough offices.

- C. IMC § 108.5 — Stop-work orders: All penalties shall be in accordance with § 5-117 of this Part.

§ 5-108. Modifications Made to International Fire Code. [Ord. 428 (2004-3), 6/9/2004, § 8]

- 1. Insertions.
 - A. IFC § 101.1 — Insert: Borough of Glen Rock.
 - B. IFC § 111.4 — Stop-work orders: All penalties shall be in accordance with § 5-117 of this Part.

§ 5-109. Modifications Made to International Electrical Code. [Ord. 428 (2004-3), 6/9/2004, § 9]

- 1. Insertions.
 - A. IEC § 101.1 — Insert: Borough of Glen Rock.
 - B. IEC § 404.2 — See attached schedule.³

§ 5-110. Modifications to UCC Authorizing Stricter Standards. [Ord. 428 (2004-3), 6/9/2004, § 11; as amended by Ord. 454 (2008-6), 7/16/2008, § 1]

- 1. Section 403.42(c)(iii) of the Regulations is amended as follows:
 - A. Retaining walls, which are not over two feet in height measured from the lowest of grade to the top of the wall, unless it is supporting a surcharge or impounding Class I, II, or III-A liquids.

§ 5-111. Administration and Enforcement. [Ord. 428 (2004-3), 6/9/2004, § 12]

- 1. Administration of the UCC within the Borough of Glen Rock shall be undertaken in any of the following ways as determined by the Borough Council from time to time by resolution:
 - A. By the designation of an employee of the Borough to serve as Building Code Official to act on behalf of the Borough.
 - B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Borough.
 - C. By agreement with one or more other municipalities for the joint administration and enforcement of this Part on behalf of the Borough.

³Editor's Note: Section 10 of Ord. 428 (2004-3), which immediately followed this section, was repealed at time of adoption of Code (see Adoption Ordinance).

- D. By entering into a contract with another municipality for the administration and enforcement of this Part on behalf of the Borough.
- E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections, and enforcement structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

§ 5-112. Other Permits Required. [Ord. 428 (2004-3), 6/9/2004, § 13]

At the time of the filing of an application for building permit, the applicant shall present evidence that he/she has obtained all necessary permits, licenses, approval and/or variances as may be required under the laws of the Borough, York County and the Commonwealth of Pennsylvania.

§ 5-113. Schedule of Permit Fees. [Ord. 428 (2004-3), 6/9/2004, § 14]

Fees assessable by the Borough for the administration and enforcement undertaken pursuant to this Part and the UCC shall be established by resolution as adopted by the Borough of Glen Rock.⁴ The Borough Council may from time to time review the fee schedule and revise the fee schedule whenever it is deemed appropriate. All revisions of the fee schedule shall be made by resolution. All fees for permits and inspections required by the UCC and this Part and all other Borough ordinances, shall be paid before any permits are issued, and any additional fees which shall become due shall be paid before the issuance of a use and occupancy permit.

§ 5-114. Final Inspections and Occupancy Permits. [Ord. 428 (2004-3), 6/9/2004, § 15]

Final inspections and occupancy certificates as required under or issued in conjunction with the UCC shall be issued with, and at the same time as, final inspections and use and occupancy certificates required by the Borough's Zoning Ordinance [Chapter 27]. No inspection or permit shall be issued under this Part or the Zoning Ordinance [Chapter 27] separately from the other. The applicant shall be responsible for requesting such inspections or permits from the Building Code Official and Zoning Officer, who shall be responsible for coordinating the inspections and the issuance of the required permits within the time set by the UCC and the Borough's Zoning Ordinance [Chapter 27].

§ 5-115. Board of Appeals. [Ord. 428 (2004-3), 6/9/2004, § 16]

There shall exist a Board of Appeals which shall consist of five members, who are qualified by experience and training to review matters pertaining to building, construction and are not employees or elected officials of the Borough of Glen Rock. The Board of Appeals may be established by joint action of the Borough and other municipalities and/or the County of York, as provided by law. The Borough Council may by separate ordinance enter into an intergovernmental agreement with the County of York to create, operate, maintain and fund a joint Board of Appeals. The

⁴Editor's Note: Said fee schedule is on file in the Borough offices.

President and Secretary of the Borough Council are authorized to execute the agreement on behalf of the Borough.

§ 5-116. Violation and Penalties. [Ord. 428 (2004-3), 6/9/2004, § 17; as amended by A.O.]

Any person or member of a partnership or corporation, who shall violate the provisions of this Part or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair, demolish a building or structure in violation of an approved plan or directive of the Building Code Official or of a permit or certificate issued under the provisions of the Code, shall be guilty of a summary criminal offense and upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 5-117. Repealer and Automatic Amendment. [Ord. 428 (2004-3), 6/9/2004, § 18]

1. The Glen Rock Building Code Ordinance, Ord. 410 (2001-1), together with any amendments, is hereby repealed for all buildings for which permits are issued after the effective date of this Part. It shall remain in full force and effect for any improvements for which complete permit applications were filed before the effective date of this Part.
2. The Glen Rock Borough Mechanical Code Ordinance, Ord. 375 (97-4), together with any amendments, is hereby repealed for all buildings for which permits are issued after the effective date of this Part. It shall remain in full force and effect for any improvements for which complete permit applications were tiled before the effective date of this Part.
3. The Glen Rock Borough Plumbing Code Ordinance, Ord. 374 (97-3), together with any amendments, is hereby repealed for all buildings for which permits are issued after the effective date of this Part. It shall remain in full force and effect for any improvements for which complete permit applications were filed before the effective date of this Part.
4. The Glen Rock Borough Building Permit Ordinance, Ord. 256 (81-3), as amended by Ord. 340 (92-7), together with any additional amendments, is hereby repealed for all buildings for which permits are issued after the effective date of this Part; except that nothing contained herein shall modify the requirements of said ordinances relating to the provision of information and documentation for construction within any floodplain area of the Borough. Said ordinance shall remain in full force and effect for any improvements for which complete permit applications were filed before the effective date of this Part.
5. The Glen Rock Borough Minimum Maintenance Ordinance, Ord. 275 (84-4), together with any amendments, is hereby repealed.

6. All relevant ordinances, regulations and policies of the Borough, not governed by the UCC, shall remain in full force and effect, and any permits required by the Borough ordinances, or state or federal statutes or regulations, which are not superseded by the UCC, including, but not limited to, zoning, sewage, driveway, highway, or NPDES permits, as applicable, shall continue to be required.
7. By adopting the UCC, the Borough of Glen Rock adopts all building or other codes which have been adopted and mandated by the UCC, including, but not limited to, the International Building Code, the International Residential Code, the International ICC Electrical Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Energy Conservation Code, the International Fire Code and the International Property Maintenance Code, and as the UCC is amended to include or adopt new or updated versions of any building codes or other codes, such codes shall automatically be updated as part of this Part.

PART 2

INTERNATIONAL PROPERTY MAINTENANCE CODE

§ 5-201. Adoption of Property Maintenance Code. [A.O.]

That a certain document, a copy of which is on file in the office of the Borough of Glen Rock, being marked and designated as the International Property Maintenance Code, 2009 edition, as published by the International Code Council, be and is hereby adopted as amended, and adopted as the Property Maintenance Code of the Borough of Glen Rock, in the Commonwealth of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of Glen Rock are hereby referred to, adopted, and made a part hereof, as if fully set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in § 5-202 of this Part. As successor editions of the International Property Maintenance Code are published and adopted, such successor editions, additions, insertions, deletions and changes thereto may be adopted by resolution of the Borough Council.

§ 5-202. Revisions, Amendments and Additions to International Property Maintenance Code. [A.O.]

1. The following sections of the International Property Maintenance Code, 2009 edition, are hereby revised, or omitted as follows:
 - A. Section 101.1. Insert: Borough of Glen Rock.
 - B. Section 103.5. Insert: Set from time to time by resolution adopted by the Borough Council.
 - C. Section 112.4. Insert: Failure to comply. Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 nor more than \$1,000.
 - D. Section 302.4. Insert: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches high. Additionally, the Borough of Glen Rock may collect a 10% administrative fee for abatement actions of the Borough in enforcement of this provision, plus the costs of attorney's fees actually

incurred. Ordinance 450⁵ is repealed and superseded by this section of the IPMC related to the height limit on weed and plant growth.

- E. Section 304.14. Exclude.
 - F. Section 304.17. Exclude.
 - G. Section 602.3. Include applicability from October 1 through May 15.
2. The following sections are hereby added to the International Property Maintenance Code, 2009 edition:
- A. Add a Section 109.7: Abatement by the Borough. The Borough of Glen Rock and or its agent may collect and be reimbursed for all actual costs, losses of such repair, vacation or demolition, together with a penalty of 10% of such cost plus attorney fees incurred by the Borough regarding the same, in the manner provided by law, or the Borough of Glen Rock may seek injunctive relief in a court of competent jurisdiction pursuant to the Rules of Civil Procedure.
 - B. Add a Section 110.5: Excavation To Be Refilled. After removal of said building or structure, any excavation thereunder shall be refilled with earth or other suitable material to match the existing ground level.
 - C. Add a Section 304.3.1: Rear Premises Identification. All properties located within Glen Rock Borough, whose access to the rear of the property is primarily through use of an alley or street at the back of the property, are required to display a house number at or near that access area. Address numbers shall comply with the above Section 304.3. Numbers shall be located on the subject garage or other such structure within 30 feet of the rear property line.

§ 5-203. Effect on Other Provisions; Repealer. [A.O.]

Portions of the following Glen Rock Borough ordinances, Ordinance No. 428 (2004-3),⁶ Ordinance No. 443 (2006-4)⁷ and Ordinance No. 450 (2008-2),⁸ that are inconsistent with this Part are hereby repealed, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

§ 5-204. Effect on Pending Proceedings. [A.O.]

Nothing in this Part or in the International Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in § 5-203 of this

⁵Editor's Note: See Ch. 10, Health and Safety, Part 1, Nuisances.

⁶Editor's Note: See Part 1 of this chapter.

⁷Editor's Note: See Ch. 10, Part 2.

⁸Editor's Note: See Ch. 10, Part 1.

Part; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

CHAPTER 6
CONDUCT

PART 1
DISORDERLY CONDUCT

- § 6-101. Disorderly Conduct Prohibited.**
- § 6-102. Definition of Disorderly Conduct.**
- § 6-103. Penalty for Disorderly Conduct.**

PART 2
DISCHARGE OF FIREARMS

- § 6-201. Definitions.**
- § 6-202. Prohibition.**
- § 6-203. Exceptions.**
- § 6-204. Penalty.**

PART 3
CRIMINAL MISCHIEF

- § 6-301. Unlawful To Tamper With Public Property or Property in Streets, Alleys or Public Grounds.**
- § 6-302. Unlawful To Tamper With Stakes and Monuments.**
- § 6-303. Unlawful To Tamper With Warning Lamps, Signs or Barricades.**
- § 6-304. Unlawful To Take Earth, Stone or Other Material From Streets, Alleys or Public Grounds.**
- § 6-305. Certain Acts Not Unlawful.**
- § 6-306. Penalty for Tampering With Certain Property.**

PART 4
LOITERING

- § 6-401. Definitions.**
- § 6-402. Acts or Conduct Prohibited.**
- § 6-403. Penalties.**

PART 5
LITTERING

- § 6-501. Short Title.
- § 6-502. Definitions.
- § 6-503. Litter in Public Places.
- § 6-504. Placement of Litter Receptacles.
- § 6-505. Sweeping Litter Into Gutters Prohibited.
- § 6-506. Merchant's Duty To Keep Sidewalks Free of Litter.
- § 6-507. Litter Thrown by Persons in Vehicles.
- § 6-508. Truck Loads Causing Litter.
- § 6-509. Litter in Streams and Runs.
- § 6-510. Litter on Occupied Private Property.
- § 6-511. Owner to Maintain Premises Free of Litter.
- § 6-512. Litter on Vacant Lots.
- § 6-513. Clearing of Litter From Open Private Property by Borough.
- § 6-514. Penalties.

PART 6
OPEN ALCOHOLIC BEVERAGE CONTAINERS

- § 6-601. Definitions.
- § 6-602. Consumption.
- § 6-603. Open Container.
- § 6-604. Open Container in Motor Vehicles.
- § 6-605. Licensee Not To Permit Removal of Open Container.
- § 6-606. Sign Required.
- § 6-607. Penalty.

PART 7
ADULT ENTERTAINMENT FACILITIES

- § 6-701. Definitions.
- § 6-702. License Required.
- § 6-703. Application for License.
- § 6-704. Fees and Term.
- § 6-705. Issuance of License.
- § 6-706. Renewal.
- § 6-707. Regulations.

- § 6-708. Inspections.**
- § 6-709. Suspension or Revocation of Licenses.**
- § 6-710. Penalties.**

PART 1

DISORDERLY CONDUCT

§ 6-101. Disorderly Conduct Prohibited. [Ord. 151, 9/15/1965, § 1]

It shall be unlawful to engage in disorderly conduct within the limits of Glen Rock Borough; and, it shall be unlawful for the parent, guardian, or other adult person having the care and custody of a minor under the age of 18 years to permit such minor to engage in disorderly conduct within the limits of Glen Rock Borough.

§ 6-102. Definition of Disorderly Conduct. [Ord. 151, 9/15/1965, § 2; as amended by Ord. 166 (67-3), 8/10/1967, § 1; by Ord. 202 (72-9), 5/18/1972, § 1; and by Ord. 248 (80-2), 5/8/1980]

A person is guilty of disorderly conduct if he or she upon the streets or public areas, or upon private property without the specific consent of the owners thereof, with purpose to cause public inconvenience, annoyance or alarm, or with knowledge that he or she is likely to cause public inconvenience, annoyance or alarm, he or she does any of the following: (A) engages in fighting, threatening or violent or tumultuous behavior; (B) makes unreasonable noise or coarse utterance, gesture or display, or addresses abusive language to any person present; (C) otherwise creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor; or, (D) loiters at such places when such loitering is with the intent, purpose or effect of obstructing, molesting, harassing, disturbing or annoying any other person of reasonable sensibilities.

§ 6-103. Penalty for Disorderly Conduct. [Ord. 151, 9/15/1965, § 3, as amended by Ord. 184 (70-5), 11/12/1970, § 1; and by Ord. 383 (98-2), 1/5/1998, § 1; as amended by A.O.]

1. Any person of the age of 18 years or older in violation of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 for the first offense, plus costs and a fine of not less than \$300 nor more than \$1,000 for each succeeding offense, plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.
2. If under 18 years of age, shall be taken into custody by the Borough Police and delivered to his or her parent, guardian or other adult person having the care and custody of such minor, if such person is a resident of the Borough of Glen Rock; otherwise the Borough Police shall attempt to contact said person by telephone and request said person to call for said minor at police headquarters of the Borough for the purpose of transporting said minor to his or per place of residence; in the event said person cannot be thus contacted by the Borough Police, said minor shall be released with instructions to go immediately to his or place of residence, or shall be taken to the Juvenile Probation Department of York County, Court House, York,

Pennsylvania, or to the Juvenile Detention Home in York, Pennsylvania, in the discretion of the Borough Police. The Borough Police shall immediately make a record of all the circumstances of such violation in a file to be kept for that purpose, and shall make a report of such violation to the Juvenile Probation Department of York County, Court House, York, Pennsylvania. The Borough Police shall send or cause to be sent to the parent, guardian or other adult person having the care and custody of such minor, a written notice of the violation of this Part, if the violation is a first offense, containing a warning that if said minor again violates any provision of this Part, the penalties prescribed by this Part will be invoked against said parent, guardian or person having the care and custody of the minor involved. Said written notice shall be given to such person at his last known address, through the United States mail by certified letter, return receipt requested.

PART 2

DISCHARGE OF FIREARMS**§ 6-201. Definitions. [Ord. 266 (83-2), 1/13/1983, § 1]**

DISCHARGE — The causing of a firearm or projectile device to expel a projectile by triggering release or other procedure.

FIREARM — Any instrument or machine capable of discharging a projectile by means of an explosive charge, including, but not limited to shotgun, rifle, pistol, revolver and mortar.

PROJECTILE DEVICE — Any instrument or machine capable of discharging a projectile by means of force or power other than an explosive charge, including, but not limited to, compressed air or CO₂ gun, B-B gun, bow, cross-bow and sling-shot.

§ 6-202. Prohibition. [Ord. 266 (83-2), 1/13/1983, § 2]

No person shall hereafter discharge a firearm or projectile device within the limits of Glen Rock unless such discharge is excepted as provided in § 6-203.

§ 6-203. Exceptions. [Ord. 266 (83-2), 1/13/1983, § 3]

1. This Part shall not apply to the discharge of a firearm or projectile device under any of the following circumstances:
 - A. Where done for the defense, protection or safeguarding of one's person, family or property as otherwise allowed by law.
 - B. Where done pursuant to the game laws of Pennsylvania.
 - C. Where done by projectile devices, but not by firearms, upon one's own property or on the property of another with the consent of the owner for sport or pleasure and in such manner as to prevent the projectiles from leaving the boundary of such property.
 - D. Where done by a law enforcement officer in the performance of his/her duties.
 - E. Where done upon special permit by the Mayor, not exceeding six months in duration, for vermin control, killing of meat or dangerous animals or some other necessary or desirable purpose; provided, however, that such special permit shall only be issued only upon payment of such fee and upon such conditions as shall be set from time to time by the Borough Council.

§ 6-204. Penalty. [Ord. 266 (83-2), 1/13/1983, § 4; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

PART 3

CRIMINAL MISCHIEF

§ 6-301. Unlawful To Tamper With Public Property or Property in Streets, Alleys or Public Grounds. [Ord. 198 (72-5), 5/18/1972, § 1]

No person shall destroy or injure in any way whatsoever, or tamper with or deface any public property of the Borough of Glen Rock, or any grass, walk, lamp, ornamental work, building, streetlight, traffic light, fire hydrant or water or gas stop box on any of the streets, alleys, parks or other public grounds in the Borough.

§ 6-302. Unlawful To Tamper With Stakes and Monuments. [Ord. 198 (72-5), 5/18/1972, § 2]

No person or persons shall in any manner interfere with or meddle with or pull, drive, change, alter, or destroy any stake, post, monument or other evidence of any elevation, grade, line, location, corner or angle in the Borough of Glen Rock, made, placed or set, or hereafter made, placed or set, or caused to be done by the authorities of said Borough in any survey of or in any street, alley or public ground in the Borough, to evidence the elevation, line, grade, location, corner or angle of any public street, alley, sidewalk, curb, gutter, sewer or other public work, matter or thing.

§ 6-303. Unlawful To Tamper With Warning Lamps, Signs or Barricades. [Ord. 198 (72-5), 5/18/1972, § 3]

No person shall wilfully or maliciously destroy or remove, deface, obliterate or cover up any lamp, warning sign or barricade erected by the authorities of the Borough, or by any person, firm or corporation doing work by permission of the authorities of the Borough on any of the streets, alleys, sidewalks or bridges in the Borough, as a warning of danger.

§ 6-304. Unlawful To Take Earth, Stone or Other Material From Streets, Alleys or Public Grounds. [Ord. 198, (72-5), 5/18/1972, § 4]

No person or persons shall take any earth, stone or other material from any of the streets, alleys, parks or other public grounds in the Borough.

§ 6-305. Certain Acts Not Unlawful. [Ord. 198 (72-5), 5/18/1972, § 5]

This Part shall not apply to normal activities in connection with the construction, maintenance and repair of streets, alleys, sidewalks and public grounds and the structures and fixtures located thereon, nor to incidental work thereon or therein upon permit from or authority of the Borough.

§ 6-306. Penalty for Tampering With Certain Property. [Ord. 198 (72-5), 5/18/1972, § 6; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs

and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense. Provided, the fact that a violator has been penalized, after hearing, as herein provided, shall not preclude the Borough or other injured party from taking proper legal action to recover damages resulting from such violation.

PART 4
LOITERING

§ 6-401. Definitions. [Ord. 305 (89-2), 7/5/1989, § 1]

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

ALARM — Without limitation, that response engendered in an observer generally considered to be prudent, or to be exercising normal prudence, by, among other things, the observation of an actor manifestly endeavoring to conceal him or herself, or taking flight at the appearance of a police officer or of the observer, or refusing to identify him or herself, or checking doors, windows or other means of access to buildings, houses or vehicles.

LOITERING — The act of standing, sitting, lying, idling in and about any street, sidewalk, alley, steps, underpass or overpass, bridge, wall, public or private place, or the surrounding area, where such behavior or conduct has no discernible relationship to a physical defect or condition, in such manner as to obstruct or restrict vehicular or pedestrian traffic along or over such street, sidewalk, alley, steps, underpass or overpass, bridge, wall, public or private place, or the surrounding area; or to obstruct and restrict ingress or egress from any public or private facility, or the surrounding area; or in such manner as to cause alarm in any observer generally considered to be prudent or to be exercising normal prudence.

PRIVATE PLACE — Places privately owned but open to the public generally, such as shopping centers, retail stores, transportation terminals, movie or other theaters, office buildings, restaurants, and all distinctly private places such as homes or private residences or apartment houses.

PRUDENCE — The ability to govern and discipline oneself by the use of reason, caution or circumspection as to danger or risk.

PRUDENT — Circumspect, careful to consider all circumstances and possible consequences.

PUBLIC PLACE — Public streets and alleyways, public rest rooms, public sidewalks, public parks or playgrounds and public buildings.

SURROUNDING AREA — That which is easily and immediately accessible to the person or persons being observed.

§ 6-402. Acts or Conduct Prohibited. [Ord. 305 (89-2), 7/5/1988, § 2]

1. No person shall loiter in any public or private place at a time, in a manner or under circumstances which obstruct or restrict pedestrian traffic, or which

obstruct or restrict ingress or egress from any private facility, or which warrant alarm for the safety of persons or the security of property in the surrounding area.

2. Unless flight by the actor or actors, or any other circumstance, makes it impracticable, a police officer shall, prior to making an arrest for any offense under this section, afford the actor the opportunity to dispel any alarm engendered or which would otherwise be warranted, by requesting him or her to identify him or herself and explain his or her presence and conduct. No person shall be convicted of an offense under this section if the police officer did not comply with the procedure outlined in the preceding sentence, or if it appears at trial that the explanation given by the actor was true, and, if believed by the officer at the time of observation, would have dispelled the alarm.

§ 6-403. Penalties. [Ord. 305 (89-2), 7/5/1988, § 3; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

PART 5
LITTERING

§ 6-501. Short Title. [Ord. 329 (91-6), 12/4/1991, § 1]

This Part shall be known and may be cited as "Glen Rock Borough Anti-litter Ordinance."

§ 6-502. Definitions. [Ord. 329 (91-6), 12/4/1991, § 2]

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

BOROUGH — The Borough of Glen Rock.

GARBAGE — Decaying or decomposing animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

LITTER — Garbage, refuse and rubbish as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

PRIVATE PREMISES — Any dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

PUBLIC PLACE — Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

REFUSE — Decaying and decomposing or nondecaying solid waste (except body waste) including garbage, rubbish, ashes, street cleanings; dead animals, abandoned automobiles and solid market and industrial waste.

RUBBISH — Nondecomposing solid waste consisting of both combustible and noncombustible wastes such as paper, wrappings, cigarettes and cigarette butts, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

§ 6-503. Litter in Public Places. [Ord. 329 (91-6), 12/4/1991, § 3]

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Borough except in public receptacles or in authorized private receptacles for collection.

§ 6-504. Placement of Litter Receptacles. [Ord. 329 (91-6), 12/4/1991, § 4]

Persons placing litter in public receptacles or in private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

§ 6-505. Sweeping Litter Into Gutters Prohibited. [Ord. 329 (91-6), 12/4/1991, § 5]

No person shall sweep into or deposit in any gutter, street or other public place within the Borough the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalks in front of their premises free of litter.

§ 6-506. Merchant's Duty To Keep Sidewalks Free of Litter. [Ord. 329 (91-6), 12/4/1991, § 6]

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Borough the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Borough shall keep the sidewalk in front of their business premises free of litter.

§ 6-507. Litter Thrown by Persons in Vehicles. [Ord. 329 (91-6), 12/4/1991, § 7]

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Borough or upon private property.

§ 6-508. Truck Loads Causing Litter. [Ord. 329 (91-6), 12/4/1991, § 8]

No person shall drive or move any truck or other vehicle within the Borough unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place nor shall any person drive or move any vehicle or truck within the Borough, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

§ 6-509. Litter in Streams and Runs. [Ord. 329 (91-6), 12/4/1991, § 9]

No person shall throw or deposit litter in any stream, run or other body of water within the Borough.

§ 6-510. Litter on Occupied Private Property. [Ord. 329 (91-6), 12/4/1991, § 11]

No person shall throw or deposit litter on any occupied private property within the Borough, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

§ 6-511. Owner to Maintain Premises Free of Litter. [Ord. 329 (91-6), 12/4/1991, § 12]

The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

§ 6-512. Litter on Vacant Lots. [Ord. 329 (91-6), 12/4/1991, § 13]

No persons shall throw or deposit litter on any open or vacant private property within the Borough whether owned by such person or not.

§ 6-513. Clearing of Litter From Open Private Property by Borough. [Ord. 329 (91-6), 12/4/1991, § 14]

1. Notice to Remove. The Mayor is hereby authorized and empowered to notify the owner of any open or vacant private property within the Borough or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by registered mail, addressed to said owner at his last known address.
2. Action Upon Noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to the public health, safety or welfare within 10 days after receipt of written notice provided for in subsection .1 above, or within five days after the date of such notice in the event the same is returned to the Borough Post Office because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner or agent, the Mayor is hereby authorized and empowered to pay for the disposing of such litter or to order its disposal by the Borough.
3. Charge Billed to Property Owner. When the Borough has effected the removal of such dangerous litter or has paid for its removal, the actual cost thereof, plus accrued interest at the rate of 6% per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to the owner of such property on a bill forwarded to such owner by the Borough, and said charge shall be due and payable by said owner at the time of payment of such bill.

4. Collect by Assumpsit. Where the full amount due the Borough is not paid by such owner within 30 days after the disposal of such litter, as provided for in subsections .1 and .2 above, then, and in that case, the Mayor shall cause the same to be collected by an action of assumpsit against the property owner.

§ 6-514. Penalties. [Ord. 329 (91-6), 12/4/1991, § 15; as amended by Ord. 382 (98-1), 1/5/1998, § 1; and by A.O.]

Any person violating any provision of this Part shall for the first such violation upon conviction thereof be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs; and for any subsequent violation a fine of not less than \$300 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense. Any violation of any provision of this Part that shall also constitute a violation of a specific provision of the laws of Pennsylvania or any regulation of the commonwealth or any department or agency thereof having the effect of law shall be prosecuted under the said state law or regulation and not under this Part.

PART 6

OPEN ALCOHOLIC BEVERAGE CONTAINERS**§ 6-601. Definitions. [Ord. 385 (98-4), 6/3/1998, § 1]**

The following words or phrases shall be defined as set forth herein:

CONTAINER, LIQUOR AND MALT OR BREWED BEVERAGES — Shall have the same definition as those terms are defined in the Liquor Code of the Commonwealth of Pennsylvania, 47 P.S. § 1-101 et seq.

OPEN — When used in connection with a container shall mean any container which has been perforated in the case of a can or similar container or a container in which the cap has been loosed or the cork displaced and the original seal torn or mutilated.

§ 6-602. Consumption. [Ord. 385 (98-4), 6/3/1998, § 2]

No person shall consume any liquor or malt or brewed beverages while in or upon any public street, alley, sidewalk, parking lot or other public way, public park or private parking lot open to public use or in any vehicle being operated or parked thereon.

§ 6-603. Open Container. [Ord. 385 (98-4), 6/3/1998, § 3]

No person shall be in possession of any glass, can or open container containing liquor or malt or brewed beverages on any public street, sidewalk, alley, public parking lot, public park or any other public way or private parking lot open to public use.

§ 6-604. Open Container in Motor Vehicles. [Ord. 385 (98-4), 6/3/1998, § 4]

No person shall have in his/her possession an open container containing liquor or malt or brewed beverages within or on a motor vehicle, including motorcycles, while parked or standing on a public street, alley, public parking lot, private parking lot open to public use or while such vehicle is in motion.

§ 6-605. Licensee Not To Permit Removal of Open Container. [Ord. 385 (98-4), 6/3/1998, § 5]

No person, firm or corporation licensed to sell liquor or malt or brewed beverages or the employees or agents of such person, firm or corporation shall permit any person to remove from such premises any liquor or malt or brewed beverages in any open container.

§ 6-606. Sign Required. [Ord. 385 (98-4), 6/3/1998, § 6]

All premises licensed for the sale of liquor or malt or brewed beverages shall post a notice at each exit stating that:

"NO BEER, LIQUOR, WINE OR MALT BEVERAGE MAY BE CARRIED IN AN OPEN CONTAINER OUT OF THIS BUILDING."

§ 6-607. Penalty. [Ord. 385 (98-4), 6/3/1998, § 7; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense. The penalties provided in this Part are in addition to any penalties or remedies provided by state law.

PART 7

ADULT ENTERTAINMENT FACILITIES**§ 6-701. Definitions. [Ord. 416 (2002-4), 6/12/2002, § 1]**

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

ADULT REGULATED FACILITY — An establishment open to the general public except persons under the age of 18 years where more than 10% of the occupied area of the facility is used for one of the following purposes:

- (1) **ADULT BOOK STORE** — An establishment which offers for sale, rent, loan or view on the premises, pictures, photographs, drawings, sculptures, motion picture film, video or similar visual representation of sexual conduct or sexual excitement or books pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts of sexual conduct or sexual excitement; or offers for sale devices, equipment, stimulants or other materials for use in sexual conduct or sexual excitement.
- (2) **ADULT THEATER** — An establishment in which there is offered for review motion picture films or similar visual representation of sexual conduct or excitement commonly referred to as "X-rated" movies, peep shows or the equivalent thereof.
- (3) **CABARET** — An establishment, club, restaurant, theater or hall which features topless dancers, exotic dancers, strippers, male or female impersonators or similar entertainers exhibiting specified anatomical areas or specified sexual activities for observation by patrons thereof.
- (4) **ADULT MESSAGE PARLOR OR STUDIO** — A commercial establishment whose business emphasis is the administration of sexually oriented massage to patrons by employees.

SEXUAL CONDUCT — Acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.

§ 6-702. License Required. [Ord. 416 (2002-4), 6/12/2002, § 2]

No person or group shall engage or continue to engage in any adult regulated facility in the Borough of Glen Rock except as authorized by this Part without having obtained a license therefor from the Glen Rock Borough Council.

§ 6-703. Application for License. [Ord. 416 (2002-4), 6/12/2002, § 3]

Application for such license shall be in writing, under oath, and in the form prescribed by Glen Rock Borough Council. Said application shall contain the name of the applicant, his address, his length of residence at such address, his previous criminal record, if any, the address of the premises upon which such business shall

be conducted, established or operated, the name and address of the owner(s) of said property, if other than the applicant. Upon any subsequent applications, a statement shall be included which indicates that the applicant, during the preceding term of his license, did comply with and did maintain his premises in full compliance with the provisions of this Part. Each application shall describe the premises upon which the adult regulated facility is to be established or operated, specifying therein setback lines, structures erected thereon, dwellings erected upon the premises adjacent to the premises proposed to be used and a reference to the place where the deed is recorded. If the applicant is a partnership or association, the application shall furnish the above information for every partner or member thereof. If the applicant is a corporation, the application shall furnish the above information for each officer and director thereof. The application shall be signed by the applicant, if an individual, by all partner/members, if the applicant is a partnership or association, and by the President and Secretary if the applicant is a corporation. A separate application shall be required for each adult regulated facility.

§ 6-704. Fees and Term. [Ord. 416 (2002-4), 6/12/2002, § 4; as amended by A.O.]

Every adult regulated facility proprietor shall pay an annual license fee in an amount as established, from time to time, by resolution of Borough Council, for every new license or renewal thereof issued hereunder. If the adult regulated facility is operating for more than one of the purposes as defined in § 6-701 above at one or more locations, an annual license fee shall be paid for each purpose at each location. All licenses shall be issued for a term of one year beginning January 1 and ending December 31 of the same year. No abatement of the annual license fee shall be made for any cause whatsoever. All licenses must be renewed annually on or before January 1 of each year. Such license shall be issued upon the condition that the same may be summarily revoked in the event the said licensee is found to have given false information or in any way misrepresented any material fact upon which the issuing authority has relied in granting such license. No refunds shall be given in such case.

§ 6-705. Issuance of License. [Ord. 416 (2002-4), 6/12/2002, § 5]

The Glen Rock Borough Council, upon receipt of an application under this Part, shall determine whether or not a license shall be issued or a renewal thereof shall be granted. After examination of the application and upon the fullest consideration of the suitability of the premises proposed to be used for the purposes of the license, the character of the property adjacent thereto and the effect of the proposed use, taking into consideration the health, welfare and safety of the residents of the Borough, in the event that the Borough shall issue a license, it may impose upon the license and the applicant, such terms and conditions in addition to the regulations herein contained and adopted pursuant to this Part as may be deemed necessary to carry out the spirit and intent of this Part. Upon approval of the application for license, the Glen Rock Borough Council shall issue to the applicant a license upon which said license shall be designated the name of the adult regulated facility, proprietor and the address of the premises approved for use as an adult regulated facility. Such license shall at all times be conspicuously posted upon the premises licensed thereunder. No such license issued by Borough Council shall be transferable or assignable by agreement, will, intestacy or otherwise.

§ 6-706. Renewal. [Ord. 416 (2002-4), 6/12/2002, § 6]

No license or renewal thereof shall be issued to any person who has been twice convicted of a violation of any terms or provisions of this Part within any one license period.

§ 6-707. Regulations. [Ord. 416 (2002-4), 6/12/2002, § 7]

1. An adult regulated facility shall not be located within 1,000 feet of any other regulated facility.
2. An adult regulated facility shall not be located within 1,000 feet of any public or private school, daycare facility, public recreation facility or any house of worship.
3. No materials, merchandise, film or service offered for sale, rent, lease, loan or view shall be exhibited, displayed or graphically represented outside of a building or structure.
4. Any building or structure used and occupied as an adult regulated facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film service or entertainment are exhibited or displayed and no sale materials, merchandise, film or other offered items or service shall be visible from outside the structure.
5. No signs shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, films, service or entertainment offered therein.
6. Each and every entrance to the structure shall be posted with notice at least four square feet that the use is an adult regulated facility, that persons under the age of 18 are not permitted to enter and warning all others that they may be offended upon entry.
7. No adult regulated facility, as defined in this Part, shall be granted a license under the provisions hereof unless off-street parking is offered within the property owner's boundary lines.

§ 6-708. Inspections. [Ord. 416 (2002-4), 6/12/2002, § 8]

The Mayor of Glen Rock Borough or any other appointed official shall from time to time regularly inspect the premises of every licensee hereunder for the purpose of determining whether said licensee has established and maintained the licensed premises in full compliance with the provisions of this Part and such rules and regulations which may hereafter be adopted by the Glen Rock Borough Council regulating and licensing adult regulated facilities and the establishment and maintenance of said facilities. The Mayor of Glen Rock or the appointed official shall forthwith prosecute any discovered violations of this Part. A report of such inspection shall be filed in writing with the Borough Council.

§ 6-709. Suspension or Revocation of Licenses. [Ord. 416 (2002-4), 6/12/2002, § 9]

The Mayor is hereby authorized to suspend any license issued under this Part when he shall deem suspension to be beneficial to the public health, safety or morals of Borough residents or for violation of any provisions of this Part or for giving false information upon any application for a license hereunder. Appeals from any suspension may be made to Borough Council at any time within 10 days after suspension. No part of a license fee shall be refunded to any person whose license shall have been suspended.

§ 6-710. Penalties. [Ord. 416 (2002-4), 6/12/2002, § 10; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

CHAPTER 7
FIRE PREVENTION AND FIRE PROTECTION

PART 1
AIR POLLUTION CONTROL

- § 7-101. Title.**
- § 7-102. Policy.**
- § 7-103. Definitions.**
- § 7-104. Regulations.**
- § 7-105. Enforcement Orders.**
- § 7-106. Responsibility of Owners and Operators.**
- § 7-107. Unlawful Conduct; Fines.**
- § 7-108. Public Nuisances.**

PART 2
SMOKE DETECTORS

- § 7-201. Definitions.**
- § 7-202. Smoke Detectors Required.**
- § 7-203. Installation and Equipment.**
- § 7-204. Violations and Penalties.**
- § 7-205. Nuisance.**

PART 3
COMPENSATION FOR MEMBERS OF GLEN ROCK HOSE AND LADDER
COMPANY AND GLEN ROCK AMBULANCE CLUB

- § 7-301. Rate of Compensation for Full-Time Borough Employees.**

PART 1

AIR POLLUTION CONTROL

§ 7-101. Title. [Ord. 397 (99-3), 10/6/1999, § I]

This Part shall be known and may be cited as the "Glen Rock Borough Air Pollution Control Ordinance."

§ 7-102. Policy. [Ord. 397 (99-3), 10/6/1999, § II]

The Council of the Borough of Glen Rock has determined that air pollution from open burning may be detrimental to the health, comfort, living conditions, welfare and safety of the citizen of the Borough of Glen Rock. Therefore, it is hereby declared to be the policy of the Borough of Glen Rock to safeguard its citizens from such air pollution.

§ 7-103. Definitions. [Ord. 397 (99-3), 10/6/1999, § III; as amended by Ord. 445 (2007-01), 10/17/2007]

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

BURNING — The act of consuming by fire; to flame, char, scorch or blaze. As used in this Part, "smoldering" shall have the same meaning as "burning" and any smoldering shall be deemed a burning.

CLEARING AND GRUBBING WASTE — Tree, shrubs and other vegetation cleared from land during or prior to the process of construction. This term does not include demolition waste and dirt-laden roots.

COUNCIL — The Council of the Borough of Glen Rock.

DOMESTIC REFUSE — Waste which is generated from the normal occupancy of a structure occupied solely as a dwelling by two families or less. The term does not include appliances, carpets, demolition waste (insulation, shingles, siding, etc.), furniture, mattresses or box springs, paints, solvents, tires or treated wood, plastics, styrofoam or any wet garbage or other organic matter which smolders and emits offensive odors.

FIRE DEPARTMENT — The Glen Rock Hose and Ladder Company.

OPEN BURNING — The ignition and subsequent burning of any combustible material (including, but not limited to, wood, vegetation, paper, litter, or any sort of debris) out of doors in either a burn barrel (screened or unscreened), fire ring, on the ground, or in another receptacle that does not have a flue, duct, pipe, stack, chimney, or other conduit that restricts the emissions of such open burning. The use of a propane or gas stove, or charcoal briquette grill, for cooking purposes, is not considered open burning for purposes of this Part. Similarly, the recreational use of a chiminea, outdoor fireplace, fire bowl or

similar apparatus (which has one of the features above that restricts emissions) likewise shall not be considered open burning for purposes of this Part as long as it is used for recreational purposes and not used for the purpose of burning refuse materials.

PERSON — Any individual, public or private corporation, for profit or not for profit, association, partnership, firm, trust, estate, department, board, bureau or agency, of the commonwealth or the federal government, political subdivision, municipality, district, authority or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

POLICE DEPARTMENT — The Southern Regional Police Department.

YARD WASTE — Leaves, grass clippings, garden residue, tree trimmings, chipped shrubbery and other vegetative materials.

§ 7-104. Regulations. [Ord. 397 (99-3), 10/6/1999, § IV; as amended by Ord. 441 (2006-2), 6/14/2006, § 1]

1. After the effective date of this Part, no person may permit the open burning of material with the exception of the following:
 - A. A fire set to prevent or abate a fire hazard, when approved by the Department of Environmental Protection, Regional Air Quality Program Office, and set by or under the supervision of a public officer, including control burning by the Fire Department.
 - B. Any fire set for the purpose of instructing personnel in firefighting when approved by the Department of Environmental Protection, Regional Air Quality Program Office.
 - C. A fire set for the prevention and control of disease or pests when approved by the Department of Environmental Protection, Regional Air Quality Program Office.
 - D. A fire set for the purpose of burning that amount of domestic refuse generated from one dwelling, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less, and when the refuse results from the normal occupancy of said structure.
 - E. A fire set for the purpose of burning that amount of yard waste generated from the premises of a structure occupied solely as a dwelling by two families or less, when the fire is on the premises of said structure.
 - F. A fire set solely for recreational or ceremonial purposes upon prior written approval of the Glen Rock Borough Council.

2. The exceptions provided in Subsection 1 above shall be conditioned upon meeting the following requirements:
 - A. No fire shall be nearer than 50 feet from any building.
 - B. No fire shall be allowed to burn on any day before 7:00 a.m. or after 7:00 p.m.
 - C. No fire shall be allowed to burn unless at least one person of the age of 18 years or older is constantly present to regulate and control the burning during the time the fire is in existence and to make certain that the fire is completely extinguished before leaving.
 - D. Before any outdoor fire is ignited, the Chief of the Glen Rock Hose and Ladder Company must be notified, either directly or by calling 911.
3. Outdoor fires for the purpose of preparing food are permitted if maintained in fireplaces, grills or other devices designed for such purpose and in such event, the foregoing provisions of Subsection 2 above do not apply to such fires.
4. The Borough shall reserve the right to place a burn ban or to impose a burning ban in compliance with any order or other directive from the Commonwealth of Pennsylvania or York County. The Fire Chief, Borough Council President, Emergency Management Coordinator and Public Safety Chairperson or Mayor (individually) are authorized to implement a burn ban as conditions shall warrant.

§ 7-105. Enforcement Orders. [Ord. 397 (99-3), 10/6/1999, § V]

1. The Police Department shall have the power and duty to enforce the provisions of this Part.
2. Glen Rock Borough Council may issue such orders as are necessary to aid in the enforcement of the provisions of this Part. These orders shall include, but shall not be limited to, orders requiring persons to cease unlawful open burning which, in the course of its occurrence, is in violation of any provision of this Part; orders to take corrective action or to abate a public nuisance; orders requiring a testing, sampling or monitoring of any open burning; or orders requiring production of information. Such an order may be issued if the Borough of Glen Rock finds that any condition existing in or on the facilities or source involved is causing or contributing to open burning or if Glen Rock Borough finds that any person is in violation of any provision of this Part.
3. The Borough of Glen Rock may in its order require compliance with such conditions as are necessary to prevent or abate open burning or effect the purposes of this Part.

4. An order issued under this section shall take effect upon notice unless the order specifies otherwise.
5. The authority of Glen Rock Borough to issue an order under this section is in addition to any remedy or penalty which may be imposed pursuant to this Part. The failure to comply with any such order is hereby declared to be a public nuisance.

§ 7-106. Responsibility of Owners and Operators. [Ord. 397 (99-3), 10/6/1999, § VI]

1. Whenever the Police Department finds that open burning is occurring in the Borough of Glen Rock, other than those exceptions noted in § 7-105 above, the Police Department may order the owner or operator to take corrective action in a manner satisfactory to Glen Rock Borough Council, or the Police Department may order the owner or operator to allow access to the land by the Police Department or a third party to take such action.
2. For purposes of collecting or recovering the costs involved in taking corrective action or pursuing a cost recovery action pursuant to any order or recovering the cost of litigation, oversight, monitoring, sampling, testing and investigation related to a corrective action, Glen Rock Borough may collect the amount in the same manner as civil penalties are assessed and collected following the process for assessment and collection of a civil penalty contained in § 7-107 of this Part.

§ 7-107. Unlawful Conduct; Fines. [Ord. 397 (99-3), 10/6/1999, § VII; as amended by A.O.]

1. It shall be unlawful to fail to comply with or to cause or assist in the violation of any of the provisions of this Part or to fail to comply with any order or other requirement of Glen Rock Borough; or to cause a public nuisance; or to cause air, soil or water pollution resulting from an open burning incident; or to hinder obstruct, prevent or interfere with Glen Rock Borough or its personnel in their performance of any duty hereunder, including denying the codes official access to the source or facility; or to violate the provisions of 18 Pa.C.S.A. § 4903 (relating to false swearing) or § 4904 (relating to unsworn falsification to authorities) in regard to papers required to be submitted under this Part. The owner or operator of an open burning source shall not allow pollution of the air, water or other natural resources of Glen Rock Borough to result from the source.
2. Any person violating a provision of this Part shall for the first such violation, upon conviction thereof, be sentenced to pay a fine of not less than \$300 nor more than \$1,000 plus costs. For any subsequent violation and conviction, the fine shall not be less than \$500 nor greater than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each

section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 7-108. Public Nuisances. [Ord. 397 (99-3), 10/6/1999, § VIII]

A violation of this Part or of any order issued by the Borough of Glen Rock under this Part shall constitute a public nuisance. Glen Rock Borough shall have the authority to order any person causing a public nuisance to abate the public nuisance. In addition, when abating a public nuisance, Glen Rock Borough may recover the expenses of abatement through an action at law or equity. Whenever the nuisance is maintained or continued contrary to this Part or any order issued pursuant to this Part, the nuisance may be abatable in the manner provided by this Part. Any person who causes the public nuisance shall be liable for the cost of abatement.

PART 2

SMOKE DETECTORS

[See also International Property Maintenance Code, Chapter 5, Part 2]

§ 7-201. Definitions. [Ord. 306 (89-3), 9/6/1989, Article I]

OWNER — The person, persons, or entity holding a deed or sales agreement designating them as grantee or vendee. In the event of ownership by sales agreement, both vendor and vendee shall be deemed joint owners.

RENTAL UNIT — A separate living and/or sleeping area for which a periodic payment is or may be charged, and which could include an area occupied by the owner of the property.

RESIDENTIAL UNIT — Any structure, including trailers or mobile homes, which is utilized for living and/or sleeping on a temporary or permanent basis.

SMOKE DETECTOR — A commercial device as specified in § 7-203.1 herein, capable of providing an audible alert when sensing visible or invisible particles of combustion.

§ 7-202. Smoke Detectors Required. [Ord. 306 (89-3), 9/6/1989, Article II]

1. All owners of residential and rental units shall install smoke detectors in all common hall areas leading to bedrooms or sleeping areas. In structures providing separate sleeping areas that are designed for closure by closed or locked doors off a common hallway, individual smoke detectors shall be installed in each sleeping area.
2. It shall be the duty of the owners of residential and rental units to maintain the smoke detectors; except that where the term of a rental unit is more than one week, it shall be the duty of the tenant to maintain the smoke detectors. Maintenance shall include keeping the units serviceable by inserting batteries when necessary or by keeping them attached to an electrical source so that they remain capable of performing their intended function. The removal or destruction of any smoke detector by any person, except an owner for the purpose of immediate replacement, is strictly forbidden.

§ 7-203. Installation and Equipment. [Ord. 306 (89-3), 9/6/1989, Article III]

1. All smoke detectors required herein to be installed shall be U.L. listed, NFPA approved, or if otherwise approved by the Glen Rock Fire Department.
2. In new residential units, either newly constructed or as a result of subdivision or any other means, smoke detectors may be directly wired to the building's power supply or may be connected to a plug-in outlet which is fitted with a plug retainer device; provided, that said outlet is not controlled

by any switch; and, further provided, that there is no switch or cord on the detector. Any smoke detectors directly connected to the building's power supply shall also be connected to a supplemental power supply to ensure operation in the event of a power outage.

§ 7-204. Violations and Penalties. [Ord. 306 (89-3), 9/6/1989, Article V; as amended by A.O.]

Any person who shall violate any of the provisions of this Part, upon conviction thereof in a summary proceeding, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 7-205. Nuisance. [Ord. 306 (89-3), 9/6/1989, Article VI]

In the event it shall appear that any person is permitting the use of a residential unit without smoke detectors as required hereunder, the said residential unit is hereby declared to be a nuisance and the Borough Council may, if deems it appropriate, authorize the institution of legal proceedings to abate the unsafe condition which is declared a nuisance hereunder.

PART 3

**COMPENSATION FOR MEMBERS OF GLEN ROCK HOSE AND LADDER
COMPANY AND GLEN ROCK AMBULANCE CLUB****§ 7-301. Rate of Compensation for Full-Time Borough Employees. [Res.
2006-05, 4/12/2006]**

Full-time Borough employees who respond to calls of the Glen Rock Hose and Ladder Company and the Glen Rock Ambulance Club during regularly scheduled normal working hours shall be paid their regular hourly rate for the duration of the response during normal working hours.

CHAPTER 8
FLOODPLAINS

PART 1
GENERAL PROVISIONS

- § 8-101. Intent.
- § 8-102. Applicability.
- § 8-103. Abrogation and Greater Restrictions.
- § 8-104. Warning and Disclaimer of Liability.

PART 2
ADMINISTRATION

- § 8-201. Designation of Floodplain Administrator and Permit Requirement.
- § 8-202. Issuance of Building Permit.
- § 8-203. Duties and Responsibilities of Floodplain Administrator.
- § 8-204. Application Procedures and Requirements.
- § 8-205. Review by York County Conservation District.
- § 8-206. Review of Application by Others.
- § 8-207. Changes.
- § 8-208. Placards.
- § 8-209. Start of Construction.
- § 8-210. Fees.
- § 8-211. Enforcement.
- § 8-212. Appeals.

PART 3
IDENTIFICATION OF FLOODPLAIN AREAS

- § 8-301. Identification.
- § 8-302. Description of Floodplain Areas.
- § 8-303. Changes in Identification of Area.
- § 8-304. Boundary Disputes.

PART 4
TECHNICAL PROVISIONS

- § 8-401. General.**
- § 8-402. Special Requirements for FW, FE and FA Areas.**
- § 8-403. Elevation and Floodproofing Requirements.**
- § 8-404. Design and Construction Standards.**
- § 8-405. Uniform Construction Code Coordination.**
- § 8-406. Development Which May Endanger Human Life.**
- § 8-407. Special Requirements for Manufactured Homes.**
- § 8-408. Special Requirements for Subdivisions and Development.**
- § 8-409. Recreational Vehicles.**

PART 5
PROHIBITED ACTIVITIES

- § 8-501. General.**

PART 6
EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

- § 8-601. Existing Structures.**
- § 8-602. Improvements.**

PART 7
VARIANCES

- § 8-701. General.**
- § 8-702. Variance Procedures and Conditions.**

PART 8
TERMINOLOGY

- § 8-801. Word Usage.**
- § 8-802. Definitions.**

PART 9
ENACTMENT

§ 8-901. Effective Date.

PART 1
GENERAL PROVISIONS

§ 8-101. Intent. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-102. Applicability. [Ord. 482 (2015-04), 12/16/2015]

1. These provisions shall apply to all lands within the jurisdiction of Glen Rock Borough that are located within any floodplain area.
2. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Borough of Glen Rock unless a building permit has been obtained from the Floodplain Administrator.
3. A building permit shall not be required for minor repairs to existing buildings or structures.

§ 8-103. Abrogation and Greater Restrictions. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-104. Warning and Disclaimer of Liability. [Ord. 482 (2015-04), 12/16/2015]

1. The degree of flood protection sought by the provisions of this chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge

openings restricted by debris. This chapter does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

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

PART 2
ADMINISTRATION

§ 8-201. Designation of Floodplain Administrator and Permit Requirement.
[Ord. 482 (2015-04), 12/16/2015]

1. The Borough Secretary is hereby appointed to administer and enforce this chapter and is referred to herein as the "Floodplain Administrator."
2. The Floodplain Administrator may: (a) fulfill the duties and responsibilities set forth in these regulations; (b) delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees; or (c) enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 CFR 59.22.
3. In the absence of the designated Floodplain Administrator, the Floodplain Administrator duties are to be fulfilled by the President of Borough Council.
4. Building permits shall be required before any construction or development is undertaken within any area of the Borough of Glen Rock.

§ 8-202. Issuance of Building Permit. [Ord. 482 (2015-04), 12/16/2015]

1. The Floodplain Administrator shall issue a building permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
2. Prior to the issuance of any zoning permit, Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended);¹ the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended);² the Pennsylvania Clean Streams Act (Act 1937-394, as amended);³ and the U.S. Clean Water Act, Section 404, 33, U.S.C. § 1344, as amended. The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply. No permit shall be issued until this determination has been made.

¹Editor's Note: See 35 P.S. § 750.1 et seq.

²Editor's Note: See 32 P.S. § 693.1 et seq.

³Editor's Note: See 35 P.S. § 691.1 et seq.

3. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Borough of Glen Rock and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office. In addition, the Federal Emergency Management Agency and Pennsylvania Department of Community and Economic Development, shall be notified by the Glen Rock Borough prior to any alteration or relocation of any watercourse.
4. Prior to the issuance of any building permit, the Floodplain Administrator shall determine that the applicant has acquired proper water and sewer connection permits, if required. Proof thereof must be submitted to the Floodplain Administrator in advance of the issuance of a building permit.

§ 8-203. Duties and Responsibilities of Floodplain Administrator. [Ord. 482 (2015-04), 12/16/2015]

1. The Floodplain Administrator shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
2. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended);⁴ the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended);⁵ the Pennsylvania Clean Streams Act (Act 1937-394, as amended);⁶ and the U.S. Clean Water Act, Section 404, 33 U.S.C. § 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any development/permit, the Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss concerns can be addressed before the permit is issued.
4. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.
5. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in

⁴Editor's Note: See 35 P.S. § 750.1 et seq.

⁵Editor's Note: See 32 P.S. § 693.1 et seq.

⁶Editor's Note: See 35 P.S. § 691.1 et seq.

- the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this chapter.
6. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the permit and report such fact to the Board, Council, etc. for whatever action it considers necessary.
 7. The Floodplain Administrator shall maintain in perpetuity all records associated with the requirements of this chapter including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
 8. The Floodplain Administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program.
 9. The responsibility, authority and means to implement the commitments of the Floodplain Administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the Floodplain Administrator/Manager.
 10. The Floodplain Administrator shall consider the requirements of the 34 Pa. Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

§ 8-204. Application Procedures and Requirements. [Ord. 482 (2015-04), 12/16/2015]

1. Application for such a building permit shall be made, in writing, to the Floodplain Administrator on forms supplied by Glen Rock Borough. Such application shall contain the following:
 - A. Name and address of applicant.
 - B. Name and address of owner of land on which proposed construction is to occur.
 - C. Name and address of contractor.
 - D. Site location including address.
 - E. Listing of other permits required.
 - F. Brief description of proposed work and estimated cost, including a breakout of the flood-related cost and the market value of the building before the flood damage occurred.
 - G. A plan of the site showing the exact size and location of the proposed construction, as well as any existing buildings or structures.

2. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for building permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
 - A. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - B. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
 - C. Adequate drainage is provided so as to reduce exposure to flood hazards;
 - D. Structures will be anchored to prevent flotation, collapse, or lateral movement;
 - E. Building materials are flood-resistant;
 - F. Appropriate practices that minimize flood damage have been used; and
 - G. Electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
3. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
 - A. A completed building permit application form.
 - B. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 - (1) North arrow, scale, and date;
 - (2) Topographic contour lines, if available;
 - (3) All property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - (4) The location of all existing streets, drives, and other accessways with information concerning widths;
 - (5) The location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities;

- (6) The location of all existing and proposed buildings, structures and other improvements, public or private facilities and any other natural or man-made features affecting, or affected by, the proposed activity or development, including the location of any existing or proposed subdivisions and land development in order to assure that:
 - (a) All such proposals are consistent with the need to minimize flood damage;
 - (b) All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
 - (c) Adequate drainage is provided so as to reduce exposure to flood hazards.
- C. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - (1) Detailed architectural or engineering drawings including building size, floor plans, sections, and exterior building elevations, as appropriate;
 - (2) The proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
 - (3) The elevation of the base flood;
 - (4) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood base flood; and floodway area when combined with all other existing and anticipated development, will not increase the base flood elevation at any point;
 - (5) Detailed information concerning any proposed floodproofing measures and corresponding elevations;
 - (6) Supplemental information as may be necessary under 34 Pa. Code, the 2009 IBC or the 2009 IRC;
 - (7) The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply;
 - (8) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities; and
 - (9) Soil types.

D. The following data and documentation:

- (1) Detailed information concerning any proposed floodproofing measures and corresponding elevations.
- (2) Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed construction or development within an AE Area/District without floodway when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot at any point within the community.
- (3) A document, certified by a registered professional engineer or architect, which states that the proposed construction or development within an FE or FA Area has been adequately designed to withstand the pressures, velocities, impact and uplift forces and other hydrostatic, hydrodynamic and buoyancy factors associated with the base flood.
- (4) Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development to include the corresponding elevations.
- (5) Detailed information needed to determine compliance with § 8-404, Subsection 1F, Storage, and § 8-406, Development Which May Endanger Human Life, including:
 - (a) The amount, location and purpose of any materials or substances referred to in § 8-404, Subsection 1F, and § 8-406, which are intended to be used, produced, stored or otherwise maintained on site.
 - (b) A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in § 8-406 during a base flood.
- (6) The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
- (7) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.

- (8) A certification in the form of a letter on the letterhead of a qualified registered professional engineer, signed and sealed by said registered professional engineer, either:
 - (a) Transmitting copies of permits obtained pursuant to the provisions of the statutes listed in § 8-202 hereof and the regulations enacted pursuant thereto; or
 - (b) Certifying to the Code Enforcement Officer/Building Permit Officer that no permit is required for the applicant's project by the statutes listed in § 8-202 hereof and the regulations enacted pursuant thereto.
4. Applications for permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator.

§ 8-205. Review by York County Conservation District. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-206. Review of Application by Others. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-207. Changes. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-208. Placards. [Ord. 482 (2015-04), 12/16/2015]

In addition to the building permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in

progress. This placard shall show the number of the building permit the date of its issuance and be signed by the Floodplain Administrator.

§ 8-209. Start of Construction. [Ord. 482 (2015-04), 12/16/2015]

1. Work on the proposed construction and/or development shall begin within six months and shall be completed within 12 months after the date of issuance of the building permit, or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator, except that if the proposed structure is greater than 10,000 square feet, work shall be completed within two years after the date of issuance of the permit. Construction and/or development shall be considered to have started with the preparation of land, land clearing, grading, filling, excavation of basement, footings, piers, or foundations, erection of temporary forms, the installation of piling under proposed subsurface footings, or the installation of sewer, gas and water pipes, or electrical or other service lines from the street.
2. The "actual start of construction" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
3. Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request and the original permit is compliant with this Chapter and FIRM/FIS in effect at the time the extension is granted. Delays caused by a force of nature shall be considered a reasonable cause of delay.

§ 8-210. Fees. [Ord. 482 (2015-04), 12/16/2015]

Applications for a building permit shall be accompanied by a fee, payable to the Glen Rock Borough, as set from time to time by resolution. Said fee shall be based upon actual cost incurred by the Borough for engineering, legal and administrative services rendered by the Borough Engineer, Solicitor, Floodplain Administrator and the consultants, and other Borough personnel in the course of review and approval of plans and applications and during the course of development and filed inspections. Upon completion of the applicant's project and final inspection and

approval thereof, the Borough, upon the written request of the applicant, shall refund to the applicant any unused portion of the aforesaid application fee. If, during the application review process, the amount of the application fee is depleted to less than 50% of the original amount thereof, the Borough may require the applicant to deposit such additional funds with the Borough as are necessary to restore the application fee account balance to its original amount.

§ 8-211. Enforcement. [Ord. 482 (2015-04), 12/16/2015]

1. Notices. Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this chapter, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:
 - A. Be in writing;
 - B. Include a statement of the reasons for its issuance;
 - C. Allow a reasonable time not to exceed a period of 30 days for the performance of any act it requires;
 - D. Be served upon the property owner or his agent, as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state; and
 - E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter.
2. Penalties.
 - A. Any person, firm or corporation who fails to comply with any or all of the requirements or provisions of this chapter or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a summary offense and, upon conviction, shall pay a fine to the Borough of Glen Rock of not more than \$1,000 plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed 30 days. Each day during which any violation of this chapter continues shall constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this chapter.
 - B. The imposition of a fine or penalty for any violation of, or noncompliance with, this chapter shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be

required to correct or remedy such violations and noncompliances within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated in noncompliance with this chapter may be declared by the Borough Council to be a public nuisance and abatable as such.

§ 8-212. Appeals. [Ord. 482 (2015-04), 12/16/2015]

1. Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this chapter, may appeal to the Uniform Construction Code Board of Appeals regarding the issuance or denial of a building permit. For matters regarding other aspects of the administration of this Chapter, the applicant can appeal to the Glen Rock Borough Council. Such appeal must be filed, in writing, within 30 days after the decision, determination or action of the Floodplain Administrator.
2. Upon receipt of such administrative appeal, the Borough Council shall set a time and place, within not less than 10 nor more than 30 days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties.
3. Any person aggrieved by any decision of the Glen Rock Borough Council may seek relief therefrom by appeal to the courts of the commonwealth, as provided by the laws of this commonwealth, including the Pennsylvania Flood Plain Management Act.⁷

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

PART 3

IDENTIFICATION OF FLOODPLAIN AREAS**§ 8-301. Identification. [Ord. 482 (2015-04), 12/16/2015]**

1. The identified floodplain area shall be those areas of Glen Rock Borough which are subject to the base flood, which is identified as Zone A (Area of Special Flood Hazard) in the Flood Insurance Study (FIS) prepared for the Borough by the Federal Emergency Management Agency (FEMA) dated December 16, 2015, and the accompanying Flood Insurance Rate Maps (FIRM) and any subsequent revisions or amendments are hereby adopted by Glen Rock Borough and declared to be a part of this chapter thereof as issued by FEMA, including all digital data developed as part of the Flood Insurance Study, and any other areas for which independent studies by a professional engineer or other qualified professional confirmed the areas to be inundated by the one-hundred-year flood (base flood).
2. A map showing all areas considered to be subject to the base flood is available for inspection at the Glen Rock Borough office.

§ 8-302. Description of Floodplain Areas. [Ord. 482 (2015-04), 12/16/2015]

1. The identified floodplain area shall consist of the following specific areas:
 - A. FW (Floodway Area): the areas identified as "Floodway" in the AE Zone in the Flood Insurance Study prepared by the FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.
 - B. FF (Flood-Fringe Area): the remaining portions of the one-hundred-year (base flood) floodplain in those areas identified as an AE Zone in the Flood Insurance study where a floodway has been delineated. The basis for the outermost boundary of this area shall be the one-hundred-year flood (base flood) elevations as shown in the flood profiles contained in the Flood Insurance Study.
 - C. FE (Special Floodplain Area): the areas identified as Zone AE in the Flood Insurance Study, where one-hundred-year flood (base flood) elevations have been provided, but no floodway has been delineated.
 - D. FA (General Floodplain Area): the areas identified as Zone A in the FIS for which no base flood elevations have been provided. When available, information from other federal, state, and other acceptable sources shall be used to determine the base flood elevation, as well as a floodway area, if possible. When no other information is available, the base flood elevation shall be determined by using a point on the

boundary of the identified floodplain area which is nearest the construction site in question.

2. In lieu of the above, the Borough may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review.

§ 8-303. Changes in Identification of Area. [Ord. 482 (2015-04), 12/16/2015]

The identified floodplain area may be revised or modified by Glen Rock Borough Council where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from the Federal Emergency Management Agency (FEMA) or any other federal agency with the power and authority to revise the FIS and FIRM. Additionally, as soon as practicable, but not later than six months after the date such information becomes available, a community shall notify FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data.

§ 8-304. Boundary Disputes. [Ord. 482 (2015-04), 12/16/2015]

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Planning Commission, and if desired, with the assistance by any other appropriate agencies and/or individuals (e.g., Zoning Officer, Borough Engineer, etc.), and any party aggrieved by this decision or determination may appeal to the Council. The burden of proof shall be on the appellant.

PART 4

TECHNICAL PROVISIONS

§ 8-401. General. [Ord. 482 (2015-04), 12/16/2015]

1. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood-carrying capacity to the watercourse in any way and until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office. In addition, the Federal Emergency Management Agency and Pennsylvania Department of Community and Economic Development shall be notified prior to any alteration or relocation of any watercourse.
2. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this chapter and any other applicable codes, ordinances and regulations.

§ 8-402. Special Requirements for FW, FE and FA Areas. [Ord. 482 (2015-04), 12/16/2015]

1. With any FW (Floodway Area), the following provisions apply:
 - A. Any new construction, development, use, activity, or encroachment that would cause any increase in flood heights to adjacent properties shall be prohibited.
 - B. No new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection Regional Office.
 - C. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Within any FF (Flood-Fringe Area), new construction and other development, uses and activities shall be allowed, provided that they are undertaken in strict compliance with the provisions contained within this chapter, any other applicable codes, ordinances and regulations.
3. Within any FE (Special Floodplain Area), no new construction or development shall be allowed unless it is demonstrated that the cumulative

effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one-hundred-year flood (base flood) on adjacent properties.

4. Within any FE (Special Floodplain Area) or FA (General Floodplain Area), the following provisions apply:
 - A. No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless a permit is obtained from the Department of Environmental Protection Regional Office.
 - B. Any new construction or development which would cause any increase in flood heights on adjacent properties shall be prohibited within any floodway area.

§ 8-403. Elevation and Floodproofing Requirements. [Ord. 482 (2015-04), 12/16/2015]

1. Residential Structures. Within any identified floodplain area, any new construction or substantial improvement of a residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation. The design and construction standards and specifications contained in the 2003 IBC (Sec. 1612.4, 1603.1.6 and 3403.1) and in the 2003 IRC (Sec. R323.1.4, R323.2.1, and R323.2.2) and ASCE 24 (Sec. 2.4 and 2.5, Chap. 5) and 34 Pa. Code (Chapters 401 to 405, as amended) shall be utilized. The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.
2. Nonresidential Structures.
 - A. Within any identified floodplain area, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height.
 - B. Any nonresidential structure, or part thereof, having a lowest floor which is not elevated to at least 1 1/2 feet above the one-hundred-year flood (base flood) elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and

methods of construction are in conformance with the above-referenced standards.

- C. The design and construction standards and specifications contained in the IBC (Sec. 1603.1.2, 1603.1.6, 1605.2.2, 1606.5, 1612.5.1 and 3403.1) and ASCE 24 (Sec. 2.4 and Chap. 7) and 34 Pa Code (Chapters 401 to 405, as amended) shall be utilized. The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.
- 3. Space below the lowest floor.
 - A. Fully enclosed space below the lowest floor (including basement) is prohibited.
 - B. Partially enclosed space below the lowest floor (including basement) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "partially enclosed space" also includes crawl spaces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - (2) The bottom of all openings shall be no higher than one foot above grade.
 - (3) Openings may be equipped with screens, louvers, etc. or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
 - C. Consideration may be given to the requirements of 34 Pa. Code (Chapters 401 to 405, as amended) and the 2003 IRC (Secs. R323.2.2 and R323.1.4) and the 2003 IBC (Secs. 1612.4, 1612.5, 1202.3.2 and 1203.3.3). The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.
 - 4. Accessory structures. Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
 - A. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
 - B. Floor area shall not exceed 200 square feet.

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

§ 8-404. Design and Construction Standards. [Ord. 482 (2015-04), 12/16/2015]

- 1. The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:
 - A. Fill. If fill is used, it shall:
 - (1) Extend laterally at least 15 feet beyond the building line from all points;
 - (2) Consist of soil or small rock materials only; sanitary landfills shall not be permitted;
 - (3) Be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - (4) Be no steeper than one vertical to three horizontal, feet unless substantiated data justifying steeper slopes are submitted to and approved by the Building Permit Officer; and

- (5) Be used to the extent to which it does not adversely affect adjacent properties. The provisions contained in the 2003 IBC (Sec. 1801.1 and 1803.4) shall be utilized. The latest revision/edition of the noted laws, rules or regulations shall apply.
- B. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties. The provisions contained in the 2003 IBC (Appendix G401.5) shall be utilized. The latest revisions/edition of the noted laws, rules or regulations shall apply.
- C. Water and Sanitary Sewer Facilities and Systems.
 - (1) All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of floodwaters.
 - (2) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
 - (3) No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
 - (4) The design and construction provisions of the UCC and 34 Pa. Code (Chapters 401 to 405, as amended) and contained in the 2003 IBC (Appendix G, Secs. 401.3 and 401.4), the 2003 IRC (Sec. 323.1.6), the ASCE 24-98 (Sec. 8.3), FEMA #348, Protecting Building Utilities From Flood Damages, and the International Private Sewage Disposal Code (Chapter 3) shall be utilized. The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.
- D. Other Utilities. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
- E. Streets. The finished elevation of all new streets shall be no more than one foot below the regulatory flood elevation.
- F. Storage. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life, and not listed in § 8-406, Development Which May Endanger Human

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

G. Placement of Buildings and Structures. All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.

H. Anchoring.

- (1) All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
- (2) All air ducts, large pipes, storage tanks, and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.
- (3) The design and construction requirements of the UCC pertaining to this subsection as referred to in 34 Pa. Code (Chapters 401 to 405, as amended) and contained in the 2003 IBC (Secs. 1605.2.2, 1605.3.1.2, 1612.4 and Appendix G501.3), the IRC (Secs. R301.1 and R323.1.1) and ASCE 24-98 (Sec. 5.6) shall be utilized. The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.

I. Floors, Walls and Ceilings.

- (1) Wood flooring used at or below the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring perpendicular to the flooring grain without causing structural damage to the building.
- (2) Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
- (3) Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are water-resistant and will withstand inundation.
- (4) Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other water-resistant material.
- (5) The provisions of the UCC pertaining to this subsection and referenced in the 34 Pa. Code (Chapters 401 to 405, as amended) and contained in the 2003 IBC (Secs. 801.1.3, 1403.2, 1403.4, 1403.6 and 1404.2), the 2003 IRC (Secs. R323.1.7 & R501.3) and ASCE 24-98 (Chapter 6). The latest

revision/edition of the noted ordinances, laws, rules or regulations shall apply.

J. Paints and Adhesives.

- (1) Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
- (2) Adhesives used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
- (3) All wooden components (doors, trim, cabinets, etc.) shall be finished with a marine or water-resistant paint or other finishing material.
- (4) The standards and specifications contained in 34 Pa. Code (Chapters 401 to 405, as amended) the 2003 IBC (Secs. 801.1.3, 1403.7 and Appendix G) and the 2003 IRC (Secs. R323.1.7.). The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.

K. Electrical Components.

- (1) Electrical distribution panels shall be at least three feet above the one-hundred-year flood (base flood) elevation.
- (2) Separate electrical circuits shall serve lower levels and shall be dropped from above.
- (3) The provisions pertaining to the above provisions and referenced in the UCC and 34 Pa. Code (Chapters 401 to 405, as amended), and contained in the 2003 IBC (Sec. 1612.4), the IRC (Sec. R323.1.5), the 2000 IFGC (Secs. R301.5 and R1601.3.8) and ASCE 24 (Chapter 8) shall be utilized. The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.

L. Equipment.

- (1) Water heaters, furnaces, air-conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.
- (2) The provisions pertaining to the above provision and referenced in the UCC and 34 Pa. Code (Chapters 401 to 405, as amended), and contained in the 2003 IBC (Sec. 1612.4), the 2003 IRC (Secs. R323.1.5) the 2000 IFGC (Secs. R301.5 and R1601.3.8) and ASCE 24 (Chapter 8) shall be utilized. The

latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.

- M. Fuel Supply Systems. All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the system and discharges from the system into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.

§ 8-405. Uniform Construction Code Coordination. [Ord. 482 (2015-04), 12/16/2015]

1. The Standards and Specifications contained 34 Pa. Code (Chapters 401 to 405, as amended), and not limited to the following provisions shall apply to the above and other sections and subsections of this chapter, to the extent that they are more restrictive and/or supplement the requirements of this chapter.
2. International Building Code (IBC) 2003 or the latest edition thereof: Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.
3. International Residential Building Code (IRC) 2003 or the latest edition thereof: Secs. R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

§ 8-406. Development Which May Endanger Human Life. [Ord. 482 (2015-04), 12/16/2015]

1. The provisions of this section shall be applicable, in addition to any other applicable provisions of this chapter, or any other ordinance, code or regulation.
 - A. In accordance with the Pennsylvania Flood Plain Management Act,⁸ and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:
 - (1) Will be used for the production or storage of any of the following dangerous materials or substances, except quantities for normal household use;
 - (2) Will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or

⁸Editor's Note: See 32 P.S. § 679.101 et seq.

- (3) Will involve the production, storage, or use of any amount of radioactive substances;
- B. Shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:
 - (1) Acetone.
 - (2) Ammonia.
 - (3) Benzene.
 - (4) Calcium carbide.
 - (5) Carbon disulfide.
 - (6) Celluloid.
 - (7) Chlorine.
 - (8) Hydrochloric acid.
 - (9) Hydrocyanic acid.
 - (10) Magnesium.
 - (11) Nitric acid and oxides of nitrogen.
 - (12) Petroleum products (gasoline, fuel oil, etc.).
 - (13) Phosphorus.
 - (14) Potassium.
 - (15) Sodium.
 - (16) Sulfur and sulfur products.
 - (17) Pesticides (including insecticides, fungicides, and rodenticides).
 - (18) Radioactive substances, insofar as such substances are not otherwise regulated.
2. Within any FW (Floodway Area), any structure of the kind described in Subsection 1, above, shall be prohibited.
3. Where permitted within any floodplain area, any new or substantially improved structure of the kind described in Subsection 1, above, shall be:
 - A. Elevated or designed and constructed to remain completely dry up to at least 1 1/2 feet above the base flood; and

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

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

4. Within any FE (Special Floodplain Area) or FA (General Floodplain Area) any structure of the kind described in Subsection 1, above, shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse unless a permit and/or approval from the Department of Environmental Protection is obtained.
5. Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements of this section.

§ 8-407. Special Requirements for Manufactured Homes. [Ord. 482 (2015-04), 12/16/2015]

1. Where permitted within any floodplain area, all manufactured homes, and any improvements thereon, shall be:
 - A. Placed on a permanent foundation;
 - B. Elevated so that the lowest floor of the manufactured home is at least 1 1/2 feet above base flood elevation;
 - C. And anchored to resist flotation, collapse or lateral movement.

§ 8-408. Special Requirements for Subdivisions and Development. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-409. Recreational Vehicles. [Ord. 482 (2015-04), 12/16/2015]

1. Recreational Vehicles in Zones A, A1-30, AH and AE must either:
 - A. Be on the site for fewer than 180 consecutive days; and

- B. Be fully licensed and ready for highway use; or
- C. Meet the permit requirements for manufactured homes.

PART 5

PROHIBITED ACTIVITIES

§ 8-501. General. [Ord. 482 (2015-04), 12/16/2015]

1. In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act,⁹ the following activities shall be prohibited within any identified floodplain area unless a special permit has been issued:
 - A. The commencement of any of the following activities; or the construction enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
 - (1) Hospitals.
 - (2) Nursing homes/personal care facilities.
 - (3) Jails or prisons.
 - (4) Schools.
 - (5) Day-care centers.
 - B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

⁹Editor's Note: See 32 P.S. § 679.101 et seq.

PART 6

EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS**§ 8-601. Existing Structures. [Ord. 482 (2015-04), 12/16/2015]**

The provisions of this chapter do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of § 8-602 shall apply.

§ 8-602. Improvements. [Ord. 482 (2015-04), 12/16/2015]

1. The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:
 - A. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one-hundred-year flood (base flood) on adjacent properties.
 - B. No expansion or enlargement of an existing structure shall be allowed within any FE area that would, together with all other existing and anticipated development, increase the one-hundred-year flood (base flood) elevation on adjacent properties.
 - C. Any modification, alteration, reconstruction, or improvement, of any kind to an existing structure, to an extent or amount of 50% or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this chapter. The above activity shall also address the requirements of the 34 Pa. Code, Chapters 401 to 405, as amended, and the 2003 IBC (Sec. 3402.1 and 1612.4) and the 2003 IRC (Sec. 323.1.4). The latest revision/edition of the noted ordinances, laws, rules or regulations shall apply.
 - D. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than 50% of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
 - E. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this chapter.
 - F. The requirements of 34 Pa. Code, Chapters 401 to 405, as amended, and the 2003 IRC (Secs. R102.7.1, R105.3.1 and Appendixes E and J), or the latest revision thereof, and the 2003 IBC (Secs. 101.3, 3403.1 and Appendix G), or the latest revision thereof, shall also be utilized in conjunction with the provisions of this section.

PART 7
VARIANCES

§ 8-701. General. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-702. Variance Procedures and Conditions. [Ord. 482 (2015-04), 12/16/2015]

1. Requests for variances shall be considered by the Borough of Glen Rock in accordance with the procedures contained herein, as follows:
 - A. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one-hundred-year flood (base flood) elevation on adjacent properties.
 - B. No variance shall be granted for any construction, development, use, or activity within any FE Area that would, together with all other existing and anticipated development, increase the one-hundred-year flood (base flood) elevation on adjacent properties.
 - C. No variance shall be granted for any of the other requirements pertaining specifically to development regulated by special permit or to § 8-406, Development Which May Endanger Human Life.
 - D. If granted, a variance shall involve only the least modification necessary to provide relief.
 - E. In granting any variance, Glen Rock Borough shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this chapter.
 - F. Whenever a variance is granted, Glen Rock Borough shall notify the applicant in writing that:
 - (1) The granting of the variance may result in increased premium rates for flood insurance.
 - (2) Such variances may increase the risks to life and property.
 - G. In reviewing any request for a variance, the Borough of Glen Rock shall consider, at a minimum, the following:

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

PART 8
TERMINOLOGY

§ 8-801. Word Usage. [Ord. 482 (2015-04), 12/16/2015]

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

§ 8-802. Definitions. [Ord. 482 (2015-04), 12/16/2015]

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

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

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

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

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

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

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

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

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

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

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

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

FLOOD — A temporary inundation of normally dry land areas.

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

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

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

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

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

HISTORIC STRUCTURE — Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined

by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

IDENTIFIED FLOODPLAIN AREA — The floodplain area specifically identified in this chapter as being inundated by the one-hundred-year flood (base flood).

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

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

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

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

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

NEW CONSTRUCTION — Structures for which the start of construction commenced on or after December 16, 2015, and includes any subsequent improvements thereto. Any construction started after July 16, 1981, and before December 16, 2015, is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

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

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

POST-FIRM STRUCTURE — A structure for which construction or substantial improvement occurred after October 12, 1973, or on or after the community's initial Flood Insurance Rate Map (FIRM) dated 7/16/1981, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.

RECREATIONAL VEHICLE — A vehicle which is:

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

REGULATORY FLOOD ELEVATION — The one-hundred-year flood (base flood) elevation.

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

SPECIAL PERMIT — A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks/subdivisions and

substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

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

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

SUBDIVISION — The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

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

SUBSTANTIAL IMPROVEMENT — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage (or repetitive loss, when a "repetitive loss" provision is used), regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UNIFORM CONSTRUCTION CODE (UCC) — The statewide building code adopted by the Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities, whether administered by the municipality, a third party or the Department of Labor and Industry.¹⁰ Applicable to residential and commercial buildings. The code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

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

VIOLATION — The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

¹⁰Editor's Note: See Ch. 5, Code Enforcement, Part 1, Uniform Construction Code.

PART 9
ENACTMENT

§ 8-901. Effective Date. [Ord. 482 (2015-04), 12/16/2015]

This chapter shall become effective December 16, 2015.

CHAPTER 9
(RESERVED)

CHAPTER 10
HEALTH AND SAFETY

PART 1
NUISANCES

- § 10-101. Purpose and Intent; Index of Applicable Sections.**
- § 10-102. Definitions.**
- § 10-103. General Nuisances.**
- § 10-104. Enforcement.**

PART 2
NEIGHBORHOOD BLIGHT RECLAMATION AND REVITALIZATION

- § 10-201. Short Title.**
- § 10-202. Purpose.**
- § 10-203. Definitions.**
- § 10-204. Legal Actions To Be Taken Against Property Owners.**
- § 10-205. Out-of-State Owners; Service of Process Upon Association and Trusts.**
- § 10-206. Permits.**
- § 10-207. Permit Denials.**
- § 10-208. Appeals.**
- § 10-209. Conflict With Other Law; Relief for Inherited Property; Construal of Provisions.**
- § 10-210. Enforcement.**
- § 10-211. Reservation of Rights and Remedies.**

PART 3
GRASS, WEEDS AND OTHER VEGETATION

- § 10-301. Unlawful Growth Prohibited.**
 - § 10-302. Removal or Trimming by Owner or Occupant.**
 - § 10-303. Notice of Violation; Removal by Borough; Costs.**
 - § 10-304. Enforcement; Violations and Penalties.**
 - § 10-305. Word Usage.**
- Appendix 1 Permit Applicant Disclosure Form**

PART 1
NUISANCES

§ 10-101. Purpose and Intent; Index of Applicable Sections. [Ord. 450 (2008-02), 5/21/2008, § 1]

The purpose and intent of this Part is:

1. To protect the public against the unlawful activities, behavior and conduct herein defined, which constitutes a nuisance.
2. To protect the local residents use and enjoyment of their property against trespassing by the activities, conduct and behavior herein classified as a nuisance.
3. To protect the people against the health and safety menace and the expense incident to the activities, behavior and conduct herein classified as a nuisance, as defined according to § 10-102.

§ 10-102. Definitions. [Ord. 450 (2008-02), 5/21/2008, § 2; as amended by A.O.]

For the purpose of this Part, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future and past, words in the plural number include the singular number, and words in the singular number include the plural number, words in the feminine, masculine or neuter shall include words of the other two genders, and the word "shall" is always mandatory and not merely directory.

APPROVED VEGETATION — Vegetation that is edible or planted for some useful, legal, or ornamental purpose, and grass that is not of a height in excess as that specified in § 5-202, Subsection 1D.

BOROUGH — The Borough of Glen Rock, which is located within York County, Pennsylvania.

BOROUGH COUNCIL — The Borough Council of Glen Rock, York County.

DANGEROUS BUILDING, DANGEROUS BUILDINGS, DANGEROUS STRUCTURES AND DANGEROUS CONDITIONS — Buildings or structures or condition occurring on real property or structures or buildings that have any or all of the following defects; and, all such buildings, structures or conditions shall be deemed "dangerous":

- A. Any building, shed, fence or other structure, occupied or unoccupied, which due to faulty design or construction, failure to keep such structure in proper repair, lack of proper sanitary facilities, lack of adequate lighting or ventilation, inability to heat properly, improper management or any combination of these factors that as a result

thereof has become or are so dilapidated, decayed, unsafe, blighted, overcrowded, unsanitary or are likely to cause fire, accidents, injury, or damage, so as to harm the health, morals, safety, or general welfare of the occupants, citizens of the Borough, or public at large.

- B. Those that have been damaged by fire, wind, rain, or the elements so as to become dangerous to the life, safety, and/or health of the occupants, citizens of the Borough, or the public at large.
- C. Those that have parts thereof that are so attached that they might fall and injure persons or property, the occupants, the citizens of the Borough, or the public at large.
- D. Dangerous conditions shall also include any quarry, sinkhole, accumulation of stagnant water, accumulation of materials, open pits or excavations or any other feature of any premises which is dangerous to public health, safety or welfare and which may cause or aid in the spread of disease or may cause injury to the occupants or any other persons. Such dangerous conditions within the Borough of Glen Rock are declared to be a nuisance.

ESTABLISHMENT — Any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

KICK SCOOTER — A vehicle consisting of a footboard mounted on two wheels and a long steering handle, propelled by resting one foot on the footboard and pushing the other against the ground.

MINOR — Any person under the age of 18 years.

MOTOR VEHICLE — Any vehicle that is self-propelled and any trailer or semi-trailer designed for use with such vehicles.

MOTORIZED SCOOTER — A vehicle consisting of a footboard mounted on two wheels and a long steering handle, propelled by a small motor. This vehicle is considered a motor vehicle under the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 101 et seq., and shall be subject to regulations governing motor vehicles.

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

OFFICIAL BOROUGH TIME — Eastern Standard Time, except during such periods as Eastern Daylight Savings Time may be set as the official time of the Commonwealth of Pennsylvania by the state or federal law when the latter shall be the official Borough time.

OPERATOR — Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment; and, whenever used in any clause or prescribing a penalty the term "operator," as applied to associations or partnerships, shall include the members and partners thereof and, as applied to corporations, shall include the officers thereof.

OWNER — A person owning, leasing, occupying or having charge of any property.

PARENT — Any natural parent of a minor, as herein defined, or a guardian, or any adult person responsible for the care and custody of a minor. When used in this Part, "parent" shall mean one or both parents.

PERSON — Any natural person, firm, partnership, association, corporation, company, club, copartnership, society, or any organization of any kind.

PRIVATE PROPERTY — Any property held by private interests which is used primarily for business, commercial, retail, office space, business park, religious, multifamily or recreational purposes. This shall also include the sidewalks contained within the private property, parking lots, alleys and parking facilities for these private property areas.

PROPERTY — Any plot, tracts, premises or parcel of land, with or without improvements thereto, owned or occupied within Glen Rock Borough.

PUBLIC PROPERTY — Any property owned or maintained by the Borough of Glen Rock or any other public entity or public utility within the police power jurisdictional boundaries of the Borough of Glen Rock including public streets, highways, road, sidewalk, alley, trail, park, playground, public building, or lot.

ROLLER BLADES or ROLLER SKATES — Any footwear or device which may be attached to the foot or footwear, to which wheels are attached, including wheels that are in line and where such wheels may be used to aid the wearer in moving or propulsion.

SKATEBOARD — A vehicle propelled by human power and gravity consisting of material or portion of material formed in thin firm sheet with wheels attached to the underside.

SNOW — Any precipitation depositing any accumulations on the streets including snow, sleet, hail, ice and freezing rain.

§ 10-103. General Nuisances. [Ord. 450 (2008-02), 5/21/2008, § 3; as amended by A.O.]

1. Nuisances Declared Illegal.
 - A. A person or owner shall not cause, conduct, permit, tolerate, or otherwise allow any nuisance on property that they own, possess or

exercise control over. Nuisances, including but not limited to the following, are hereby declared to be illegal:

- (1) Storing or accumulating the following:
 - (a) Garbage. Wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage and sale of produce. It shall be unlawful to place or to permit to remain anywhere in the Borough any garbage or other material subject to decay other than leaves or grass, excepting in a tightly covered container; excepting that a mulch and/or compost heap is permitted, which is properly maintained for gardening purposes and does not materially disturb or annoy persons of reasonable sensitivity. Such items may not be maintained and accumulated on a property in excess of 30 days.
 - (b) Refuse/Rubbish. Combustible trash, including paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, leaves, wood, furniture, bedding, noncombustible trash, including metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste, street rubbish, including street sweeping, dirt, catch-basin dirt, and contents of letter receptacles. Provided, refuse shall not include earth and wastes from building operations, nor shall it include leaves, cornstalks, stubble or other vegetable material generated in the course of harvesting agricultural crops. Except in a covered container, it shall be unlawful to cause or permit to accumulate any dust, ashes or trash of such a material that it can be blown away by the wind anywhere in the Borough. Such items may not be maintained and/or accumulated on a property in excess of 30 days.
 - (c) Ashes. Cooled residue from fire used for cooking and for heating buildings.
 - (d) Junk material including, but not limited to, unused or abandoned machinery, equipment, appliances, and all forms of waste and refuse of any type of materials, including scrap metal, glass, industrial waste and other salvageable materials, unless for resale, that can be seen from any public highway, road, street, avenue, lane or alley that is maintained by the Borough, or by the Commonwealth of Pennsylvania.

- (2) Draining or flowing, or allowing to drain or flow, by pipe or other channel, whether natural or artificial, any foul or offensive water or drainage from sinks, bathtubs, washstands, lavatories, water closets, swimming pools, privies, or cesspools of any kind or nature whatsoever, or any foul or offensive water or foul or offensive drainage of any kind, from property along any public highway, road, street, avenue, lane or alley, or from any property into or upon any adjoining property.
- (3) Draining or flowing, or allowing to drain or flow, any water or drainage from within a dwelling situate upon property along a public highway, road, street, avenue, lane, or alley in the Borough into or upon the cartway or traveled portion for said drainage by means of a drainage ditch or otherwise.
- (4) Burning of tires, tar products or garbage.
- (5) Permitting the growth of weeds or other vegetation that is not approved vegetation.
- (6) Permitting or allowing any well or cistern to be, or remain, uncovered.
- (7) Allowing or permitting any excavation, material excavated or obstruction on or adjoining any highway, street, or road, to remain opened or exposed without the same being secured by a barricade, temporary fence, or other protective materials.
- (8) Any noise or other disturbance that occurs continuously or intermittently for an extended period, which annoys or disturbs a reasonable person of normal sensitivities, including, without limitation:
 - (a) The loud playing of radios, televisions, amplifiers, and other sound devices so as to be heard beyond the boundaries of the property from which that same shall emanate.
 - (b) The operation of gasoline powered lawn mowers, chain or electric sawing, outside construction, excavation, or well drilling before 7:00 a.m., nor after 8:00 p.m., the emptying of dumpsters or other trash containers before 7:00 a.m.
- (9) Any other activity, conduct, use, or condition of a property that shall cause annoyance or discomfort beyond the boundaries of such property, which disturbs a reasonable person of normal sensitivities.

B. Duty to Serve Notice.

- (1) It shall be the duty of Borough Council to serve or cause to be served a notice upon any owner who is in violation of the provisions of Subsection 1 and to demand the abatement of the nuisance within 20 days. Provided, however, if the violation requires immediate corrective measures, such notice shall require the owner to immediately comply with the terms thereof and demand the immediate abatement of the nuisance. Notice shall be served in one of the following manners:
 - (a) By making personal delivery of the notice to the owner.
 - (b) By handing a copy of the notice at the residence of the owner to an adult member of the family with which he resides, but if no adult member of the family is found, then to an adult person in charge of such residence.
 - (c) By fixing a copy of the notice to the door at the entrance of the property in violation.
 - (d) By mailing a copy of the notice to the last known address of the owner by certified mail.
 - (2) The owner shall not be entitled to written notice pursuant to Subsection 1B(1) for any subsequent or similar violations of Subsection 1 that occur within 365 days of the service of the first notice. The first notice shall be deemed to be ongoing for any violations within that time period, and the Borough may proceed immediately with enforcement.
- C. Penalty for Violation. Enforcement of Subsection 1 of this Part shall be as follows:
- (1) Enforcement thereof shall be by an action before a magisterial district judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Borough Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 454 (relating to trial and summary cases). The Borough Council hereby sets a criminal fine at no less than \$100 and no more than \$1,000 per violation, plus the costs of prosecution, including reasonable attorneys' fees, and the costs of any removal, repair or alteration as described below in Subsection 1C(2), and, in default of payment of such fine and costs, to undergo imprisonment of not more than 30 days.
 - (2) The Borough Council may direct the removal, repair, or alteration of any nuisance as defined herein, as the case may be, to be done by the Borough and to certify the costs thereof to

the Borough Solicitor, and the cost of such removal, repairs or alterations, together with a penalty of 10%, shall be a lien upon such property from the time of such removal, cutting, repairs and/or alterations, which date shall be determined by the certificate of the person doing such work, and filed with the Borough Secretary.

- (3) The Borough, by means of a complaint in equity, may compel the owner of the property to comply with the tenors of any notice of violation or seek any such other relief as any such court of competent jurisdiction is empowered to afford.
- (4) Each day's continuance of a violation of any provision of Subsection 1 shall constitute a separate offense.

2. Storage of Certain Motor Vehicles Prohibited.

A. Unlawful to Abandon a Motor Vehicle for Certain Period of Time.

- (1) It shall be unlawful for any owner or person to park or store on any street, or in the open on any property all of the following for a period longer than 15 days:
 - (a) Any motor vehicle, or the parts thereof, which is not in running condition, and which is left or stored in the open.
 - (b) Any motor vehicle, or the parts thereof, which has been voluntarily relinquished by its owner, with the intention of terminating his ownership, possession and control, without resting ownership in any other person.
 - (c) Any motor vehicle disabled by reason of an accident.
 - (d) Any motor vehicle that is inoperable on public property.
- (2) The failure of any motor vehicle to bear a current state registration or a current official state inspection emblem shall be prima facie evidence that such motor vehicle is abandoned under the above provisions and is violative of this section, except that each property shall be allowed one motor vehicle having a legal Pennsylvania title for restoration or hobby purposes and state inspection or registration tags shall not be required, provided the said vehicle is stored in the rear yard area, covered or protected by a barricade or fence so that children cannot play on or around said motor vehicle.
- (3) A motor vehicle shall not be considered abandoned or otherwise violative of the provisions of this section if it is in an enclosure

as is reasonably calculated to prevent children from playing on or about such motor vehicle.

B. Duty to Serve Notice.

- (1) It shall be the duty of Borough Council to serve or cause to be served a notice upon any person who is in violation of the provisions of Subsection 2 and to demand the abatement of the nuisance within 15 days. Notice shall be served in one of the following manners:
 - (a) By making personal delivery of the notice to the owner of the property or the owner of the motor vehicle, which ever is applicable.
 - (b) By handing a copy of the notice at the residence of the owner of the property or owner of the motor vehicle, which ever is applicable, to a family member for which he resides, but if no adult member of the family is found, then to an adult person who is in charge of such residence.
 - (c) By fixing a copy of the notice to the door at the entrance of the residence of the owner of the motor vehicle in violation.
 - (d) By mailing a copy of the notice to the last known address of the owner of the property or the owner of the motor vehicle, which ever is applicable, by certified mail.
- (2) There shall not be required written notice pursuant to Subsection 2B(1) for any subsequent or similar violations of Subsection 2 that occur within 365 days of the service of the first notice. The first notice shall be deemed to be ongoing for any violations within that time period, and the Borough may proceed immediately with enforcement.

C. Violations and Penalties.

- (1) If the person so served does not abate the nuisance within 15 days, he shall be guilty of an offense and, upon conviction thereof before the magisterial district judge, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs of prosecution, including reasonable attorneys' fees, and in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.
- (2) Each day's continuance of a violation of a provision of Subsection 2 shall constitute a separate offense.

- D. Abatement Procedure. If the person served with notice under this section does not abate the nuisance within 15 days, the Borough Council may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense of the abatement shall be charged and collected from said person in a manner provided by law, either by the filing of a municipal lien or claim by the institution of an action in assumpsit or by relief by bill in equity. The recovery of such cost and expense may be in addition to any other penalties imposed under this section.
3. Use of Skateboards, Rollerblades, Kick Scooters and Motorized Scooters.
- A. Prohibited Locations. It shall be unlawful to operate any vehicle, including, but not limited to, motor vehicles and motorcycles, on or upon any sidewalk or any of park grounds, tennis courts, or recreational fields owned or operated by the Borough within the Borough.
- B. Prohibited Times. It shall be unlawful for any person to engage in skateboarding or ride upon, or propel any skateboard, rollerblade, or kick scooter upon any public thoroughfare, street or sidewalk in the Borough:
- (1) Between sunset and sunrise on any day.
 - (2) At any other time when, due to insufficient light, or unfavorable atmospheric conditions, persons are not clearly discernible from a distance of 100 feet.
- C. Regulation of Persons Engaged in Skateboarding, Rollerblading, or Propelling a Kick Scooter to Traffic-control Devices and Regulations.
- (1) A person engaged in skateboarding, rollerblading, or propelling a kick scooter shall obey the instructions of a police officer or other Borough designee or representative authorized to direct, control or regulate traffic.
 - (2) A person engaged in skateboarding, rollerblading, or propelling a kick scooter shall obey traffic and pedestrian control signals as provided under Pennsylvania Motor Vehicle Code, §§ 3112 (relating to traffic-control signals) and 3111 (relating to pedestrian control signals), 75 Pa.C.S.A. §§ 3112, 3111.
- D. Right-of-Way to Pedestrians. The person engaged in skateboarding, rollerblading, or propelling a kick scooter shall yield the right-of-way to any pedestrian and may not overtake or pass a pedestrian while riding upon or propelling the skateboard, rollerblades, or kick scooter. The operator of such skateboard shall dismount from the skateboard

and shall pass or overtake a pedestrian on foot, or wait until the pedestrian passes, prior to remounting the skateboard.

- E. Right-of-Way to Motor Vehicles. No person engaged in skateboarding, rollerblading, or propelling a kick scooter shall suddenly leave a curb, sidewalk, berm or street or any other place of safety and ride upon or propel any skateboard, rollerblades or kick scooter into or toward the path of a vehicle which is so close as to constitute a hazard. Where there are no pedacycle lanes, persons engaged upon skateboarding, rollerblading, or propelling a kick scooter upon a roadway shall ride as near to the right of the roadway as practical, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- F. Ramps and Devices. No person shall place a ramp, half-pipe or other structure used for skateboarding, rollerblading or propelling a kick scooter in a public thoroughfare, street, upon a sidewalk or municipal parking lot within the Borough.
- G. Violations and Penalties. Any person, who shall violate any of the provisions of this Part shall upon conviction thereof:
 - (1) First Offense. The skateboard, rollerblades or kick scooter used in violation of this Part shall be impounded by the Police Department of the Borough for a period not exceeding 15 days. If the person violating this Part is a minor, in addition to the confiscation of the skateboard, rollerblades or kick scooter as aforementioned, the Borough Police shall notify the parents, guardian, or other person having legal custody of said minor of the violation of this Part and the impounding of the skateboard, rollerblades or kick scooter. In addition, said individual shall be provided with a copy of this Part.
 - (2) Second and/or Subsequent Offense. The skateboard, rollerblades, or kick scooter of any person violating the provisions of this Part for the second and/or subsequent time shall be impounded by the Police Department of the Borough for a period not exceeding 30 days and said person shall, upon conviction, be sentenced to pay a fine of \$15 per violation and costs. In the event said person is a minor, the skateboard, rollerblades or kick scooter of said minor shall be impounded by the Police Department of the Borough for a period not exceeding 30 days and the parent, upon conviction, be sentenced to pay a fine of \$15 and costs for each violation.
- H. Motorized Scooter.
 - (1) A motorized scooter that is registered, titled, inspected, and insured may be operated on the roadways and highways of Pennsylvania.

- (2) A motorized scooter that is unregistered, untitled, uninspected and/or fails to pass inspection shall only be operated on private property.
- (3) Penalties and violations are set forth in the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. § 101 et seq.

4. Curfew.

- A. No minor shall remain in or upon any public place or any establishment between the hours of 11:00 p.m. and 6:00 a.m.
- B. The provisions of this section shall not apply to any minor accompanied by a parent, or to any minor who is engaged in gainful lawful employment during the curfew hours.
- C. No parent shall permit any minor to remain in or upon any public place or any establishment between the hours of 11:00 p.m. and 6:00 a.m., official Borough time.
- D. No operator of an establishment or their agents or employees shall permit any minor to remain upon the premises of said establishment between the hours of 11:00 p.m. and 6:00 a.m., official Borough time.
- E. The provisions of this section shall not apply to any operator of an establishment or their agents or employees with regard to a minor employed by the operator and engaged in gainful lawful employment by the operator during the curfew hours.
- F. Enforcement and Penalties.
 - (1) Any property owner or Borough official who finds a minor violating any provisions of section of this Part may obtain information from such minor as to his name and address, age, and the name of his parent or parents and file a complaint with the Borough enforcement officer and/or police. The minor shall thereupon be instructed to proceed to his home forthwith. The information obtained from the minor shall be mailed to the parent or parents of the minor advising of the violation of this Part.
 - (2) Any person violating any of the provisions of this Part shall be subject to the following penalties:
 - (a) First offense: warning to parent.
 - (b) Second offense: \$100 fine to parent.
 - (c) Third and subsequent offenses: \$500 fine to parent. Plus all costs of prosecution, including, but not limited to

attorneys' fees and, in default of payment, to undergo imprisonment for a term not to exceed 30 days.

- (3) The above penalties may be collected by suit or summary proceeding brought in the name of the Borough before any magisterial district judge. Each day in which such person shall violate the provisions of this Part shall be deemed as a separate offense.

5. Snow Removal.

- A. It shall be unlawful for any owner of any property to fail to remove snow from his sidewalk. This subsection shall take effect for snow accumulation of two inches or more within any twenty-four-hour period. The owner of the property shall have a period of 24 hours from when the snow stopped falling to comply with the provisions of this section.
- B. No individual shall be permitted to shovel, blow, plow, or otherwise deposit snow onto any street after the street has been plowed, and no individual shall shovel, blow, plow, or otherwise deposit or cause to be deposited snow upon or against any fire hydrant.
- C. Written Notice to Violator Required.
 - (1) It shall be the duty of Borough Council to serve or cause to be served a notice upon any person who is in violation of the provisions of Subsection 5 and to demand the abatement of the nuisance within 12 hours. Notice shall be served in one of the following manners:
 - (a) By making personal delivery of the notice to the owner.
 - (b) By handing a copy of the notice at the residence of the owner to an adult member of the family with which he resides, but if no adult member of the family is found, then to an adult person in charge of such residence.
 - (c) By fixing a copy of the notice to the door at the entrance of the property in violation.
 - (2) The owner shall not be entitled to written notice pursuant to Subsection 5(C)(1) for any subsequent or similar violations of this Subsection 5 that occur within 120 days of the service of the first notice. The first notice shall be deemed to be ongoing for any violations within that time period, and the Borough may proceed immediately with enforcement.
- D. Penalty for Violation. Enforcement of Subsection 5 of this Part shall be as follows:

- (1) Enforcement thereof shall be by an action before a magisterial district judge in the same manner as provided for the enforcement of summary offenses under the Pennsylvania Rules of Civil Procedure. The Borough Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 454 (relating to trial and summary cases). The Borough Council hereby sets a criminal fine in the amount of \$100 per violation, plus the costs of prosecution, including reasonable attorneys' fees, and the costs of any removal, as described below in Subsection 5D(2), and, in default of payment of such fine and costs, to undergo imprisonment of not more than 30 days.
- (2) The Borough Council may direct the removal of the snow as a nuisance as defined herein, as the case may be, to be done by the Borough and to certify the costs thereof to the Borough Solicitor. The cost of such removal, together with a 10% penalty, shall be a lien upon such property from the time of such removal, which date shall be determined by the certificate of the person doing such work, and filed with the Borough Secretary.
- (3) The Borough, by means of a complaint in equity, may compel the owner of the property to comply with the terms of any notice of violation or seek any such other relief as any such court of competent jurisdiction is empowered to afford.
- (4) Each day's continuance of a violation on any provision of this section shall constitute a separate event.

6. Dangerous Buildings as Nuisances.

- A. All dangerous buildings are hereby declared to be public nuisances and shall be repaired, vacated or demolished in accordance with the terms and conditions of this subsection.
- B. Each day a nuisance in the form of a dangerous building continues to exist, after notice is given that said dangerous building is to be repaired, vacated or demolished, shall constitute a separate offense in violation of this Part.
- C. Standards for Repair, Vacation or Demolition of Dangerous Buildings. The following standards shall be utilized when remedying dangerous buildings pursuant to this Part:
 - (1) If the dangerous building can be repaired through reasonable efforts, then it shall be ordered repaired.

- (2) If the dangerous building is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, then it shall be ordered vacated and repaired.
- (3) If the dangerous building cannot be repaired, then it shall be ordered to be demolished.
- (4) If the dangerous building exists in violation of the terms of this subsection or any other ordinance of the Borough, ordinance of the County of York, or Statute of the Commonwealth of Pennsylvania, then it shall be ordered demolished.

D. Identification of Dangerous Buildings and Notification of Owner.

- (1) Any official designated by the Borough Council from time to time (collectively the "enforcement officer") is empowered to enforce this subsection.
- (2) If a structure or building is reported to the enforcement officer or the enforcement officer otherwise becomes aware of such a building or structure, then the enforcement officer shall investigate the building or structure to determine if it is a dangerous building. If it is a dangerous building, the enforcement officer shall prepare and serve upon the owner of such dangerous building an enforcement notice pursuant to the terms and provisions herein ("enforcement notice").
- (3) The enforcement notice required by this subsection shall be served in one of the following manners:
 - (a) By making personal delivery of the notice to the owner of such dangerous building.
 - (b) By handing a copy of the notice at the residence of the owner of the dangerous building to an adult member of the family with which he resides, but if no adult member of the family is found, then to an adult person in charge of such residence.
 - (c) By fixing a copy of the notice to the doors at the entrances of the dangerous building.
 - (d) By mailing a copy of the notice to the last known address of the owner of the dangerous building by certified mail.
- (4) The owner shall not be entitled to written notice pursuant to Subsection 6D for any subsequent or similar violations of this subsection that occur within 365 days of the service of the first notice. The first notice shall be deemed to be ongoing for any

violations within that time period, and the Borough may proceed immediately with enforcement.

- (5) The enforcement notice shall identify the dangerous building(s), contain a statement of the particulars that make the building or structure a dangerous building, and include an order requiring the property owner or owners to put the dangerous building in such a condition so as to conform with the terms of this Part.
- (6) In any case where the notice prescribes the repair of any dangerous building, the owner thereof shall have the option to remove such structure in lieu of making the repairs thereto within the time period provided.
- (7) If the owner is of the opinion that the enforcement officer's determination of the structure or building as a dangerous building is incorrect, then the owner may seek and obtain a verification from a professional engineer or architect, licensed in the Commonwealth of Pennsylvania, that the building or structure is either habitable or structurally sound. Said verification must be obtained and provided to the enforcement officer within the time period prescribed by the enforcement notice. The enforcement officer shall review the verification, and if the enforcement officer deems it acceptable, the enforcement officer shall consider the owner to be in compliance with this Part until a change in circumstances.
- (8) Such enforcement notice shall require any owner notified to commence the work or act required by the notice within 30 days of the receipt of such notice and to complete such repair no later than 90 days from the receipt of said notice or to complete such vacation or demolition no later than 60 days from the date of receipt of said notice.
- (9) The enforcement officer shall cause to be placed on all dangerous buildings a notice reading substantially as follows: "This building has been found to be a dangerous building by Glen Rock Borough, York County, Pennsylvania. This notice is to remain on this building until it is repaired, vacated or demolished in accordance with the notice that has been given to the owner or owners of the building. It is unlawful to remove this notice until compliance is made under the terms contained in the notice served upon the previously mentioned party."
- (10) If the owner decides to appeal the determination of the enforcement officer, then they shall do so within 10 days of their receipt of the enforcement notice by filing a notice of appeal with the Borough Council. Upon receipt of said notice,

the Borough Council shall schedule a hearing within not less than 10 and no more than 30 days from the date of such notice. At the hearing, the owner shall offer testimony and evidence relating to the habitability or structural soundness of the building. Within 30 days of the such hearing, the Borough Council shall make written findings of fact from the testimony and evidence offered pursuant to the hearing as to whether or not the building or structure in question is a dangerous building. If the Borough Council determines that the structure or building is a dangerous building, then it shall order the owner of said dangerous building to repair it within 90 days from the date of the decision of the Borough Council or to demolish or to vacate it within 60 days from the date of the decision of the Borough Council. As part of such a hearing before the Board, the owner shall be entitled to all due process rights granted to individuals pursuant to the Local Agency Law, 2 Pa.C.S.A. § 751 et seq.

E. Penalties.

- (1) Any person who shall fail to comply with any enforcement notice or order to repair, vacate or demolish any dangerous building shall, upon conviction thereof, before a magisterial district judge, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus the costs of prosecution, including reasonable attorneys' fees and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.
- (2) The fines and penalties provided for herein shall be in addition to any other such fines and penalties provided for by law.
- (3) Any owner who fails to comply with any notice or order to repair, vacate or demolish any dangerous building within 30 days of receipt of such notice, by such failure, does empower the Borough to cause such building or structure to be repaired, vacated or demolished by the Borough and to cause the cost of such repair, vacation or demolition, together with the penalty of 10%, to be charged upon the land upon which the building exists as a municipal lien, or alternatively to recover such costs and penalty in a suit at law against the owner.
- (4) As an alternative to effecting the repair, vacation or demolition of any dangerous building, the Borough may also seek an order from the Court of Common Pleas of York County, Pennsylvania, which order shall consist of equitable relief in the form of an injunction requiring the owner to remedy the condition caused

by the dangerous building. In such case, the Borough may proceed and request equitable relief without the necessity of posting bond. Moreover, the Borough shall be entitled to recover all costs incurred, including reasonable attorneys' fees.

- F. Emergency Cases. In cases where it reasonably appears that there exists an immediate danger to the life or safety of any person caused or created by a dangerous building, then the Borough shall cause the immediate repair, vacation or demolition of such dangerous building. The costs of such emergency repair, vacation, or demolition of such dangerous building shall be collected as provided for by this section.

§ 10-104. Enforcement. [Ord. 450 (2008-02), 5/21/2008, § 4]

The provisions of this Part shall be enforced by any Glen Rock Borough official, including, but not limited to, the Mayor, or other enforcement officer so appointed by the Borough Council, or by any police officer having authority within Glen Rock Borough.

PART 2

NEIGHBORHOOD BLIGHT RECLAMATION AND REVITALIZATION¹**§ 10-201. Short Title. [Ord. 476 (2014-1), 5/21/2014]**

This Part may be cited as the "Glen Rock Neighborhood Blight Reclamation and Revitalization Ordinance."

§ 10-202. Purpose. [Ord. 476 (2014-1), 5/21/2014]

1. This Part is to implement in the Borough of Glen Rock the provisions of the Act of October 27, 2010, 53 Pa.C.S.A. Ch. 61, known as the "Neighborhood Blight Reclamation and Revitalization Act."
2. There are deteriorated properties located in Glen Rock Borough as a result of neglect by their owners in violation of applicable state and municipal codes.
3. These deteriorated properties create public nuisances which have an impact on crime and the quality of life of our residents and require significant expenditures of public funds in order to abate and correct the nuisances.
4. In order to address these situations, it is appropriate to deny certain governmental permits and approvals in order:
 - A. To prohibit property owners from further extending their financial commitments so as to render themselves unable to abate or correct the code, statutory and regulatory violations or tax delinquencies.
 - B. To reduce the likelihood that this municipality and other municipalities will have to address the owners' neglect and resulting deteriorated properties.
 - C. To sanction the owners for not adhering to their legal obligations to the Glen Rock Borough, as well as to tenants, adjoining property owners and neighborhoods.

§ 10-203. Definitions. [Ord. 476 (2014-1), 5/21/2014]

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

ACT — Act 90 of 2010 passed by the Pennsylvania State Legislature and executed into law on October 27, 2010, 53 Pa.C.S.A. Ch. 61, known as the "Neighborhood Blight Reclamation and Revitalization Act."

BLIGHTED PROPERTY — Any of the following:

¹Editor's Note: See also Part 1 of this chapter, Nuisances, and Ch. 25, Trees, Part 1, Trimming and Planting of Trees.

- A. Premises which, because of physical condition or use, have been declared by a court of competent jurisdiction as a public nuisance at common law or have been declared a public nuisance in accordance with the local housing, building, plumbing, fire and related codes and ordinances, including nuisance and dangerous building ordinances.
- B. Premises which, because of physical condition, use or occupancy, are considered an attractive nuisance to children, including but not limited to abandoned wells, shafts, basements, excavations and unsafe fences or structures.
- C. A dwelling which, because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required under the Housing Code of York County and/or ordinances of Glen Rock Borough has been designated as unfit for human habitation.
- D. A structure which is a fire hazard or is otherwise dangerous to the safety of persons or property.
- E. A structure from which the utilities, plumbing, heating, water, sewage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for its intended use.
- F. A vacant or unimproved lot or parcel of ground in a predominately built-up neighborhood which, by reason of neglect or lack of maintenance, has become a place for accumulation of trash and debris or a haven for rodents or other vermin.
- G. An unoccupied property which has been tax-delinquent for a period of two years.
- H. A property which is vacant but not tax-delinquent and which has not been rehabilitated within one year of the receipt of notice to rehabilitate from the appropriate code enforcement officials of the Borough of Glen Rock.

BOROUGH — The Borough of Glen Rock, York County, Pennsylvania.

BUILDING — A residential, commercial or industrial building or structure and the land appurtenant to it.

CODE — A building, housing, property maintenance, fire, health or other public safety ordinance enacted by a municipality. The term does not include a subdivision and land development ordinance or a zoning ordinance enacted by a municipality.

COURT — The Court of Common Pleas of York County.

MORTGAGE LENDER — A business association defined as a "banking institution" or "mortgage lender" under 7 Pa.C.S.A. Ch. 61 (relating to mortgage loan industry licensing and consumer protection) that is in possession of or holds title to real property pursuant to, in enforcement of or to

protect rights arising under a mortgage, mortgage note, deed of trust or other transaction that created a security interest in the real property.

MUNICIPAL PERMITS — Privileges relating to real property granted by Glen Rock Borough that are building permits, zoning permits, special exceptions, conditional uses and variances granted under Chapter 27, Zoning, rental licenses² or any other ordinance authorizing a municipal permit affecting real property for which Glen Rock desires denying permits under this Part. The term does not include decisions on the substantive validity of a zoning ordinance or map such a validity variance or the acceptance of a curative amendment.

MUNICIPAL SERVICES — Services shall refer to services provided at a cost by the Borough or contractor of the Borough or other municipal entity, including water service, sanitary sewer service, refuse collection and parking allotments/facilities, which benefit individual properties and also serve to benefit the overall welfare, safety and health of all residents of the Borough.

MUNICIPALITY — The Borough of Glen Rock, York County, Pennsylvania.

OWNER — A holder of the title to residential, commercial or industrial real estate, other than a mortgage lender, who possesses and controls the real estate. The term includes, but is not limited to, heirs, assigns, beneficiaries and lessees, provided this ownership interest is a matter of public record, including lessees under leases for which a memorandum of lease is recorded in accordance with the Act of June 2, 1959 [P.L. 254 (Vol. 1), No. 86], 21 P.S. § 405.

PUBLIC NUISANCE — Property which, because of its physical condition or use, is regarded as a public nuisance at common law or has been declared by the Zoning Officer or other representative of the municipality a public nuisance in accordance with Glen Rock Borough's Code, or by the appropriate court.

REMEDICATION PLAN — A plan for the correction of violations of state law or code that is part of an agreement between the owner and the municipality in which the real property containing the violations is located.

SERIOUS VIOLATION — A violation of a state law or code or ordinance that poses an imminent threat to the health and safety of a dwelling occupant, occupants in surrounding structures or passersby.

STATE LAW — A statute of the commonwealth or a regulation of an agency charged with the administration and enforcement of commonwealth law.

SUBSTANTIAL STEP — An affirmative action as determined by a property codes official or officer of the court on the part of a property owner or

²**Editor's Note:** See Ch. 13, Part 1, Rental Licensing, Maintenance and Inspection of Residential Rental Property.

managing agent to remedy a serious violation of a state law or municipal code, including, but not limited to, physical improvements or repairs to the property, which affirmative action is subject to appeal in accordance with applicable law.

TAX DELINQUENT PROPERTY — Tax delinquent real property as defined under:

- A. The act of July 7, 1947 (P.L. 1368, No. 542), known as the "Real Estate Tax Sale Law";
- B. The act of May 16, 1923 (P.L. 207, No. 153), referred to as the "Municipal Claim and Tax Lien Act";
- C. The act of October 11, 1984 (P.L. 876, No. 171), known as the "Second Class City Treasurer's Sale and Collection Act," located in any municipality in this commonwealth; or
- D. Any successor law to any of the above statutes.

UNIFORM CONSTRUCTION CODE — The Act of November 10, 1999 (P.L. 491, No. 45), as amended, 35 P.S. §§ 7210.101 to 7210.1103, as implemented by Ordinance No. 428,³ 429⁴ and Ordinance 450,⁵ regarding nuisances.

§ 10-204. Legal Actions To Be Taken Against Property Owners. [Ord. 476 (2014-1), 5/21/2014]

- 1. In addition to any other remedy available at law or in equity, Glen Rock Borough may institute the following actions against the owner of any real property that is in serious violation of a code or for failure to correct a condition which causes the property to be regarded as a public nuisance:
 - A. An in personam action may be initiated for a continuing violation for which the owner takes no substantial step to correct within six months following receipt of an order to correct the violation, unless the order is subject to a pending appeal before the administrative agency or court.
 - B. A proceeding in equity.
 - C. A lien may be placed against the assets of an owner of real property that is in serious violation of the Borough Code or is regarded as a public nuisance after a judgment, decree or order is entered by a court of competent jurisdiction against the owner of the property for an adjudication under either an in personam action or a proceeding in equity as set forth above. In the case of an owner that is an association or trust, this does not authorize a lien to be placed upon the individual assets of the general partner, trustee, limited partner,

³Editor's Note: See Ch. 5, Part 1, Uniform Construction Code.

⁴Editor's Note: See Ch. 27, Zoning.

⁵Editor's Note: See Part 1 of this chapter.

shareholder, member or beneficiary of the association or trust except as otherwise allowed by law.

§ 10-205. Out-of-State Owners; Service of Process Upon Association and Trusts. [Ord. 476 (2014-1), 5/21/2014]

1. A person who lives or has a principal place of residence outside this commonwealth, who owns property in this commonwealth against which code violations have been cited and the person is charged under 18 Pa.C.S.A. (relating to crimes and offenses), and who has been properly notified of the violations may be extradited to this commonwealth to face criminal prosecution to the full extent allowed and in the manner authorized by 42 Pa.C.S.A. Ch. 91 (relating to detainers and extradition).
2. Where, after reasonable efforts, service of process for a notice or citation for any code violation for any real property owned by an association or trust cannot be accomplished by handing a copy of the notice or citation to an executive officer, partner or trustee of the association or trust or to the manager, trustee or clerk in charge of the property, the delivery of the notice or citation may occur by registered, certified or United States Express mail, accompanied by a delivery confirmation to the registered office of the association or trust. Where the association or trust does not have a registered office, notice may occur by registered, certified or United States Express Mail, to the mailing address used for real estate tax collection purposes, if accompanied by posting of a conspicuous notice to the property and by handing a copy of the notice or citation to the person in charge of the property at that time.

§ 10-206. Permits. [Ord. 476 (2014-1), 5/21/2014]

1. Permit Application Form.⁶
 - A. In addition to the requirements set forth in the governing ordinance, regulations or rules for the specific municipal permit being applied for under the ordinances referenced in the definition of "municipal permit" in § 10-203, all applications for a municipal permit shall include:
 - (1) If the owner is an individual, the home address of the owner.
 - (2) If the owner is an entity, its registered office and principal place of business, type of entity, in what state it was formed, and whether the entity has qualified to do business as a foreign entity in Pennsylvania by filing with the Corporation Bureau of the Pennsylvania Department of State under Title 15 of the Pennsylvania Consolidated Statutes. The home address of at

⁶Editor's Note: See also the Permit Applicant Disclosure Form included as an attachment to this chapter.

least one responsible officer, member, trustee, or partner shall be also be included.

- (3) The applications shall also include a provision requiring the owner to disclose real properties owned by the owner both inside of Glen Rock Borough as well as in all other municipalities of the commonwealth:
 - (a) In which there is a serious violation of state law or a code and the owner has taken no substantial steps to correct the violation within six months following notification of the violation;
 - (b) For which fines or other penalties or a judgment to abate or correct were imposed by a Magisterial District Judge or municipal court, or a judgment at law or in equity was imposed by a court of common pleas;
 - (c) Real property owned in the commonwealth by the owner for which there is a final and unappealable tax, water, sewer or refuse collection delinquency on account of the actions of the owner. This provision shall require the owner to disclose the street address, tax parcel number, municipality, and county of each such real property. The provision shall require the disclosure be under penalty as provided in 18 Pa.C.S.A. § 4904(a) for an unsworn falsification to a government officer or employee (public servant) performing official functions.
- B. All applicants for a municipal permit shall accurately complete the Permit Applicant Disclosure Form as from time to time adopted by resolution of the Borough Council subject to a penalty as described in 18 Pa.C.S.A. § 4904.

§ 10-207. Permit Denials. [Ord. 476 (2014-1), 5/21/2014]

- 1. The Borough Code Official, or the Zoning Board or other appropriate municipal representative, may deny issuing to an applicant a municipal permit or rental license if the applicant owns real property in any municipality for which there exists on the real property:
 - A. A final and unappealable tax, water, sewer or refuse collection delinquency on account of the actions of the owner; or
 - B. A serious violation of state law, Borough Code or ordinance and the owner has taken no substantial steps to correct the violation within six months following notification of the violation and for which fines or other penalties or a judgment to abate or correct were imposed by a Magisterial District Judge or municipal court, or a judgment at law or

in equity was imposed by a court of common pleas. However, no denial shall be permitted on the basis of a property for which the judgment, order or decree is subject to a stay or supersedeas by an order of a court of competent jurisdiction or automatically allowed by statute or rule of court until the stay or supersedeas is lifted by the court or a higher court or the stay or supersedeas expires as otherwise provided by law. Where a stay or supersedeas is in effect, the property owner shall so advise the municipality seeking to deny a municipal permit.

2. The Borough Code Official or other appropriate municipal representative shall not deny a municipal permit to an applicant if the municipal permit is necessary to correct a violation of state law, code or Borough Code, provided all other conditions for the issuance of a municipal permit have been met.
3. The municipal permit denial shall not apply to an applicant's delinquency on taxes, water, sewer or refuse collection charges that are under appeal or otherwise contested through a court or administrative process.
4. In issuing a denial of a municipal permit, the Borough Code Official or Board shall issue the denial in writing and indicate the street address, municipal corporation and county in which the property is located and the court and docket number for each parcel cited as a basis for the denial. The denial shall also state that the applicant may request a letter of compliance from the appropriate state agency, municipality or school district, in a form specified by such entity as provided in the Act. The denial shall be delivered by U.S. certified, registered, or express mail, return receipt requested, or personal service in manner provided by the Pennsylvania Rules of Court for Civil Procedure for original process; hand delivery by a member or employee of Glen Rock Borough; or a private delivery service that provides for a receipt, and such receipt is obtained or delivery is refused.
5. All municipal permits denied in accordance with this section shall be withheld until an applicant obtains a letter from the appropriate state agency, municipality or school district indicating the following:
 - A. The property in question has no final and unappealable tax, water, sewer or refuse delinquencies;
 - B. The property in question is now in compliance with state law, Borough Code or other applicable codes; or
 - C. The owner of the property has presented and the appropriate state agency or municipality has accepted a plan to begin remediation of a serious violation of state law, Borough Code or other applicable codes.
6. If a letter of compliance or a letter of noncompliance, as the case may be, is not issued within 45 days of the request, the property shall be deemed to be in compliance for the purposes of this section. The appropriate state agency, municipality or school district shall specify the form in which the request for

a compliance letter shall be made. Such letters shall be verified by the appropriate municipal officials before issuing to the applicant a municipal permit.

7. Boards, including the Zoning Board, may deny approval of municipal permits, which include special exception approval and variance relief, in accordance with the requirements of this section, to the extent that approval of the municipal permit is within the jurisdiction of the Board. For purposes of this section, "Board" shall mean the Glen Rock Borough Zoning Hearing Board or the Glen Rock Borough Council, who are granted jurisdiction to render decisions in accordance with the act of July 31, 1968 (P.L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code."⁷
 - A. In any proceeding before a board other than the governing body of the municipality, the municipality may appear to present evidence that the applicant is subject to a denial by the Board in accordance with this section.
 - B. For purposes of this section, a municipal permit may only be denied to an applicant other than an owner if the applicant is acting under the direction or with the permission of an owner; and that owner owns real property subject to the denial as set forth herein.

§ 10-208. Appeals. [Ord. 476 (2014-1), 5/21/2014]

The owner shall have a right to appeal the denial of a municipal permit in accordance with the applicable law governing such municipal permit. In the case of a denial by the Borough Code Official, the appeal shall be made with 30 days of the denial to the Board of Appeals established under the Uniform Construction Code unless the owner has submitted to the Board of Appeals proof before the expiration of the 30 days that the owner is seeking proof of compliance under this Part, in which case the municipal permit and the denial shall be held in abeyance until the forty-five-day period for obtaining proof of compliance hereunder. In case of a denial by the Zoning Board, the appeal shall be to the Court of Common Pleas of York County.

§ 10-209. Conflict With Other Law; Relief for Inherited Property; Construal of Provisions. [Ord. 476 (2014-1), 5/21/2014]

1. Conflict With Other Law. In the event of a conflict between the requirements of this Part and federal requirements applicable to demolition, disposition or redevelopment of buildings, structures or land owned by or held in trust for the Government of the United States and regulated pursuant to the United States Housing Act of 1937 (50 Stat. 888, 42 U.S.C. § 1437 et seq.) and the regulations promulgated thereunder, the federal requirements shall prevail.
2. Relief for Inherited Property. Where property is inherited by will or intestacy, the devisee or heir shall be given the opportunity to make

⁷Editor's Note: See 53 P.S. § 10101 et seq.

payments on reasonable terms to correct code violations or to enter into a remediation plan in accordance with Section 6131(b)(1)(iii) of the Act, with Glen Rock Borough, to avoid subjecting the devisee's or heir's other properties to asset attachment or denial of permits and approvals on other properties owned by the devisee or heir. Such opportunity shall be granted at the Borough's discretion and subject to the revocation upon the devisee or heir's failure to proceed with a payment plan, or to progress toward a complete remediation plan.

3. Construal of Provisions. Nothing in this Part shall be construed to abridge or alter the remedies now existing at common law or statute, the provisions of this Part are in addition to such remedies.

§ 10-210. Enforcement. [Ord. 476 (2014-1), 5/21/2014]

The Police, the Borough Council, authorized Borough representatives, the Code Enforcement Officer or Agency and the Borough Solicitor, and all others employed or appointed by Glen Rock Borough are authorized to take all action necessary to ensure implementation of and effect the purposes hereof.

§ 10-211. Reservation of Rights and Remedies. [Ord. 476 (2014-1), 5/21/2014]

Glen Rock Borough reserves all rights and remedies existing under statutes other than the Act, its ordinances implementing them, and applicable case law to obtain recovery for the costs of preventing and abatement of code violations and public nuisances to the fullest extent allowed by law from mortgage lenders; trustees, and members of liability companies, limited partners who provide property management services to the real property as well as general partners of owners; and officers, agents, and operators that are in control of a property as an owner or otherwise hold them personally responsible for code violations as well as owners themselves. Such owners, mortgage lenders, partners, members of limited liability companies, trustees, officers, agents and operators in control of a real property with code violations shall be subject to all actions at law and in equity to the full extent authorized by such statutes, ordinances and applicable case law. Such action may be joined in one lawsuit against responsible parties with an action brought under the Act.

PART 3

GRASS, WEEDS AND OTHER VEGETATION**§ 10-301. Unlawful Growth Prohibited. [A.O.]**

1. No person, firm or corporation owning, occupying or having control of any property within the Borough of Glen Rock shall permit any grass or weeds or any vegetation whatsoever not edible or planted for some useful or ornamental purpose to grow or remain upon such premises as to exceed a height as specified in § 5-202, Subsection 1D, to throw off any unpleasant or noxious odor or to conceal any filthy deposit nor shall any noxious weeds prohibited by the Noxious Weed Control Law (3 P.S. § 255.1 et seq.), now or as later amended be permitted to grow within the Borough.
2. Any grass, weeds or other vegetation growing upon any premises in said Borough in violation of any of the provisions of this section is hereby declared to be a nuisance and detrimental to the health, safety, welfare and cleanliness of the inhabitants of the Borough.

§ 10-302. Removal or Trimming by Owner or Occupant. [A.O.]

The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of § 10-301 of this Part.

§ 10-303. Notice of Violation; Removal by Borough; Costs. [A.O.]

1. Any Glen Rock Borough official, elected or appointed, including, but not limited to, the Mayor, or any officer or employee of said Borough designated thereby for the purpose, is hereby authorized to issue a notice of violation regarding such violations by the giving of notice, by personal service or by United States Mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of the first Section of this Part, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation, so as to conform to the requirements of this Part, within five days after delivery of such notice.
2. Borough Permitted To Perform Work. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice of violation within the period of time stated therein, or causes said property to be maintained in violation of said Part, the Borough, after providing notice, to said tenant, owner or occupant, may further direct and/or remove, trim or cut such grass, weeds or vegetation, to correct such violation, and all of the costs thereof, together with any additional penalty authorized by law, and to include an additional 10% fee for administrative costs incurred in connection with

correction of the violation(s) shall be collected by said Borough from such person, firm or corporation, in the manner provided by law and as is outlined by the Borough of Glen Rock by resolution.

3. At the discretion of the Glen Rock Borough Council, a third-party contractor may be hired by the Glen Rock Borough to remove, trim, or cut such grass, weeds or other vegetation upon the violating property. All costs and expenses incurred by the Borough of Glen Rock for such removal and maintenance, in addition to any administrative fees, shall be the responsibility of such property owner(s), along with any additional penalties as authorized by ordinance and as set from time to time by resolution.
4. The owner shall not be entitled to further or additional written notice for any subsequent or similar violations of this Part that occur within a calendar year of the service of the first notice. The first notice shall be deemed to be ongoing for any violations within that time period, and the Borough may proceed immediately with enforcement.

§ 10-304. Enforcement; Violations and Penalties. [A.O.]

1. Enforcement of this part may be by issuance of a notice of violation in accordance with § 10-303 by the Borough of Glen Rock and served upon the owner as permitted in § 10-303.
2. A violation of this Part shall constitute a civil penalty punishable by a fine set in the Borough's fee resolution, as set from time to time. The penalty shall be paid in the Borough Office within five days of issuance. The fine shall be assessed higher thereafter as set in the Borough's fee resolution.
3. All fees and costs incurred by the Borough of Glen Rock in assuring compliance with a property in violation of this Part shall also be assessed to the owner of such property and must be paid to be in compliance with such Part.
4. Any person that fails to pay the civil penalty assessed hereunder and the costs of compliance incurred by the Borough of Glen Rock, and all administrative fees, and additional expenses, within 15 days commits a summary offense under the Borough Code which shall be enforced by the filing of an action before a Magisterial District Judge in the same manner as provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Borough Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 454 (relating to trial and summary cases).
5. Upon conviction, a defendant may be sentenced to pay a fine of not more than \$1,000, plus costs of prosecution, investigation, mitigation, attorney's fees and filing fees, which shall be considered filed as a lien against the

property pursuant to the Pennsylvania Municipal Claim Liens Act,⁸ as amended, and collectible thereunder and in default of payment of such fines and costs to a sentence of incarceration for up to 30 days.

6. Provided: each day's violation shall constitute a separate offense and notice to the offender shall not be necessary to constitute an offense.
7. The owner shall have a right to appeal the notice of violation and fine assessed for such violation within 15 days of date of the issuance of the notice of violation to the Glen Rock Borough Council.

§ 10-305. Word Usage. [A.O.]

Any reference to a "calendar year" shall mean the period from January 1 through December 31 of the same year.

⁸Editor's Note: See 53 P.S. § 7101 et seq.

HEALTH AND SAFETY

10 Attachment 1

Borough of Glen Rock

APPENDIX 1 Permit Applicant Disclosure Form

The following paragraph shall be added to permit applications to comply with this Part 2 of this Chapter.

The owner/applicant under penalty as provided in 18 Pa.C.S.A. § 4904(a) for an unsworn falsification to a public servant such as the Building Codes Official, Zoning Administrator, or other representative of Glen Rock Borough, York County, swears or affirms that the owner/applicant owns no real property in which there is a serious violation of State law or a municipal code and for which the owner has taken no substantial steps to correct the violation within six months following notification of the violation and for which fines or other penalties or a judgment to abate or correct were imposed by a Magisterial District Judge or municipal court, or a judgment at law or in equity was imposed by a court of common pleas, or a final and unappealable tax, water, sewer or refuse collection delinquency on account of any action of the owner with respect to any real property owned by the owner/applicant in the Commonwealth, except as follows:

[Insert word "NONE" and initial if there are no such properties, but if there are such properties list the street addresses of such properties, their tax parcel numbers, and the municipalities and counties in which such properties are located.]

In order to avoid a municipal permit denial, an owner may seek a proof of compliance letter from the municipal where tax, water, sewer or refuse collection delinquency existed but is now satisfied or where there is a serious code violation that has been timely abated or the owner has entered into a remediation plan with the municipality where the real property is located.

CHAPTER 11
(RESERVED)

CHAPTER 12
(RESERVED)

CHAPTER 13
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

PART 1
RENTAL LICENSING, MAINTENANCE AND INSPECTION OF
RESIDENTIAL RENTAL PROPERTY

- § 13-101. Title.**
- § 13-102. Purpose.**
- § 13-103. Definitions.**
- § 13-104. Responsibilities of Owners and Occupants.**
- § 13-105. Disruptive Conduct.**
- § 13-106. Minimum Standards.**
- § 13-107. Sanitary Maintenance of Structural Elements.**
- § 13-108. Maximum Density and Location Requirements.**
- § 13-109. Group Quarters, Rooming Houses, Dormitory Rooms and Rooming Units.**
- § 13-110. Rules and Regulations.**
- § 13-111. Residential Rental Units Licensing.**
- § 13-112. Exemption From Licensing Requirements.**
- § 13-113. Notification of Transfer of Ownership.**
- § 13-114. Keeping of Records.**
- § 13-115. Mandatory Inspections.**
- § 13-116. Inspection Enforcement.**
- § 13-117. Notice of Violation.**
- § 13-118. Sale or Transfer of Residential Rental Units.**
- § 13-119. Fees and Charges.**
- § 13-120. Violations and Penalties.**
- § 13-121. Appeals.**
- § 13-122. Effect on Other Regulations.**
- § 13-123. Conflict With Other Provisions.**

PART 1

**RENTAL LICENSING, MAINTENANCE AND INSPECTION OF
RESIDENTIAL RENTAL PROPERTY****§ 13-101. Title. [Ord. 472 (2012-5), 12/19/2012]**

This Part shall be known and may be referred to as the "Rental Licensing, Maintenance and Inspection of Residential Rental Property Ordinance of the Borough of Glen Rock." Such provisions of this Part shall apply to all existing residential rental structures and constitute the minimum requirements and standards for rental premises and to provide for a systematic inspection program, licensing and for the administration, enforcement and penalties for a violation thereof.

§ 13-102. Purpose. [Ord. 472 (2012-5), 12/19/2012]

1. This Part shall be construed to secure its expressed intent, which is to protect public safety, health and welfare of Borough citizens, in so far as they are affected by the continued occupancy and maintenance of rental structures and rental premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein and by reference. This Part shall establish the rights and obligations of owners and occupants of residential rental units in the Borough and to encourage owners and occupants to maintain and improve the quality of rental housing within the Borough.
 - A. There is a growing concern in the Borough regarding the maintenance of residential rental units.
 - B. The Borough is aware that there is a greater incidence of maintenance problems with non-owner-occupied properties as compared to owner-occupied properties.
 - C. Borough police records evidence a greater number of disturbances at residential rental units than other properties in the Borough.

§ 13-103. Definitions. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

Definitions of the International Property Maintenance Code¹ are adopted in its entirety, with the addition of the following definitions:

BOROUGH — The Borough of Glen Rock, York County, Pennsylvania.

¹Editor's Note: See Ch. 5, Code Enforcement, Part 2, International Property Maintenance Code.

CODE ENFORCEMENT OFFICER — A person, or persons or official designated by the Borough to enforce this Part, including the performance of inspections and issuance of citations and violations.

CODES — Any state or local code or ordinance adopted, enacted or in effect in and for the Borough including, but not limited to, the International Property Maintenance Code and the codes referenced therein, the Building Code² and the general nuisance ordinance and any other recommended code, rules or regulations recommended by the Building Code or other enforcement officer of the Borough, adopted by the Borough through resolution.

COUNTY — The County of York.

DISRUPTIVE CONDUCT — Any act by an occupant of a residential rental unit or by a person present at a residential rental unit who, while at the residential rental unit, is involved in an incident involving public drunkenness, consumption of an alcoholic beverage in public, public urination or defecation, the unlawful deposit of trash or litter on public or private property, damage to or destruction of public or private property, the obstruction of public roads, streets, highways or sidewalks, interference with emergency or police services, use of profane or obscene language or gestures, indecent exposure, fighting or quarreling, or any other act defined as disorderly conduct in the Pennsylvania Crimes Code or which otherwise injures or endangers the health, safety or welfare of the residents of the Borough residing in the neighborhood or vicinity of the gathering. It is not necessary that such conduct, action, incident or behavior constitute a criminal offense, nor that criminal charges be filed against any person in order for said person to have perpetrated, caused or permitted the commission of disruptive conduct, as defined herein. Provided, however, that no disruptive conduct shall be deemed to have occurred unless a Code Enforcement Officer or a police officer shall investigate and make a determination that such did occur, and keep written records, including a disruptive conduct report, of such occurrences. The occupant and the owner and, if applicable, the manager shall be notified of any such occurrences, in writing.

DISRUPTIVE CONDUCT REPORT — A written report of disruptive conduct to be completed by a police officer, Code Enforcement Officer or other authorized Borough Official who actually investigates an alleged incident of disruptive conduct and which shall be maintained by the Borough.

DORMITORY UNITS — A form of transient lodging in a building or facility consisting of one room or rooms connected together constituting a separate and independent housekeeping established for occupancy of unrelated individuals occupying a single unit. Often used for educational institutional settings.

FAMILY — Shall be considered no more than three persons, unrelated to all others by blood, marriage, adoption or legal foster relationship.

²Editor's Note: See Ch. 5, Code Enforcement, Part 1, Uniform Construction Code.

GROUP QUARTERS — Any dwelling or portion thereof which is designed or used for three or more persons unrelated to each other or to any family occupying the dwelling unit and having common eating facilities. Group quarters shall include, but not be limited to fraternity, and sorority houses, dormitories and other quarters of an institutional nature. Such quarters must be associated with a parent religious, educational, charitable or philanthropic institution.

GUEST — Any person who shares a dwelling unit in a nonpermanent status for no more than 30 days in a one-year period.

LANDLORD — An owner or person who acts as an agent for the owner of any parcel of real estate located in the Borough of Glen Rock or an owner or person who acts as agent for the owner of any improvements on real estate or any building located in the Borough of Glen Rock; this shall include a manager of a rental unit or units.

MULTIPLE-FAMILY DWELLING — A building designed and occupied as a residence for two or more families living independently of each other and doing their own cooking, including apartment houses, rowhouses or townhouses.

OCCUPANT — Any person over one year of age residing and sleeping in a residential rental unit with the Borough.

OWNER — The person(s) who holds record title and/or the equitable owner under an agreement of sale of a property upon which a residential rental unit is located or maintained. In the case that more than one person owns the unit, all such persons shall have all of the rights, duties and responsibilities of an owner under this Part.

PERSON — A natural individual, unincorporated association, partnership, corporation, estate, trust, or any other legally recognized entity and the members of such partnership and the officers of such corporation.

PREMISES — A lot, plot or parcel of land, together with any improvements, thereon erected.

RENTAL UNIT — Any space used for human occupancy, whether a rooming unit or a dwelling unit, for let or rent, located within a building used for residential use and occupancy, that is rented for human occupancy under either a written or oral lease or other rental agreement, regardless of the term of the rental or lease, and that is occupied by persons other than one occupied solely by owner and members of the owner's family, but for purposes of this Part, excluding units within the motel or hotel rented by the day for transient occupancy. Each individual townhouse dwelling, each individual apartment unit, each individual unit in a multifamily building, and each rooming unit shall be considered a separate residential rental unit. If a structure contains a rooming unit or if any portion of the structure is let for rent, it shall be considered a residential rental unit whether or not the owner or a relative of

the owner also resides in the structure. A residential rental unit includes dwelling units under lease to purchase agreements or long-term agreements of sale (greater than six months).

RESIDENTIAL RENTAL LICENSE — A document issued by Glen Rock Borough to the owner of a residential rental unit.

ROOMING HOUSE — Any dwelling or that part of any dwelling containing one or more rooming units, and/or one or more dormitory rooms.

ROOMING UNIT — Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes.

§ 13-104. Responsibilities of Owners and Occupants. [Ord. 472 (2012-5), 12/19/2012]

1. Every owner will make tenants aware of tenant responsibilities outlined in this section with a written copy of these items.
 - A. Owner Responsibilities.
 - (1) No owner or other person shall occupy or let to another person any rental property unless it and the premises are clean, sanitary, and in a good and safe condition, and comply with all applicable codes and provisions of state and local laws and regulations.
 - (2) Every owner of a rental property containing two or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
 - (3) Every owner of a rental property containing two or more dwelling units shall supply facilities or containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of rental property of a single-family dwelling, it shall be the responsibility of the occupant to furnish such facilities or containers.
 - (4) Each owner is responsible to provide trash and recyclable collection and disposal services, as may be required by the Borough, and instruct tenants of the method of trash and recyclable collection (e.g., curbside or dumpster) and, if applicable, the day of week of trash and recyclable pickup.
 - (5) Notwithstanding the provisions of Subsection 1B(4) of this section, whenever infestation is caused by failure of the owner to maintain a rental property unit in a rodent-proof or reasonable insect-proof condition, extermination thereof shall

be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any rental property or in the shared or public parts of any rental property containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

- (6) Each owner is responsible to be aware of, and to act to eliminate disruptive conduct in all residential rental units.
- (7) Each owner is responsible to employ policies and to manage the residential rental units under his/her control in compliance with the provisions of this Part, Borough codes and applicable state laws.
- (8) Each owner is responsible to pay or insure payments of all real estate taxes, sewer fees, and trash collection fees to insure that such vital utilities are provided.
- (9) Each owner is responsible to obtain and maintain a residential rental license for each residential rental unit that they own.
- (10) Each owner is responsible to provide the Borough, within 30 days of occupancy, of the names of all tenants of the residential rental unit, notify the Borough of changes in the occupancy of the residential rental unit, and notify the Borough of any special needs of any tenant under the Americans With Disabilities Act or other applicable laws.
- (11) Each owner is responsible to provide each tenant of a residential unit with a disclosure statement containing the requirements of this Part, including the provisions relating to disruptive conduct. Providing a copy of this Part to each tenant will satisfy this requirement.
- (12) Each owner is responsible to take all actions necessary to insure that each residential rental unit is occupied by only one family.
- (13) Each owner is to require a written rental agreement for each residential rental unit.

B. Tenant Responsibilities.

- (1) Every occupant of a rental property shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit, and premises thereof that he occupies and controls.
- (2) Every occupant of a rental property shall store and dispose of all refuse in a clean, sanitary and safe manner.

- (3) Every occupant of a rental property shall store and dispose of all his garbage and any other organic waste, which might provide food for insects and/or rodents, in a clean, sanitary and safe manner, and if a container is used for storage pending collection, it shall be rodent-proof, insect-proof and watertight. Occupants of a single-family dwelling shall be responsible for providing containers for the sanitary and safe storage and/or disposal of rubbish and garbage.
- (4) Every occupant of a rental property or of a dwelling unit in a structure containing more than one dwelling unit shall be responsible for the extermination of insects and rodents on the premises whenever such occupant's unit is the only one infested.

§ 13-105. Disruptive Conduct. [Ord. 472 (2012-5), 12/19/2012]

1. Police officers, the Code Enforcement Officer or other authorized Borough Official shall investigate alleged incidents of disruptive conduct. The police officer, Code Enforcement Officer or other authorized Borough Official conducting the investigation shall complete a disruptive conduct report upon a finding that the reported incident constitutes disruptive conduct. The information filed in the disruptive conduct report shall include, if possible, the identity of the alleged perpetrator(s) of the disruptive conduct and the factual basis for the disruptive conduct described in the disruptive conduct report. A copy of the disruptive conduct report shall be given or mailed to the occupant and mailed to the owner and, if applicable, the manager, within 30 days of the occurrence of the alleged disruptive conduct.
2. The occupant or the owner and, if applicable, the manager, shall have 15 days from the date of receipt of the disruptive conduct report to appeal the disruptive conduct report. The appeal shall be made in writing and submitted to the Borough of Glen Rock.
3. After three disruptive conduct incidents in any twelve-month period by an occupant documented by disruptive conduct reports, the owner and, if applicable, the manager shall have 30 days from the date of the receipt of the third disruptive conduct report, or 15 days from the date of the appeal decision affirming the violation, whichever is earlier, to begin eviction proceedings against the occupants. Failure to take such action will result in the immediate revocation of the residential rental license. The residential rental units involved shall not have its residential rental license reinstated until the reinstatement fee, as set by resolution of the Borough Council, is paid, and the disruptive occupants have been evicted, the district justice has ruled in the occupant's favor, the district justice has ruled in the owner's favor but has not ordered the eviction of the occupant(s), or the occupants have filed an appeal to a higher court or declared bankruptcy, thereby preventing their eviction. The disruptive occupants, upon eviction, shall not

reoccupy any residential rental units on the same premises involved for a period of at least one year from date of eviction. This Subsection is not intended to limit or inhibit the owner and, if applicable, the manager's right to initiate eviction actions prior to the issuance of the third disruptive conduct report in a twelve-month period. **[Amended by A.O.]**

4. The disruptive conduct report shall count against all occupants of the residential rental unit. More than one disruptive conduct report filed against the occupants of a residential rental unit in a twenty-four-hour period shall count as a single disruptive conduct report for the purpose of this section. The Code Enforcement Officer or other authorized Borough official shall maintain a list of the names of all occupants evicted as a result of this section. The names shall remain on the list for a period of three years.

§ 13-106. Minimum Standards. [Ord. 472 (2012-5), 12/19/2012]

1. No person shall occupy as owner or occupant or let to another for occupancy any rental property for the purpose of living therein, which does not comply with the following requirements:
 - A. Handrails. Structurally sound handrails shall be provided for any steps containing three risers or more. If steps are not enclosed, handrails and balusters spaced no more than four inches apart shall be provided. Porches and/or balconies located more than three feet higher than the adjacent area shall have structurally sound protective handrails 34 inches to 38 inches high and, if unenclosed, balusters spaced no more than six inches apart.
 - B. Light and Ventilation.
 - (1) Every bathroom and water closet compartment and non-habitable room used for food preparation shall be equipped with a suitable window and or ventilation system in working condition.
 - (2) Every public hall and stairway in every multiple-family dwelling unit shall be adequately lighted by natural or electric lights at all times so as to provide in all parts thereof at least six footcandles of light at the tread or floor level. Every public hall and stairway in structures containing not more than two dwellings may be supplied with conveniently located light switches controlling an adequate lighting system, which may be turned on when needed, instead of full-time lighting.
 - C. Thermal Standards.
 - (1) Every rental unit shall have heating facilities which are properly installed and are maintained in safe and good working condition and are capable of safely and adequately heating all

habitable rooms, bathrooms and water closet compartments in every rental unit located therein to a temperature of at least 68° F. at a distance of 18 inches above floor level under ordinary winter conditions.

§ 13-107. Sanitary Maintenance of Structural Elements. [Ord. 472 (2012-5), 12/19/2012]

1. No person shall occupy as owner or occupant or let to another for occupancy a rental property, for the purpose of living therein, which does not comply with the following requirements:
 - A. Every foundation, roof and exterior wall, door, skylight and window shall be reasonably weather-tight, water-tight and damp-free and shall be kept in sound condition and good repair. Floors, interior walls and ceilings shall be sound and in good repair. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment, using nontoxic material where readily accessible to children. Walls shall be capable of affording privacy for the occupant. Every rental property and the premises on which it is located, shall be graded, drained, free of standing water and maintained in a clean, sanitary and safe condition.
 - B. Every window, exterior door and basement hatchway or similar device shall be kept rodent-proof and reasonably watertight and weather-tight and shall be kept in working condition and good repair.
 - (1) During that portion of the year when there is a need for protection against mosquitoes, flies and other flying insects, every door opening directly from a rental unit to outside space shall have supplied properly fitting screens having at least 16-mesh and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens; except that such screen shall not be required during such period in rooms deemed by the Codes Enforcement Officer to be located high enough in the tipper stories of a building as to be free from such insects and in rooms located in areas of the Borough which are deemed by the Codes Enforcement Officer to have so few insects as to render screens unnecessary.
 - (2) Every window located at or near ground level used, or intended to be used for ventilation and every other opening located at or near ground level, which might provide an entry for rodents, shall be supplied with adequate screens or such other devices as will effectively prevent their entrance.

- C. Every rental property and the premises on which it is located shall be maintained so as to prevent and eliminate rodent harborage.
- D. All fences provided by the owner or agent on the premises, and/or all fences erected or caused to be erected by an occupant, shall be constructed of manufactured metal fencing material, wood, masonry or other inert material. Such fences shall be maintained in good condition, uniform in height throughout, and any wood material shall be protected against decay by use of paint or other preservative. Such fences shall be maintained in good repair. The permissible height and other characteristics of all fences shall conform to the appropriate statutes, ordinances and regulations of the Borough and Commonwealth of Pennsylvania. Wherever any egress from the dwelling opens into the fenced area, there shall be a means of egress from the premises to any public way adjacent thereto.
- E. Accessory structures present or provided by the owner, agent or tenant-occupant on the premises of a rental property shall be structurally sound, be designed to prevent rodent harborage and be maintained in good repair and free of vermin by the owner, agent or occupant or such structure shall be removed from the premises. The exterior of such structure shall be made weather-resistant through the use of decay-resistant material or the use of paint or other preservatives.
- F. Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stair, every porch and every appurtenance thereto shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon and be kept in sound condition and good repair. Every inside and outside stair or step shall have uniform risers and treads.
- G. Every water closet compartment, bathroom and kitchen floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- H. Every plumbing fixture and pipe, every chimney, flue and smoke pipe and every other facility, piece of equipment or utility which is present in a dwelling or dwelling unit or which is required under this chapter shall be constructed and installed in conformance with the appropriate statutes, ordinances and regulations of the Borough and the Commonwealth of Pennsylvania.
- I. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this Part to be removed from, shut off from, or discontinued for any occupied rental property, let or occupied by such person or entity, except for such temporary interruption as may be necessary while actual repairs or alterations

are in process or during temporary emergencies when discontinuance of service is approved by the appropriate authority.

- J. All construction and materials, ways and means of egress and installation and use of equipment shall conform to applicable state and local laws dealing with fire protection.

§ 13-108. Maximum Density and Location Requirements. [Ord. 472 (2012-5), 12/19/2012]

- 1. No person shall occupy or let to be occupied any rental property for the purpose of living therein unless there is compliance with the following requirements:
 - A. Not more than one family, except for guests or domestic employees, shall occupy a dwelling unit unless a license for a rental property has been granted by the Borough of Glen Rock.
 - B. In the case of rental properties which contain attached or detached garages, garage space must be leased with the dwelling unit to insure adequate off-street parking in accordance with zoning requirements and may not be leased to a non-tenant of the property unless adequate parking spaces exist in accordance with Chapter 27, Zoning, and any modifications or amendments thereto.

§ 13-109. Group Quarters, Rooming Houses, Dormitory Rooms and Rooming Units. [Ord. 472 (2012-5), 12/19/2012]

- 1. No person shall operate a rental property rooming house or shall occupy or let to another for occupancy any rental property group quarters, dormitory room and/or rooming unit in any rooming house which is not in compliance with the provisions of this section. No owner or other person shall occupy or let to another person any group quarters, rooming unit or dormitory room unless it is clean and sanitary and complies with all applicable requirements of the Borough of Glen Rock, including the following:
 - A. No person shall operate a rental property group quarters or rooming house unless said person holds a valid rental license issued by Glen Rock Borough in the name of the operator and for the specific dwelling or dwelling unit. The operator shall apply to Glen Rock Borough upon compliance by the operator with the applicable provisions of this section and of any rules and regulations adopted pursuant thereto. The license shall not be transferable. Every person holding such a license shall give notice, in writing, to Glen Rock Borough within 30 days or as outlined herein after having sold, transferred given away or otherwise disposed of an ownership interest in or control of any group quarters or rooming house. Such notice shall include the name and

address of the person succeeding to the ownership control of such group quarters or rooming house.

- B. At least one flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sewer system approved by the Codes Enforcement Officer and in good working condition, shall be supplied for each six persons or fraction thereof residing within a group quarters or rooming house, including members of the operator's family wherever they share the use of said facilities, provided that:
 - (1) In a group quarters or rooming house where rooms are let only to males, flush urinals may be substituted for not more than 1.2 of the required number of water closets.
 - (2) All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.
 - (3) Every lavatory basin and bathtub or shower shall be supplied with heated and unheated water under pressure at all times.
 - (4) No such facilities shall be located in a basement.
- C. The following provisions shall apply in all rental property, group quarters and rooming houses:
 - (1) Cooking in dormitory rooms and rooming units is prohibited.
 - (2) Communal cooking and dining facilities in a rooming house are prohibited.
 - (3) Access doors to rooming units shall have operating locks to ensure privacy.
- D. Unless exempted by the Codes Enforcement Officer in writing, the operator of every rental property, rooming house shall change supplied bed linen and towels therein at least once a week and prior to the letting of any room to any occupant, and the operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

§ 13-110. Rules and Regulations. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

The Borough of Glen Rock elects to administer and enforce the provisions of the International Property Maintenance Code (IPMC), as published by the International Code Council, Inc., as provided in Chapter 5, Code Enforcement, Part 2, International Property Maintenance Code.

§ 13-111. Residential Rental Units Licensing. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

1. Every person proposing to operate a rental property approved by the Borough of Glen Rock for such purpose shall apply for a residential rental license with the Borough, which shall be valid until December 31 of the year for which it was issued. The owner and, if applicable, the manager of each residential rental unit shall continue to apply for an annual residential rental license, which shall be valid from January 1 until December 31 of the same calendar year. Such license must be obtained no later than December 31 of the prior year of issuance.
2. The Borough shall issue a residential rental license if the owner provides the name, address and phone number of the individual, or business (if applicable) responsible for managing the unit(s), pays the licensing fee, as set by resolution, submits a complete and accurate occupant listing for each residential rental unit by December 31 of the prior year and is not currently delinquent on real estate taxes, water/sewer fees and trash collection fees for the residential rental units and meets all other zoning, ordinance and legal requirements for such issuance.
3. The Borough shall deny and may revoke a residential rental license if the owner does not provide the name, address and phone number of the individual or business (if applicable) responsible for managing the unit(s) and/or does not pay the annual licensing fee and obtain a license, and/or is not current on real estate taxes, water/sewer fees or trash collection fees for the residential rental units, and/or does not submit a complete and accurate occupant listing for residential rental units by December 31 of the prior year or within one month after a change in the identity of the occupants of the residential rental units, and/or does not pay for and comply with the rental inspection requirements of this Part, and/or does not correct a code violation within the time frame cited by the Code Enforcement Officer, and/or has not complied with the disruptive conduct provisions of this Part. Licensing fees as set forth herein shall be set by resolution of the Glen Rock Borough Council.
4. The Borough shall deny and may revoke a residential rental license if the following occur within the licensed residential rental unit or on the premises:
 - A. Failure to take action to evict occupants of a residential rental unit where the disruptive conduct provisions of this Part require such action.
 - B. Occurrence of three violations of this Part and/or of any other Borough codes or ordinances that apply to the residential rental unit or premises during the term of the license. Before an occurrence may be considered a violation, there must be either:
 - (1) A summary conviction; or

- (2) The Code Enforcement Officer or other Borough Official must send the owner a written notice of the violation within 30 days of the incident and the period for the owner to file an appeal from the determination of the Code Enforcement Officer or other Borough Official must have expired.
5. The Borough shall forward written notice to the owner if the Borough will deny, refuse to renew or revoke a residential rental license. The notification shall:
 - A. Identify the residential rental units;
 - B. The grounds for the denial, nonrenewal or revocation, including the factual circumstances and the Section of this Part supporting such determination; and
 - C. Informing the owner of the right to appeal the denial, nonrenewal or revocation of the residential rental license to Borough Council under this Part.
6. The Borough may reinstate a residential rental license if the owner or manager corrects the reason for the revocation of the residential rental license and has paid the residential rental license reinstatement fee, as set by resolution of the Glen Rock Borough Council.
7. All owners of rental properties failing to obtain a residential rental license at the Borough Office each year by December 31 for the upcoming year may be required to pay a penalty fee, in accordance with the fee schedule set forth by Borough Council.

§ 13-112. Exemption From Licensing Requirements. [Ord. 472 (2012-5), 12/19/2012]

1. All property owned by the county or any housing authority created by the county which is inspected annually by those agencies to assess conformance with federal standards, or properties that are inspected annually for compliance with the requirements of the United States Department of Housing and Urban Development or the Pennsylvania Housing Finance Agency, regardless of the occupants, shall be exempt from the licensing provisions of this Part.
2. The licensing provisions of this Part shall not apply to hospitals.
3. If, in response to a complaint, an exempt unit is found to be in violation of a code(s), the owner and, if applicable, the manager shall correct the violation(s) within the time frame cited by the Borough Official. If the violation(s) is/are not corrected, the unit shall lose its exemption until the violation(s) is/are corrected. If three verified complaints are received in any

twelve-month period, the unit shall lose its exemption from the requirement to obtain a license for a period of five years.

§ 13-113. Notification of Transfer of Ownership. [Ord. 472 (2012-5), 12/19/2012]

Every person owning a rental property shall give notice, in writing, to Glen Rock Borough within 30 days after having transferred or otherwise disposed of the legal control of any licensed rental property. Such notice shall include the name and address of the person or persons succeeding to the ownership or control of such rental property.

§ 13-114. Keeping of Records. [Ord. 472 (2012-5), 12/19/2012]

Every owner or other person in charge of a rental property shall keep or cause to be kept records of all requests for repairs and complaints by tenants, which are related to the provisions of this Part and to any applicable rules and regulations, and of all corrections made in response to such requests and complaints. Such records shall be made available by the owner, or other person in charge, to the Codes Enforcement Officer or other Borough official for inspection and copying upon demand. Such records shall be admissible in any administrative or judicial proceedings pursuant to the provisions of this Part as prima facie evidence of the violation or the correction of violations of this Part or applicable rules and regulations pursuant thereto.

§ 13-115. Mandatory Inspections. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

1. All properties will be inspected once every three years on a recurring basis. Properties will be put into one of three groups such that 1/3 of the Borough's rental properties are inspected each year. Properties will be grouped based on owner/operator, location and inspection history to simplify the inspection process as much as practical.
2. Inspection Process.
 - A. First quarter of year an inspection is due: The Borough will invoice the owner/operator for inspection fees as outlined in this Part and the Fee Resolution. Inspection fees are due by March 31. A penalty fee may be assessed for failure to pay the inspection fee.
 - B. Second and third quarter of the year that an inspection is due: Owner/operator must contact the Codes Enforcement Officer and make satisfactory arrangements to have the inspection, and any required reinspections, completed prior to the end of the third quarter (September 30). Owner shall pay all inspection and reinspection fees incurred, as set forth by resolution of the Borough Council . Failure by the owner to do so shall constitute a violation of this section. Each and every day that a violation continues shall constitute a separate

violation of this section, subject to the fines and penalties set forth in this Part.

- C. Fourth quarter of the year that an inspection is due: Borough to review inspections and identify problem areas.
3. Any property that is licensed as a rental property for the first time will be inspected prior to occupancy by a tenant. This provision also applies to properties that were previously rental properties but had been removed from the three-year inspection cycle.
 4. Nothing in this Part shall be construed to prevent the Codes Enforcement Officer from inspecting any rental property at any time upon complaint and by invitation by the tenant or the tenant's authorized agent.

§ 13-116. Inspection Enforcement. [Ord. 472 (2012-5), 12/19/2012]

1. The Codes Enforcement Officer is hereby authorized and directed to inspect all rental properties subject to the provisions of this Part.
2. The Codes Enforcement Officer is hereby authorized and directed to make inspections pursuant to this Part or in response to a complaint that an alleged violation of this Part or of applicable rules or regulations pursuant thereto has been committed or when the Codes Enforcement Officer has valid reason to believe that a violation of this Part, any applicable law, rules or regulations pursuant thereto has been committed.
3. The Codes Enforcement Officer is authorized and directed to make inspections during normal business hours to determine compliance with this Part. For this purpose, the Codes Enforcement Officer is authorized to enter and examine any rental property, yard or part, or either, and every owner, operator, occupant or agent shall give the Codes Enforcement Officer free access to it. Inspection may be postponed and/or rescheduled due to illness or other emergency or unforeseen circumstance.
4. The Codes Enforcement Officer is hereby authorized to inspect the premises surrounding dwellings, dwelling units, group quarters, rooming houses, rooming units, and dormitory rooms, subject to this Part for the purpose of determining whether there is compliance with its provisions.
5. The Codes Enforcement Officer and the owner or occupant or other person in charge of a dwelling, dwelling unit, rooming house, rooming unit, or dormitory room subject to this Part may agree to an inspection by appointment at a time other than the hours provided by this Part. The owner, agent, lessee or person in charge must be present at all times during the inspection.
6. The owner or occupant, lessee or other person in charge of any rental property, upon presentation by the Codes Enforcement Officer of proper

- identification, shall give the Codes Enforcement Officer entry and free access to every part of the rental property or to the surrounding premises.
7. If any owner or occupant or other person in charge of a rental property subject to the provisions of this Part refuses, impedes, inhibits, interferes with, restricts or obstructs entry and free access to every part of the structure or premises where inspection authorized by this Part is sought, the Borough may seek, in a court of competent jurisdiction, an order that such owner or occupant or other person in charge cease and desist with such interference. Such person may also be liable for such fines and penalties as set forth in this Part.
 8. The Borough shall have the authority to institute any action permitted by law to enforce the provisions of this Part.
 9. The Borough Official may also inspect residential rental units upon a change in occupancy of the residential rental unit, upon receipt of complaints, upon the occurrence of disruptive conduct at such residential rental unit, or for any other reasonable cause.

§ 13-117. Notice of Violation. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

1. Whenever the Codes Enforcement Officer or Borough Official determines that any rental property or the premises surrounding any of these fails to meet the requirements set forth in this Part or in applicable rules and regulations issued pursuant hereto, such officer or the Borough Official shall issue a notice setting forth the alleged failures and advising the owner or occupant or other person in charge that such failures must be corrected. This notice shall:
 - A. Be in writing.
 - B. Set forth the alleged violations of this Part or of applicable rules and regulations issued pursuant thereto.
 - C. Describe the rental property or premises where the violation is alleged to exist or to have been committed.
 - D. Provide a reasonable time for the correction of any violation alleged. The time for compliance shall take into consideration the type and seriousness of the violation and the climatic conditions. The Codes Enforcement Officer or the Borough Official may, in his or her sole and absolute discretion, give one additional extension of time, provided that the property owner is exercising due diligence and the inability to make the correction is through no fault of the property owner.

- E. Be served upon the owner or occupant or other person in charge of the rental property or premises personally, or by certified mail, return receipt requested, addressed to the last known place of residence of the owner or occupant or other person in charge. If one or more persons to whom such notice is addressed cannot be found after diligent effort to do so, service may be made upon such persons by posting a notice in or about the rental property or premises described in the notice.
 - F. Be served upon a resident agent for the receipt of such service of notice designated pursuant to this Part.
- 2. At the end of the period of time allowed for the correction of any violation alleged, the Codes Enforcement Officer shall, for a failed inspection, reinspect the rental property described in the notice. The Codes Enforcement Officer shall be responsible for and shall notify the Borough office of all inspections, reinspections, compliance and noncompliance matters, including compliance timelines.
- 3. Designation of unfitness.
 - A. Whenever the Codes Enforcement Officer finds that any rental property constitutes a serious hazard to the health and safety of the occupants or the public because it is dilapidated, unsanitary, vermin-infested or lacking in the facilities and equipment required by this Part and any amendments thereto, the Codes Enforcement Officer shall designate such rental property as unfit for human habitation. Such designation shall be posted on the rental property and shall specify the reason or reasons. It shall be unlawful for any person other than the Codes Enforcement Officer to remove such notice.
 - B. Any rental property so designated as unfit for human habitation shall be vacated within 24 hours and shall not again be used for human habitation until the conditions have been eliminated and the Codes Enforcement Officer has removed the designation and given written approval for occupancy.
- 4. A fee will be charged for the initial inspection and for each reinspection. The Code Enforcement Officer shall maintain a list of residential rental units and their ownership that have been the subject of prosecution during the preceding five years. Such fees shall be as set forth by resolution of the Borough Council.

§ 13-118. Sale or Transfer of Residential Rental Units. [Ord. 472 (2012-5), 12/19/2012]

A residential rental license shall not be transferred. In the case of licensed residential rental units that are sold or transferred, the new owner shall seek a

residential rental license for each residential rental unit and have each residential rental unit inspected within 60 days.

§ 13-119. Fees and Charges. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

1. Inspection Fee. An inspection fee is hereby imposed and shall be paid in advance of the inspection to the Borough, the amount of which may be set from time to time by resolution adopted by the Borough Council. The inspection fee shall be equal to the expenses incurred by the Borough in connection with inspections under this Part and shall include a 10% administrative fee for the costs incurred by the Borough to monitor and administer such Part. Additional inspection fees shall be paid prior to any required reinspections and as warranted by the other provisions of this Part.
2. License Fee. A license fee shall be paid for issuance of each rental unit license. Such fee shall be paid as a condition of issuance of a rental license. Such fee shall be set from time to time by resolution adopted by the Borough Council.
3. Reinstatement Fee. A reinstatement fee shall be charged for reinstatement after correction or removal of a violation of this Part or other ordinance, rule, regulation or law as applicable herein. Such fee shall be paid as a condition of reinstatement of a rental license. Such reinstatement fee shall be set from time to time by resolution adopted by the Borough Council.
4. Appeal Fee. An appeal fee shall be paid to the Borough or other authorized agent for filing of any appeal to the issuance of a violation hereunder. Such fee shall be set from time to time by resolution adopted by the Borough Council.
5. All fees and charges for inspection due and unpaid under this Part shall be recovered by the Borough, as other debts due the Borough are now by law recovered, and shall constitute a municipal claim.
6. Penalty Fee. A fee assessed by the Borough of Glen Rock at the time an owner, individual or business (if applicable) responsible for managing the unit(s) fails to fulfill and comply with the requirements of this Part. Such fee shall be set from time to time by resolution adopted by the Borough Council.
7. Collection Letter Fee. A fee assessed for forwarding to the owner or manager of a rental unit(s) a notice of a violation or delinquency of the provisions of the Part which letter is initiated through the Glen Rock Borough Solicitor. Such fee shall be set from time to time by resolution adopted by the Borough Council.

§ 13-120. Violations and Penalties. [Ord. 472 (2012-5), 12/19/2012; as amended by A.O.]

1. Penalties and Remedies.
 - A. Allowing occupancy of a residential rental unit after the residential rental license has been revoked shall result in a fine of not less than \$500 per residential rental unit for each month the violation exists. Each month the violation exists constitutes a separate violation.
 - B. Failure To Seek a Residential Rental License.
 - (1) The Owner or Manager shall be sent a thirty-day notice of violation, warning them of their failure to comply with the terms of this Part. If they do not comply at the end of 30 days, there shall be a fine for each month the violation exists. Each month the violation exists constitutes a separate violation. Such fee shall be set from time to time by resolution adopted by the Borough Council.
 - C. Whoever violates any other provision of this Part shall, upon a first offense and conviction, be fined not more than \$1,000 or imprisoned not more than 30 days, or both.
 - D. In addition to prosecution of persons violating this Part, the Code Enforcement Officer, or any duly authorized agent of the Borough, may take such civil or equitable actions in any court of record of the Commonwealth of Pennsylvania, against any person or property, real or person, to effect the provisions of this Part. In any proceeding brought under this Part, in addition to any and all fees and penalties provided in this Part, the Borough shall be entitled to collect all costs of prosecution, including attorney's fees.
 - E. The provisions of this section and the provisions of this Part governing revocation, suspension or nonrenewal of residential rental licenses shall be independent, non-mutually exclusive, separate remedies, all of which shall be available to the Borough, as may be deemed appropriate. The remedies and procedures in this Part are not intended to supplant or replace, to any degree, the remedies provided to the Borough in any other code.
 - F. The Borough shall be entitled to be reimbursed for all attorneys' fees, costs and expenses incurred in the enforcement of this Part.
 - G. The Borough shall be entitled to be reimbursed for all engineering fees, costs and expenses incurred in the enforcement of this Part.
 - H. At any time an owner or individual appointed as a manager of a residential rental unit fails to fulfill and comply with the

requirements of this Part after notice thereof, the Borough shall have the authority to revoke the residential rental license(s).

§ 13-121. Appeals. [Ord. 472 (2012-5), 12/19/2012]

1. An appeal from any decision of the Borough Official shall be taken to Borough Council. Such appeal shall be made in writing within 15 days after such decision has been made. The appeal shall be verified by an affidavit, shall state the grounds therefor and shall be filed with the Borough Secretary. The appeal shall be accompanied by the appeal fee, which shall be established by ordinance or resolution of Borough Council. The appellant or his representative shall have the right to appear and be heard, if such right is requested in the written appeal. Borough Council shall make a prompt decision on such appeal. Borough Council shall render a written decision, copies of which shall be provided to the Code Enforcement Office and the appellant.
2. Any person aggrieved by any decision of a Police Officer or Code Enforcement Officer in regard to a disruptive conduct report or the revocation of a residential rental license may appeal to Borough Council in accordance with the provisions of this section. Such appeal must be filed, in writing, within 15 days from the date of receipt the disruptive conduct report or notice of revocation.
3. In the event the appeal is successful, for reasons other than the grant of an extension of time for compliance the appeal fee shall be refunded to the appellant.

§ 13-122. Effect on Other Regulations. [Ord. 472 (2012-5), 12/19/2012]

The building regulations of the Department of Labor and Industry of the Commonwealth of Pennsylvania for the protection from fire and panic shall take precedence over the provisions of this Part where they are applicable and more stringent. All other ordinances and regulations of the Borough shall be complied with where they are applicable.

§ 13-123. Conflict With Other Provisions. [Ord. 472 (2012-5), 12/19/2012]

In any case where a provision of this Part is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of the Borough existing on the effective date of the Part, the provision which establishes a higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where provision of this Part is found to be in conflict with any provision of any other ordinance or code of the Borough existing on the effective date of this Part which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Part shall prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Part.

CHAPTER 14
MOBILE HOMES AND MOBILE HOME PARKS

PART 1
TRAILERS AND TRAILER PARKS

- § 14-101. Definitions and Interpretation.**
- § 14-102. Unlawful To Park Trailers Except as Provided in Part.**
- § 14-103. Unlawful for Trailers To Stand Without Attachment to Motor Vehicles.**
- § 14-104. Period of Time for Parking Trailers Limited.**
- § 14-105. Trailers Used for Living Quarters Regulated.**
- § 14-106. Operation of Trailer Parks Regulated by Part.**
- § 14-107. No Person To Operate a Trailer Park Without Permit; Plan for Park Required.**
- § 14-108. Inspection of Park by Borough Authorities.**
- § 14-109. Issuance of Permit To Operate Trailer Park.**
- § 14-110. New Ownership of Park To Notify Borough Officers.**
- § 14-111. Permits for Trailer Parks Nontransferable.**
- § 14-112. Renewal of Permit; Fee.**
- § 14-113. Trailer Parks To Be Properly Graded and Drained.**
- § 14-114. Lot Requirements for Individual Trailers.**
- § 14-115. Approved Water Supply To Be Provided for Each Trailer.**
- § 14-116. Inside Toilet Facilities Required of Each Trailer.**
- § 14-117. Each Lot To Be Connected to a Sanitary Sewer.**
- § 14-118. Laundry Room To Be Provided.**
- § 14-119. Laundry Rooms Regulated.**
- § 14-120. Cooking Prohibited in Trailers Without Proper Facilities.**
- § 14-121. Utility Facilities to Conform With Borough Ordinances.**
- § 14-122. Borough Ordinances Relating to Garbage to Apply to Trailers.**
- § 14-123. Trailer Park Office to Display Part and Permit and Contain Records.**
- § 14-124. Register to Be Kept Open for Inspection.**
- § 14-125. Additional Regulations for Permit Holders.**
- § 14-126. Trailer Park To Conform to Part; Exceptions.**
- § 14-127. Inspections of Trailer Parks.**
- § 14-128. Penalty for Violation.**

PART 1

TRAILERS AND TRAILER PARKS

§ 14-101. Definitions and Interpretation. [Ord. 181 (70-2), 4/9/1970, § 1]

The following words and terms, as used in this Part, shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates a different meaning:

PERSON — Any natural person, partnership, firm, association or corporation.

TRAILER — Any structure which is mounted, or designed for mounting, on wheels, or which is brought to a location as substantially a single unit by truck trailer or towing, and which includes accommodations designed for sleeping or living purposes for one or more persons.

TRAILER PARK — Any lot, parcel or tract of land used, planned, designed, maintained or intended for the purpose of supplying a location or accommodations for any trailer, or upon which any trailer is parked or located, whether or not a charge is made for the use of the trailer park and its facilities, and shall include all buildings and structures used or intended for use as a part of the equipment thereof. The term "trailer park" shall not include any automobile or trailer sales lot on which any unoccupied trailer is parked for the purpose of inspection and sale.

TRAILER PARK OFFICER — Such Council member, agent or employee appointed to such office by the Glen Rock Borough Council. In this Part, the singular shall include the plural and the masculine shall include the feminine and the neuter.

§ 14-102. Unlawful To Park Trailers Except as Provided in Part. [Ord. 181 (70-2), 4/9/1970, § 2]

No person shall park or locate any trailer, or allow it to stand, upon any street, alley or other public place, or upon any tract of land, occupied or unoccupied, within the Borough of Glen Rock, except as provided in this Part.

§ 14-103. Unlawful for Trailers To Stand Without Attachment to Motor Vehicles. [Ord. 181 (70-2), 4/9/1970, § 3]

No person shall allow any trailer to stand upon any of the streets or alleys in the Borough of Glen Rock without being attached to a motor vehicle.

§ 14-104. Period of Time for Parking Trailers Limited. [Ord. 181 (70-2), 4/9/1970, § 4]

No person shall park any trailer, attached to a motor vehicle, on any street or alley in the Borough of Glen Rock for a period of time longer than that allowed for the parking of vehicles upon such street or alley by the applicable state laws and the

ordinances of said Borough applicable to traffic and parking. Any person who shall violate this section shall be subject to the penalties specifically provided in such laws and ordinances, as the case may be.

§ 14-105. Trailers Used for Living Quarters Regulated. [Ord. 181 (70-2), 4/9/1970, § 5]

No person shall operate any trailer in the Borough of Glen Rock for sleeping or living purposes except in a trailer park licensed under this Part unless such trailer conforms to and complies with all plumbing, electrical, sanitary and building ordinances of said Borough applicable to stationary dwellings. Provided, however, the parking or storing of no more than one unoccupied trailer in a private garage, or in a rear yard, shall be permitted, on condition that no person uses such trailer for living or sleeping purposes while such trailer is so parked or stored.

§ 14-106. Operation of Trailer Parks Regulated by Part. [Ord. 181 (70-2), 4/9/1970, § 6]

No person shall operate or occupy any trailer park within said Borough except as provided in this Part.

§ 14-107. No Person To Operate a Trailer Park Without Permit; Plan for Park Required. [Ord. 181 (70-2), 4/9/1970, § 7; as amended by A.O.]

1. No person shall establish or operate any trailer park within said Borough until a permit shall have been secured from the Trailer Park Officer. Any person desiring to establish or to operate a trailer park shall make application for a permit to the Trailer Park Officer. With every such application, there shall be submitted a plan, of such trailer park or proposed trailer park showing the following:
 - A. The name and address of the applicant.
 - B. The extent and area to be used for trailer park purposes.
 - C. The location of all roadways and driveways.
 - D. The location of all lots intended for the parking of trailers.
 - E. The location and number of all existing or proposed facilities to be used by the occupants of trailers, including sanitary conveniences, laundries and utility rooms.
 - F. The method and plan of sewage disposal.
 - G. The method and plan of garbage and refuse disposal.
 - H. The plan for water supply.
 - I. The plan for electric lighting of trailers.

J. The location of fire extinguishers.

Such application shall be accompanied by a fee in an amount as established, from time to time, by resolution of Borough Council, to cover the cost of the services of Borough officers and employees in making the necessary studies and investigations in connection with such application.

§ 14-108. Inspection of Park by Borough Authorities. [Ord. 181 (70-2), 4/9/1970, § 8]

Following the receipt of the application for a permit as provided above, the Trailer Park Officer shall cause an investigation to be made of the premises to which such application relates, in order to assure himself, before issuing such permit, that all requirements of this Part applicable to trailer parks are conformed with. In connection with such investigation, the Building Inspector, the Health Officer and any other Borough officer or employee requested to do so by the Trailer Park Officer shall visit the premises in order to determine whether requirements as to which they have particular knowledge and understanding are met.

§ 14-109. Issuance of Permit To Operate Trailer Park. [Ord. 181 (70-2), 4/9/1970, § 9]

Immediately following the investigation required under the § 14-108 of this Part when the Trailer Park Officer shall be satisfied that all the applicable requirements of this Part have been adhered to, or are to be adhered to according to the plans for a proposed trailer park, the Trailer Park Officer shall issue a permit to establish and operate such park for a period of one year after the issuance thereof. Such permit shall be subject to suspension whenever the holder thereof shall be convicted of any violation of this Part. A suspended permit may be reinstated by the Trailer Park Officer, for the balance of the year for which it was issued, upon compliance of the holder thereof of all the provisions of this Part. No person shall operate a trailer park in said Borough during the time when the permit therefor shall have been suspended.

§ 14-110. New Ownership of Park To Notify Borough Officers. [Ord. 181 (70-2), 4/9/1970, § 10]

Whenever the ownership or management of any trailer park shall have been changed the new owner or manager thereof shall forthwith notify the Trailer Park Officer who shall amend the permit for such trailer park as well as the pertinent records of said Borough to indicate such change.

§ 14-111. Permits for Trailer Parks Nontransferable. [Ord. 181 (70-2), 4/9/1970, § 11]

No permit issued under this Part shall be transferable to a different location. No person, holding a permit under this Part, shall extend or reduce the area of any trailer park, add any new facility or structure, or eliminate any existing facility or structure, until notice of such proposed change shall have been given to the Trailer Park Officer and he shall have ascertained, after investigation as in the case of an

original application for permit, that such proposed change is in accordance with all requirements of this Part, and shall have signified that fact by his approval.

§ 14-112. Renewal of Permit; Fee. [Ord. 181 (70-2), 4/9/1970, § 12; as amended by A.O.]

Prior to the date of expiration of any permit issued under this Part the holder thereof may apply to the Trailer Park Officer for renewal thereof, such application to be accompanied by a fee in an amount as established, from time to time, by resolution of Borough Council, per lot in such trailer park. Following any investigation deemed necessary by the Trailer Park Officer to ascertain whether all the requirements of this Part continue to be adhered to, the Trailer Park Officer shall renew such permit for a further period of one year.

§ 14-113. Trailer Parks To Be Properly Graded and Drained. [Ord. 181 (70-2), 4/9/1970, § 13]

Every trailer park shall be located in a properly drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other water.

§ 14-114. Lot Requirements for Individual Trailers. [Ord. 181 (70-2), 4/9/1970, § 14, as amended by Ord. 199 (72-6), 5/18/1972, § 1]

Lots for individual trailers in a trailer park shall be indicated by corner markers and no individual lot shall have an area of less than 5,000 square feet. Each lot shall abut upon a roadway or driveway, not less than 20 feet wide. Every such roadway or driveway shall be well drained, shall be clearly marked, adequately lighted at night, and easily accessible to a public street.

§ 14-115. Approved Water Supply To Be Provided for Each Trailer. [Ord. 181 (70-2), 4/19/1970, § 15]

In each trailer park, a sufficient supply of pure, healthful drinking water from a source and of a quality approved by the Pennsylvania Department of Health, shall be provided for each trailer. Waste from each outlet shall be emptied into a drain connected with a sanitary sewer. No common drinking vessel shall be provided. An abundant supply of hot water shall be provided at all times for laundry facilities.

§ 14-116. Inside Toilet Facilities Required of Each Trailer. [Ord. 181 (70-2), 4/9/1970, § 16]

No common toilet or bathroom facilities of any kind shall be erected or maintained in the trailer park. No trailer not equipped with inside toilet and bathroom facilities shall be accommodated at any time in the trailer park.

§ 14-117. Each Lot To Be Connected to a Sanitary Sewer. [Ord. 181 (70-2), 4/9/1970, § 17]

Each lot for individual trailers shall be connected to a sanitary sewer and no cesspools or septic tanks shall be constructed or maintained at any time in the trailer park.

§ 14-118. Laundry Room To Be Provided. [Ord. 181 (70-2), 4/9/1970, § 18]

In each trailer park, there shall be provided a laundry room, with laundry tubs, in the ratio of one double tub for each 10 individual trailer lots.

§ 14-119. Laundry Rooms Regulated. [Ord. 181 (70-2), 4/9/1970, § 19]

Floor of laundry rooms in each trailer park shall be of concrete, tile or similar material impervious to water and easily cleaned, and pitched to a floor drain. Liquid waste from laundry rooms shall be piped to a sanitary sewer.

§ 14-120. Cooking Prohibited in Trailers Without Proper Facilities. [Ord. 181 (70-2), 4/9/1970, § 20]

No cooking shall be permitted in any trailer not furnished with a sink and a connection with a sanitary sewer.

§ 14-121. Utility Facilities to Conform With Borough Ordinances. [Ord. 181 (70-2), 4/9/1970, § 21]

All plumbing, electrical, building and other work in the premises of any trailer park located in the Borough of Glen Rock shall be in accordance with any other ordinances of said Borough regulating such subjects; provided, however, if there is any conflict between any such ordinance and any of the provisions of this Part the provisions of this Part shall control as to trailer parks only.

§ 14-122. Borough Ordinances Relating to Garbage to Apply to Trailers. [Ord. 181 (70-2), 4/9/1970, § 22]

All ordinances of said Borough applicable to the accumulation, collection, segregation and disposal of garbage shall be applicable to trailer parks located in the Borough, and shall be adhered to strictly by persons owning and operating trailer parks and by persons occupying trailers therein.

§ 14-123. Trailer Park Office to Display Part and Permit and Contain Records. [Ord. 181 (70-2), 4/9/1970, § 23]

In every trailer park there shall be a trailer or other building in which shall be located the office of the person in charge of such trailer park. A copy of the permit issued under this Part and a copy of this Part shall at all times be posted in such office, and the register of such trailer park shall at all times be kept therein.

§ 14-124. Register to Be Kept Open for Inspection. [Ord. 181 (70-2), 4/9/1970, § 24]

1. Every person holding a permit under this Part shall keep, or cause to be kept, a register, which shall at all times be open for the inspection of any official of the Borough. Such register shall show, for each trailer accommodated in such trailer park, the following information:
 - A. The lot number upon which such trailer is parked or located.

- B. The names and address of all persons using such trailer for living or sleeping purposes.
- C. The state license number of such trailer and of the vehicle towing the same.
- D. The date of arrival of such trailer at such trailer park and the date of departure therefrom.

§ 14-125. Additional Regulations for Permit Holders. [Ord. 181 (70-2), 4/9/1970, § 25]

- 1. Each person holding a permit under this Part shall adhere to the following additional regulations at all times:
 - A. He shall maintain such trailer park in a clean, orderly and sanitary condition.
 - B. He shall see that no disorderly conduct or violation of any law or ordinance is committed upon the premises and shall immediately report to the proper authorities any violations which may come to his attention.
 - C. He shall report to the Pennsylvania Department of Health all cases of persons or animals affected or suspected of being affected with a communicable disease, where he shall have reason to believe that medical attention has not been sought.
 - D. He shall maintain on convenient places, designated by the Fire Chief of said Borough, hand fire extinguishers, in good working order, in the ratio of one to every eight trailer lots or fraction thereof.
 - E. He shall prohibit the lighting of any open fire upon the premises.
 - F. He shall prohibit the use of any trailer by a greater number of occupants than that which it is designated to accommodate.

§ 14-126. Trailer Park To Conform to Part; Exceptions. [Ord. 181 (70-2), 4/9/1970, § 26]

Any person operating a trailer park within the Borough of Glen Rock at the time of adoption of this Part shall cause the same to conform to the requirements of this Part unless same cannot be accomplished at a reasonable expense in the judgment of the Trailer Park Officer in which case he may allow a special exception as to such nonconformance, and shall make application for, and secure, a permit to operate such trailer park within three months from the effective date of this Part.

§ 14-127. Inspections of Trailer Parks. [Ord. 181 (70-2), 4/9/1970, § 27]

It shall be the duty of the Trailer Park Officer to enforce the provisions of this Part and, to that end, he shall, from time to time, make or cause to be made, by the police or any other Borough officer or employee, an inspection to ascertain whether any trailer park continues to operate strictly under the provisions of this Part.

§ 14-128. Penalty for Violation. [Ord. 181 (70-2), 4/9/1970, § 28; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

CHAPTER 15
MOTOR VEHICLES AND TRAFFIC

PART 1
GENERAL REGULATIONS

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

PART 2
TRAFFIC REGULATIONS

- § 15-201. Maximum Speed Limits Established on Certain Streets.**
- § 15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures.**
- § 15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades.**
- § 15-204. Maximum Speed Limits Established in Parks.**
- § 15-205. Traffic Signals at Certain Locations.**
- § 15-206. Intersections Where Turn Prohibited on Red Signal.**
- § 15-207. One-Way Roadways Established.**
- § 15-208. Turning at Certain Intersections Prohibited or Restricted.**
- § 15-209. Right Turns Prohibited at Certain Intersections.**
- § 15-210. U-Turns Prohibited at Certain Locations.**
- § 15-211. No Passing Zones Established.**
- § 15-212. Through Highways Established.**
- § 15-213. Stop Intersections Established.**
- § 15-214. Yield Intersections Established.**
- § 15-215. Operation of Motor Vehicles Restricted on Public Lands.**
- § 15-216. Rotary Traffic Islands Established.**
- § 15-217. Play Highways Established and Authorized.**

§ 15-218. Snowmobile Roads Designated.

PART 3

RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD

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

PART 4

GENERAL PARKING REGULATIONS

- § 15-401. Vehicles to Be Parked Within Marked Spaces.**
- § 15-402. Parking Prohibited at All Times in Certain Locations.**
- § 15-403. Parking Prohibited in Certain Locations, Certain Days and Hours.**
- § 15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations.**
- § 15-405. Parking Time Limited in Certain Locations Certain Days and Hours.**
- § 15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited.**
- § 15-407. Standing or Parking on Roadway for Loading or Unloading.**
- § 15-408. Angle Parking Required on Portions of Certain Streets.**
- § 15-409. Residential Permit Parking.**
- § 15-410. Parking Prohibited on Portions of Certain Highways During Street Sweeping Hours.**
- § 15-411. Penalties.**

PART 5

ON-STREET METERED PARKING

- § 15-501. Parking Meter Zone Established.**
- § 15-502. Days and Hours Parking Meters in Operation and Parking Time Limits Apply.**
- § 15-503. Placement and Characteristics of Parking Meters.**
- § 15-504. Parked Vehicles to Be Wholly Within Marked Spaces.**

- § 15-505. Coin Deposit in Meter; Overtime Parking Unlawful.
- § 15-506. Unlawful to Deposit Substitute for Coin in Meter.
- § 15-507. Unlawful to Deposit Coin in Meter to Extend Parking Time Beyond Legal Limit.
- § 15-508. Unlawful to Remain Parked at Meter Showing Violation.
- § 15-509. Unlawful to Tamper With Meter.
- § 15-510. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [] Hours.
- § 15-511. Penalty for Violation.
- § 15-512. Exceptions.

PART 6

OFF-STREET METERED PARKING

- § 15-601. Metered Parking Lots Established.
- § 15-602. Placement and Characteristics of Parking Meters.
- § 15-603. Reserved Parking Spaces for Handicapped May Be Provided.
- § 15-604. Parked Vehicles to Be Wholly Within Marked Spaces.
- § 15-605. Manner of Parking at Meters.
- § 15-606. Coin Deposit in Meter; Overtime Parking Unlawful.
- § 15-607. Unlawful to Deposit Substitute for Coin in Meter.
- § 15-608. Unlawful to Remain Parked at a Meter Showing Violation.
- § 15-609. Unlawful to Tamper With Meter.
- § 15-610. Metered Parking Lots for Certain Types of Vehicles Only.
- § 15-611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [] Hours.
- § 15-612. Penalty for Violation.

PART 7

OFF-STREET UNMETERED PARKING

- § 15-701. Unmetered Parking Lots Established.
- § 15-702. Reserved Parking Spaces for Handicapped May Be Provided.
- § 15-703. Unlawful to Park Overtime or When Lot Closed.
- § 15-704. Unmetered Lots for Certain Types of Vehicles.
- § 15-705. Manner of Parking.
- § 15-706. Parking on Rental Basis Only.
- § 15-707. Penalty for Violation.

PART 8

REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES

- § 15-801. Applicability and Scope.**
- § 15-802. Authority to Remove and Impound.**
- § 15-803. Tow-Away Zones Designated.**
- § 15-804. Designation of Approved Storage Garages; Bonding; Towing and Storage.**
- § 15-805. Payment of Towing and Storage Charges.**
- § 15-806. Reclamation Costs.**
- § 15-807. Records of Vehicles Removed and Impounded.**
- § 15-808. Restrictions Upon Removal of Vehicles.**
- § 15-809. Penalty for Violation.**
- § 15-810. Reports and Disposition of Unclaimed Vehicles.**

PART 9

WINTER STORM EMERGENCIES

- § 15-901. Short Title.**
- § 15-902. Definitions.**
- § 15-903. Emergency Routes.**
- § 15-904. Posting Emergency Routes.**
- § 15-905. Declaration of a Winter Storm Emergency.**
- § 15-906. Parking Prohibited During Winter Storm.**
- § 15-907. Removal of Vehicles Parked on Winter Storm Emergency Routes.**
- § 15-908. Driving During a Winter Storm Emergency.**
- § 15-909. Snow Shoveling.**
- § 15-910. Penalties.**
- § 15-911. Enforcement.**

PART 10

PEDESTRIAN REGULATIONS

- § 15-1001. Pedestrians to Obey Traffic-Control Signs.**
- § 15-1002. Pedestrian-Control Signal Locations Established.**
- § 15-1003. Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted.**
- § 15-1004. Locations Where Pedestrians May Cross Only in Crosswalk.**
- § 15-1005. Penalty for Violation.**

PART 1

GENERAL REGULATIONS

§ 15-101. Definitions and Interpretation. [A.O.]

1. Words and phrases, when used in this chapter, except for sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa.C.S.A. § 101 et seq., except that in this chapter the word "street" may be used interchangeably with the word "highway," and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
2. The term "legal holidays" as used in this chapter shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
3. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§ 15-102. Manner of Adopting Permanent Traffic and Parking Regulations. [A.O.]

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

§ 15-103. Provisions To Be Continuation of Existing Regulations. [A.O.]

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

§ 15-104. Temporary and Emergency Regulations. [A.O.]

1. The Glen Rock Borough Council designated representative and/or local police authority shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - A. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.
 - B. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

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

§ 15-105. Experimental Regulations. [A.O.]

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

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

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

§ 15-107. Use of Streets by Processions and Assemblages. [A.O.]

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

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

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

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Glen Rock Borough Council designated representative and/or local police authority, which shall be issued without fee. Application for the permit shall be made at least one week in advance of the day on which the assemblage is proposed to be held, but in any case where a state-designated highway is proposed to be used, application shall be made at least three weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.
3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Glen Rock Borough Council designated representative and/or local police authority, which shall be issued without fee. Application for the permit shall be made at least two weeks in advance of the day when the procession is proposed to be held, but in any case where the state-designated highway is proposed to be used, application shall be made at least three weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.
4. Any person who violates any provision of this section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

§ 15-108. Authority of Police Officers. [A.O.]

The police officers of the Borough are hereby authorized to direct traffic on the highways of the Borough and at intersections thereof and to otherwise enforce the provisions of this chapter.

§ 15-109. Authorization for Use of Speed-Timing Devices. [A.O.]

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

PART 2

TRAFFIC REGULATIONS

§ 15-201. Maximum Speed Limits Established on Certain Streets. [A.O.]

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

Street	Between	Maximum Speed Limit (mph)
Argyle Avenue		25
Center Street		25
Cottage Avenue		25
Glen Avenue		25
Glenvue Road		25
Hanover Street		25
Hayward Heights		25
High Street		25
Park Avenue		25
Pine Street		25
Pleasant Street		25
Ridge Avenue		25
Valley Street		25
Walnut Street		25
Water Street		25
West Street		25
Winter Avenue		25
Baltimore Street	PennDOT stations 16+04 and 37+42	25
Church Street	PennDOT stations 0+00 and 15+00	25
Main Street	PennDOT stations 0+00 and 17+77	25
Manchester Street	PennDOT stations 823+75 and 846+46	25
Church Street	PennDOT stations 15+00 and 30+89	35

2. Any person who violates any provision of this section, upon conviction, shall be sentenced to pay a fine of \$35 and costs. Any person exceeding the

maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

§ 15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures. [A.O.]

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

Bridge or Elevated Structure	Location	Maximum Speed Limit
	(Reserved)	

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

§ 15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades. [A.O.]

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

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

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

§ 15-204. Maximum Speed Limits Established in Parks. [A.O.]

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

Park	Street	Location (Reserved)	Maximum Speed Limit
-------------	---------------	-------------------------------	--------------------------------------

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

§ 15-205. Traffic Signals at Certain Locations. [A.O.]

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

Location	Type of Signal (Reserved)
-----------------	-------------------------------------

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

§ 15-206. Intersections Where Turn Prohibited on Red Signal. [A.O.]

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

Intersection	Vehicles Traveling On (Reserved)	Facing
---------------------	--	---------------

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

§ 15-207. One-Way Roadways Established. [A.O.]

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

Street	From	To	Direction of Travel
Winter Avenue Spur			Northwest

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

§ 15-208. Turning at Certain Intersections Prohibited or Restricted. [A.O.]

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

Vehicles Traveling On	Direction of Travel	Not to Make Turn	Into	When	Type of Vehicle Applicable To
Parking lot located between the railroad and Main Street	South	Left			All

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

§ 15-209. Right Turns Prohibited at Certain Intersections. [A.O.]

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

Vehicles Traveling On	Direction of Travel	Not To Make Right Turn Into or Travel Straight Across	Times
			(Reserved)

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

§ 15-210. U-Turns Prohibited at Certain Locations. [A.O.]

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

Street	Portion	Direction of Travel
	(Reserved)	

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

§ 15-211. No Passing Zones Established. [A.O.]

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

Street	Direction of Travel	Between
	(Reserved)	

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

§ 15-212. Through Highways Established. [A.O.]

1. The following highways are established as through highways, thus authorizing stop or yield signs to be erected facing traffic approaching every intersection with the through highway except for those intersections with traffic signals, or with exceptions or modifications as indicated below. Every driver of a vehicle approaching a stop or yield sign authorized by this section shall stop the vehicle or yield right-of-way as required by 75 Pa.C.S.A. §§ 3323(b), 3323(c) of the Vehicle Code, as the case may be, and shall not proceed into or across the through highway until he has followed all applicable requirements of that section of the law:

Highway	Between
Baltimore Street	
Church Street	
Hanover Street	
Main Street	
Manchester Street	
Valley Street	
Water Street	

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

§ 15-213. Stop Intersections Established. [A.O.]

1. The following intersections (in addition to intersections with the through highways established by § 15-212) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by of the Vehicle Code, 75 Pa.C.S.A. § 3323(b), and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that section of the law.

Stop Street	Intersecting or Through Street	Direction of Travel
Camp Road	Glen Avenue	East and west
Center Street		
Hanover Street	Water Street	Southwest
High Street		
Hillside Terrace	Pine Street	South
Hillside Terrace	Circle Drive	South
Pine Street	Hillside Terrace	East
Pleasant Street	Hillside Terrace	North
Pleasant Street	Hillside Terrace	South
West Street		
Wolfe Street		

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

§ 15-214. Yield Intersections Established. [A.O.]

1. The following intersections (in addition to intersections with the through highways established by § 15-212) are established as yield intersections, and official yield signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the yield street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or yield street, in the direction indicated in each case, shall slow down or stop the vehicle as required by 75 Pa.C.S.A. § 3323(c) of the Vehicle Code, and then yield the right-of-way as required by that subsection of the Vehicle Code.

Yield Street	Through Street	Direction of Travel
	(Reserved)	

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

§ 15-215. Operation of Motor Vehicles Restricted on Public Lands. [A.O.]

- No motor vehicle including a motorcycle, pedalcycle or minibike shall be operated on any property owned by the Borough or any other public agency or instrumentality within the Borough without the permission of the property owner and a permit from the Glen Rock Borough Council designated representative and/or local police authority.
- Any person who violates an provision of this section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

§ 15-216. Rotary Traffic Islands Established. [A.O.]

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

Location

(Reserved)

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

§ 15-217. Play Highways Established and Authorized. [A.O.]

- The following areas upon the streets in the Borough are established as play highways:

Street	Between	Days	Hours
		(Reserved)	

- The Glen Rock Borough Council designated representative and/or local police authority is authorized to designate as play highways, whenever he deems that action advisable, and for whatever period of time directed by him, any part of any street in the Borough where sledding and coasting shall be permitted. That play highway shall be set apart for the purpose under the direction of the Glen Rock Borough Council designated representative and/or local police authority.

3. No person shall drive any motor vehicle upon any play highway at any time when that street shall be designated as a play highway, except in case of emergency, with special permission of the Glen Rock Borough Council designated representative and/or local police authority or of the police officer in charge, who shall first clear that play highway of all persons using it for the purpose for which it was set aside. Any person who violates any provision of this Subsection, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

§ 15-218. Snowmobile Roads Designated. [A.O.]

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

Street or Road	Between	Used by Snowmobiles Only	Shared With Vehicular Traffic
		When Closed to Vehicular Traffic (Reserved)	

2. It shall be unlawful for any person to operate a snowmobile on any highway, street or road in the Borough other than as provided above. Provided, nothing in this section shall prohibit any person from operating a snowmobile on any other street in the Borough:
 - A. As authorized by the Vehicle Code, 75 Pa.C.S.A. § 7721, for emergency and bridge crossings and for direct crossing of streets or two-lane highways.
 - B. For special snowmobile events where authorized in advance and the street is blocked off as provided in the Vehicle Code, 75 Pa.C.S.A. § 7723. Any person who violates any provision of this section shall be subject to the penalties prescribed in § 7752(a) of the Vehicle Code, 75 Pa.C.S.A. § 7752 (a).

PART 3

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

1. On the following bridges and streets or parts of streets, by authority granted by § 4902(a) of the Vehicle Code, 75 Pa.C.S.A. § 4902(a), it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

Street or Bridge	Between	Maximum Gross Weight
Borough parking lots	At Junior Street, Glen Avenue and at the northeast corner of School Street and Manchester Street and at the Neuhaus Building	5,000 pounds
Church Street		1,500 pounds

2. Any person who violates any provision of this section shall be prosecuted under §§ 4902(a) and 4902(g-1) of the Vehicle Code, 75 Pa.C.S.A. §§ 4902(a), 4902(g-1) and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

**§ 15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges.
[A.O.]**

1. On the following bridges and streets or parts of streets, by authority granted by § 4902(a) of the Vehicle Code, 75 Pa.C.S.A. § 4902(a), it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

Street or Bridge	Between	Restrictions
		(Reserved)

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

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

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by § 4902(b) of the Vehicle Code 75 Pa.C.S.A. § 4902(b), it shall be unlawful for any person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street.

Street or Bridge	Between	Restrictions
	(Reserved)	

2. Any person who violates any provision of this section shall be prosecuted under §§ 4902(b) and 4902(g)(2) of the Vehicle Code, 75 Pa.C.S.A. §§ 4902(b), 4902(g)(2), and, upon conviction, shall be sentenced to pay a fine of not more than \$500 and costs.

§ 15-304. Truck Traffic Restricted on Certain Streets. [A.O.]

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

Street	Between
	(Reserved)

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

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

PART 4

GENERAL PARKING REGULATIONS

§ 15-401. Vehicles to Be Parked Within Marked Spaces. [A.O.]

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise.

§ 15-402. Parking Prohibited at All Times in Certain Locations. [A.O.]

Parking shall be prohibited at all times in the following locations:

Street	Side	Between
Any cul-de-sac		Within Borough limits
Argyle Avenue	South	From the bridge to the Borough boundary
Baltimore Street	East (even numbered)	50 feet opposite the Glen Rock Community Building, except for police vehicles
Baltimore Street	South and east (odd numbered)	Manchester Street the entire length of Baltimore Street to the south boundary of the Borough
Church Street	East (odd numbered side)	Main Street and Center Street
Church Street	North	From the corner of New Street and Church Street going east on Church Street for approximately 20 feet
Cottage Avenue	Both	From a point between premises numbered 123 and 125 Hanover Street to premises numbered 27 Cottage Avenue
Glen Avenue		From a point at a right angle to the front entrance of premises numbered as 20 Glen Avenue to the intersection of Valley Street
Glen Avenue	North (even numbered side)	From the intersection of Glen Avenue with Valley Street to a point at the boundary between premises numbered 14 and 20
Glenvue Road	West (odd numbered side)	Hanover Street to the Borough boundary
Hanover Street	North (odd numbered side)	Main Street to Water Street
Hanover Street	North (odd numbered side)	Water Street to the cemetery

Street	Side	Between
Hanover Street	South (even numbered side)	Water Street to a point opposite the alley between premises 105 and 109 Hanover Street, and at any point on the curve extending approximately from premises numbered 120 Hanover Street to the front steps at premises numbered 124 Hanover Street
Hanover Street	South (even numbered side)	75 feet opposite Glen Rock Hose and Ladder Company
Hanover Street	Even numbered side	One space on the west side of the intersection of Winter Avenue and Hanover Street
Hayward Heights	North	In front of the premises numbered 112 Hayward Heights
Hill Street		Hanover Street to Cottage Avenue
Junior Street	East (even numbered side)	From numbers 8 to 22, inclusive
Link Street	Both	
Main Street	West	Hanover Street to the Borough line
Main Street	East	In front of the premises numbered 17 Main Street (currently known as Mamma's Pizza)
Manchester Street		At intersection of Manchester Street and Terrace Heights in front of the premises numbered as 58 Manchester Street
Manchester Street	East (even numbered side)	School Street to the Borough line
Manchester Street	Southeast	From the intersection of Manchester Street and Baltimore Street in front of the premises numbered 2 through 12 Manchester Street, inclusive
Manchester Street	West (odd numbered side)	Northern boundary of premises numbered 81 and the southern boundary of premises numbered 121; except that parking shall be allowed between the northern boundary of premises numbered 107 and the southern boundary of premises numbered 113
Manchester Street	West (odd numbered side)	Southwest corner of the intersection of Manchester Street with Pleasant Street to a point 60 feet southwardly from said corner
New Street	North (odd numbered side)	Church Street to the alley on the west side of the church
New Street	South	To the end of the street

Street	Side	Between
Pleasant Avenue	Both	Main Street and Circle Drive
Pleasant Street	West (odd numbered side)	
Terrace Heights		At intersection of Manchester Street and Terrace Heights in front of the premises numbered as 58 Manchester Street
Valley Street	North (even numbered side)	Baltimore Street to the Borough boundary
Water Street bridge	East	
Wolf Street	Both	

§ 15-403. Parking Prohibited in Certain Locations, Certain Days and Hours. [A.O.]

Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this section, as follows:

Street	Side	Between	Days	Hours
		(Reserved)		

§ 15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations. [A.O.]

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

Street	Between
Church Street	Northwest corner of the intersection of Church Street and New Street for a distance of 40 feet west from said corner
Church Street	Northeast corner of the intersection of Church Street and New Street for a distance of 40 feet west from said corner

§ 15-405. Parking Time Limited in Certain Locations Certain Days and Hours. [A.O.]

No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

Street	Side	Between	Days	Hours
Borough parking lot		First two spaces nearest to Manchester Street on the Borough parking lot at the northeast corner of the intersection of School Street and Manchester Street	Every day	1 hour
Borough parking lot		At the northeast corner of the intersection of School Street and Manchester Street	Every day	8 hours
Borough parking lot		On Junior Street	Every day	24 hours
Borough parking lot		On Glen Avenue	7 days	
Borough parking lot		South of the Neuhaus Building	Every day	12 hour parking
Hanover Street	Even numbered side	From the first through fifth parking space from the signal light	Monday through Thursday	9:00 a.m. to 5:00 p.m. (2 hour parking)
Hanover Street	Even numbered side	From the first through fifth parking space from the signal light	Friday	9:00 a.m. to 8:00 p.m. (2 hour parking)
Main Street		Spaces in front of the properties located at 39, 45 and 53 Main Street	Every day	7:00 a.m. to 10:00 p.m. (2 hour parking)
Main Street		Spaces in front of 13 Main Street and 57 Main Street	Monday through Thursday	8:00 a.m. to 5:00 p.m.
Main Street		Spaces in front of 13 Main Street and 57 Main Street	Friday	8:00 a.m. to 8:00 p.m.
Manchester Street	West	Winter Avenue to Hanover Street	Monday through Thursday	8:00 a.m. to 5:00 p.m.
Manchester Street	West	Winter Avenue to Hanover Street	Friday	8:00 a.m. to 8:00 p.m.

Street	Side	Between	Days	Hours
Water Street	Southwest	One space on the southwest corner of Water Street and Enterprise Street and from the premises numbered 30 Water Street	Every day	7:00 a.m. to 10:00 p.m.

§ 15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited. [A.O.]

The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked in any such zone except as specifically provided for that zone:

Street	Side	Location (Reserved)	Authorized Purpose or Vehicle
--------	------	------------------------	----------------------------------

§ 15-407. Standing or Parking on Roadway for Loading or Unloading. [A.O.]

It shall be unlawful for any person to stop, stand or park a vehicle (other than a pedalcycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9:00 a.m. and 11:30 a.m. and between the hours of 1:30 p.m. and 4:00 p.m., and for no longer than necessary for the loading or unloading.

Street	Side	Between
		(Reserved)

§ 15-408. Angle Parking Required on Portions of Certain Streets. [A.O.]

- Only angle parking shall be permitted on the following portions of streets:

Street	Side	Between
		(Reserved)

- On all streets where angle parking is required, every vehicle parked at the angle shall be parked with its front nearest the curb.

§ 15-409. Residential Permit Parking. [A.O.]

- Findings and Purpose. The Borough finds that:

- A. Certain residential areas in the Borough are subjected to commuter vehicle parking, therefore depriving the residents of those areas of spaces in which to park their own vehicles.
 - B. Those residential streets are also subjected to a high degree of commuter traffic which substantially reduces the quality of the ambient air level.
 - C. The establishment of a parking permit program for certain affected areas should facilitate efficient movement of traffic by providing for parking preference during certain hours of the day and days of the week. Therefore, the Borough considers it to be in the interest of the people of the Borough to provide for the establishment of a residential permit parking program to insure primary access to available parking spaces by neighborhood residents and also to provide a cleaner ambient air level.
2. Definitions. For the purpose of this section, words and terms listed in this Subsection, as follows, shall have the following meanings:

COMMUTER VEHICLE — A motor vehicle parked in a residential area by a person not a resident of that residential area.

PROPRIETOR — A person who owns or leases real estate within a residential area of which he is not a resident, but who owns or manages a business enterprise or professional office maintained at that address. For the purpose of this section, a proprietor shall be entitled to one parking permit for that business or professional office address.

RESIDENT — A person who owns or leases real property within a residential area and who maintains either a voting residence or bona fide occupancy, or both, at that address.

RESIDENTIAL AREA — A contiguous area containing public highways or parts of public highways primarily abutted by residential property or residential and nonbusiness property (such as schools, parks, places of worship, hospitals and nursing homes).

3. Criteria. The residential areas designated in Subsection 4 of this section are those deemed impacted and hence eligible for residential parking on the basis of the following criteria:
 - A. During any period between the hours of 7:00 a.m. and 6:30 p.m., Monday through Saturday, except legal holidays, the number of vehicles parked (or standing), legally or illegally, on the streets in the area is equal to 70% or more of the legal, on-street parking capacity of the area, for the purpose of this criterion, a legal parking space shall be 20 linear feet.

- B. During the same period as specified in Subsection 3A, 10% or more of the vehicles parked (or standing) on the streets in the area are not registered in the name of a person residing in the area, for the purpose of this criterion, the latest available information from the Pennsylvania Department of Transportation regarding registration of motor vehicles shall be used.

Provided: in determining that a specific area identified as impacted and eligible for residential permit parking is designated as a residential permit parking area, the following factors are taken into consideration:

- (1) The local and metropolitan needs with respect to clean air and environment.
- (2) The possibility of a reduction in total vehicle miles driven in the Borough.
- (3) The likelihood of alleviating traffic congestion, illegal parking and related health and safety hazards.
- (4) The proximity of public transportation to the residential area.
- (5) The desire and need of the residents for residential permit parking and their willingness to bear the administrative costs in connection with it.
- (6) The need for parking in excess of the residential permit parking program in proximity to establishments located in the residential permit parking area and used by the general public for religious, health or educational purposes.

4. Designation of Residential Permit Parking Areas. The following are designated as residential permit parking areas:

Area

Bounded By and Including

(Reserved)

Signs shall be erected along the streets in each residential permit parking area, indicating the days, hours, locations and conditions under which parking shall be by permit only.

5. Application for Permit. Application for a residential parking permit shall be made to the Chief of Police by the person desiring the permit, who shall be only the owner or the driver of a motor vehicle who resides on or is a proprietor of property immediately adjacent to a street or other location within a residential parking permit area. A separate application shall be required for each motor vehicle, and each application shall be accompanied by a permit fee, in an amount as established by resolution of the Borough,

which shall be for the use of the Borough, to be applied to the cost of administering the residential permit parking program. Each application shall contain the following information: the name of the owner or the driver, as the case may be, of the motor vehicle; the address of the resident or the proprietor, as the case may be; the make, model and registration number of the motor vehicle; and the driver number as taken from the applicant's current driver's license. At the discretion of the Chief of Police, the applicant shall be required, at the time of making application, to present his driver's license and the vehicle registration card.

6. Issuance of Permit. Upon receipt of the application and the permit fee, and determination by him that the information upon the application shows that the applicant is entitled to a residential parking permit, the Chief of Police shall issue to the applicant a residential parking permit, which shall be valid for the remainder of the calendar year. The permit shall display the serial and registration numbers of the motor vehicles, the residential parking area number and the expiration date. The permit shall be renewable annually before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this section for any person to display other than the current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.
7. Temporary and Exemption Parking Permits. Temporary parking permits may be issued by the Chief of Police, upon payment of a fee in an amount as established by resolution of the Borough Council, to bona fide visitors of residents of a designated residential permit parking area, and exemption parking permits may be issued, without payment of a fee, to handicapped persons.
8. Responsibility of Permit Holder.
 - A. Notwithstanding any provision of this section to the contrary, the holder of a residential parking permit shall be permitted to stand or park a motor vehicle operated by him in any designated residential parking area during those times when parking of motor vehicles is permitted in that area. While a vehicle for which a residential parking permit has been issued is so parked, that permit shall be displayed so as to be clearly visible through the windshield of the vehicle. A residential parking permit shall not guarantee or reserve to the holder a parking space within a designated residential permit parking area.
 - B. A residential parking permit shall not authorize its holder to stand or park a motor vehicle in any place where or at any time when stopping, standing or parking of motor vehicles is prohibited or set aside for other specified types of vehicles, nor shall the permit exempt its holder from the observance of any traffic or parking regulation other than residential permit parking regulation or restriction.

- C. No person other than the permit holder whose name appears on the permit shall use a residential parking permit or display it on a vehicle operated; any such use or display by a person other than the permit holder shall constitute a violation of this section by the permit holder and by the person who so used or displayed the parking permit.
 - D. It shall constitute a violation of this section for any person falsely to represent himself as eligible for a residential parking permit or to furnish false information in an application to the Chief of Police in order to obtain a residential parking permit.
9. **Revocation of Permits.** The Chief of Police shall have authority to revoke the residential parking permit of any permit holder found to be in violation of any provision of this section. Upon written notification to the present holder of the revocation, the permit holder shall surrender the permit to the Chief of Police. Failure to do so, when so requested, shall constitute a violation of this section. Provided, any person receiving such a notice may, within 10 days after the date of the notice, appeal to the Borough for a hearing on the revocation, and the decision of the Borough shall be final.

§ 15-410. Parking Prohibited on Portions of Certain Highways During Street Sweeping Hours. [A.O.]

It shall be unlawful for any person to park a vehicle or to allow the same to remain parked, at any time between [] and [] on any of the following portions of the highways of the Borough on the days hereby respectively designated for street sweeping purposes:

Street	Between	Day
	(Reserved)	

§ 15-411. Penalties. [A.O.]

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$50 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the appropriate official all violations of any provision of this Part indicating, in each case, the section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Chief of Police and pay the sum of \$_____ within _____ hours after the time of the notice, or if he will place the sum of \$_____ enclosed within the envelope provided in any of the special parking fine boxes installed at various locations within the Borough, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.

PART 5

ON-STREET METERED PARKING**§ 15-501. Parking Meter Zone Established. [A.O.]**

Parking meter zones are established upon and along certain streets in the Borough as follows:

Street	Between	Rate	Maximum Parking Time
		(Reserved)	

§ 15-502. Days and Hours Parking Meters in Operation and Parking Time Limits Apply. [A.O.]

Parking meters shall be operated by the deposit of a coin in the meter as prescribed by § 15-505, and the parking rates for specified lengths of time, as well as the maximum parking times prescribed in § 15-501, shall apply at all times between the hours of 9:00 a.m. and 6:00 p.m. Monday through Thursday and Saturday, and between the hours of 9:00 a.m. and 9:00 p.m. Friday, in the parking meter zones listed in § 15-501. Provided, however, the requirements of this Part as to parking time limits and as to deposit of coins in meters shall not apply on legal holidays.

§ 15-503. Placement and Characteristics of Parking Meters. [A.O.]

Parking meters installed in the parking meter zones established by § 15-501 of this Part shall be placed upon the curb or sidewalk, and immediately adjacent to the individual parking spaces described in § 15-504 of this Part. Each parking meter shall be placed or set so as to show that the parking space adjacent to that meter is or is not legally occupied. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Borough and when the adjacent space is occupied by a vehicle, the parking meter shall indicate on and by its dial and pointer the duration of the period of legal parking and, on the expiration of that period, shall indicate illegal parking or over-parking.

§ 15-504. Parked Vehicles to Be Wholly Within Marked Spaces. [A.O.]

Lines and/or markings shall be painted or placed upon the curb, sidewalk or roadway adjacent to each parking meter for the purpose of delineating the parking space for which that meter shall be used. Every vehicle parked at any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.

§ 15-505. Coin Deposit in Meter; Overtime Parking Unlawful. [A.O.]

Whenever a vehicle is to be parked in any space adjacent to a parking meter, at any time in the period of limited parking as prescribed by § 15-502 of this Part, the

driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in that parking meter one or more proper coins of the United States of America as specified in the legend on the parking meter. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle shall remain in any such parking space for any length of time that the meter shall indicate by proper signal that the lawful parking time has expired, that vehicle shall be considered as having been parked overtime, and the parking of a vehicle overtime shall be a violation of this Part.

§ 15-506. Unlawful to Deposit Substitute for Coin in Meter. [A.O.]

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for a coin of the United States of America.

§ 15-507. Unlawful to Deposit Coin in Meter to Extend Parking Time Beyond Legal Limit. [A.O.]

It shall be unlawful and a violation of this Part for any person to deposit or cause to be deposited in any parking meter installed under the provisions of this Part any coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time established for that parking zone.

§ 15-508. Unlawful to Remain Parked at Meter Showing Violation. [A.O.]

It shall be unlawful, and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which a coin or coins was deposited in that meter for the parking of that vehicle.

§ 15-509. Unlawful to Tamper With Meter. [A.O.]

It shall be unlawful, and a violation of this Part, for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Part. Provided, nothing in this section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Borough under the direction of the Glen Rock Borough Council designated representative and/or local police authority or Borough.

§ 15-510. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [] Hours. [A.O.]

1. It shall be the duty of the police officers and parking enforcement personnel of the Borough, acting in accordance with the directions of the Chief of Police, to report:

- A. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part.
 - B. The date and hour of the violation.
 - C. The license number of the vehicle.
 - D. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.
2. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$_____ within _____ hours after the time of the notice, or will place the sum of \$_____ enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Borough within the time limit, that act will save the violator from prosecution and from payment of the fine prescribed in § 15-511, Subsection 1, of this Part.

§ 15-511. Penalty for Violation. [A.O.]

1. Any person who violates any provision of this Part, with the exception of § 15-509, and who fails to pay the fine set forth in § 15-510, shall be cited within 15 days of the violation and, upon conviction, be sentenced to pay a fine of not more than \$50 and costs.
2. Any person who violates any provision of § 15-509 of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$1,000 and costs and, in default of payment of fine and costs, to imprisonment for not more than 30 days.

§ 15-512. Exceptions. [A.O.]

1. By resolution, the Borough may temporarily suspend the provisions of this Part requiring coin deposit in meters and establishing a maximum parking time at meters.
2. The Borough shall have authority to establish no parking or special-purpose parking zones within any parking meter zone, and to remove parking meters from those areas as previously installed there, and the provisions of this Part shall not apply in those areas where no-parking or special-purpose parking is in effect.

PART 6

OFF-STREET METERED PARKING**§ 15-601. Metered Parking Lots Established. [A.O.]**

1. The following are established as the metered parking lots established by this Borough:

Lot	Location	Rate	Maximum Parking Time	Days in Operation	Hours in Operation
(Reserved)					

2. Provided, the parking meters in the metered lots shall be in operation, the parking lots shall be open for parking and the provisions of this Part regulating the operation of parking meters and establishing parking time limits shall be in force on the days and between the hours prescribed for the individual lots. But, on Sundays and legal holidays, no parking time limit shall apply and the placing of coins in meters shall not be required.

§ 15-602. Placement and Characteristics of Parking Meters. [A.O.]

Parking meters installed in the parking lots shall be placed immediately adjacent to the individual parking spaces that shall be marked off and maintained in the lots, for each parking meter there shall be a clear indication, through use of a directional arrow, or an identification as to number with the parking space, to show which individual parking space it serves. Each parking meter shall indicate by a proper legend the parking rate and the maximum parking time established by § 15-601, and, when the parking space is occupied and the parking meter put into operation by the insertion of one or more coins, the parking meter shall indicate on and by its dial and pointer the duration of legal parking, and, upon the expiration of that period, shall indicate illegal parking or over-parking.

§ 15-603. Reserved Parking Spaces for Handicapped May Be Provided. [A.O.]

The Borough, at its discretion, may provide, at convenient and suitable locations in any one or more of the metered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space any vehicle unless that vehicle bears or displays either a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate" or a "disabled veteran placard."

§ 15-604. Parked Vehicles to Be Wholly Within Marked Spaces. [A.O.]

1. Lines and/or markings shall be painted or placed upon the surface of the metered parking lots, adjacent to each parking meter, for the purpose of

delineating the parking space for which that meter shall be used. Every vehicle parked adjacent to any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person:

- A. To park a vehicle across any such line or marking.
- B. To park a vehicle in such a position that the vehicle shall not be within the area so delineated by the lines or markings.
- C. To park a vehicle elsewhere in any such lot that in an individual parking space adjacent to a parking meter.

§ 15-605. Manner of Parking at Meters. [A.O.]

- 1. It shall be unlawful for any person to park a vehicle in any metered parking lot:
 - A. Otherwise than with the front of the parked vehicle nearest to the parking meter applicable to that vehicle.
 - B. With any Part of the vehicle touching the meter post or head or the raised base or barrier on which meters are erected.

§ 15-606. Coin Deposit in Meter; Overtime Parking Unlawful. [A.O.]

Whenever a vehicle is to be parked in any metered parking lot, at any time when the lot is open for use and the meters are to be in operation, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in the proper parking meter, one or more proper coins of the United States of America as specified in the legend on the parking meter. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle remains in any such parking space for such length of time that the meter indicates that the lawful parking time has expired, that vehicle shall be considered as being parked overtime, and the parking of a vehicle overtime shall be a violation of this Part. Provided, every hour that a vehicle remains parked at a meter showing a violation shall constitute a separate violation of this Part.

§ 15-607. Unlawful to Deposit Substitute for Coin in Meter. [A.O.]

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for a coin of the United States of America.

§ 15-608. Unlawful to Remain Parked at a Meter Showing Violation. [A.O.]

It shall be unlawful and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been

parked there beyond the period of time prescribed for that parking space, or the time for which a coin or coins was deposited in that meter for the parking of that vehicle.

§ 15-609. Unlawful to Tamper With Meter. [A.O.]

It shall be unlawful and a violation of this Part for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Part. Provided, nothing in this section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Borough under the direction of the Glen Rock Borough Council designated representative and/or local police authority or Borough.

§ 15-610. Metered Parking Lots for Certain Types of Vehicles Only. [A.O.]

The metered parking lots established by this Part shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other type of vehicle in any of those lots.

§ 15-611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [] Hours. [A.O.]

1. It shall be the duty of the police officers and parking enforcement personnel of the Borough, acting in accordance with the direction of the Chief of Police, to report:
 - A. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part.
 - B. The date and hour of the violation.
 - C. The license number of the vehicle.
 - D. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.
2. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$_____ within _____ hours after the time of the notice, or will place the sum of \$_____ enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Borough, within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in § 15-612, Subsection 1, of this Part.

§ 15-612. Penalty for Violation. [A.O.]

1. Any person who violates any provision of this Part, with the exception of § 15-609, and who fails to pay the fine set forth in § 15-611, shall be cited within 15 days of the violation and, upon conviction, be sentenced to pay a fine of not more than \$50 and costs.
2. Any person who violates any provision of § 15-609, upon conviction, shall be sentenced to pay a fine of not more than \$1,000 and costs and, in default of payment of fine and costs, to imprisonment for not more than 30 days.

PART 7

OFF-STREET UNMETERED PARKING**§ 15-701. Unmetered Parking Lots Established. [A.O.]**

The following are established as the unmetered parking lots operated by the Borough:

Lot	Location	Maximum Parking Time	Days in Operation	Hours in Operation
		(Reserved)		

§ 15-702. Reserved Parking Spaces for Handicapped May Be Provided. [A.O.]

The Borough, at its discretion, may provide, at convenient and suitable locations in one or more of the unmetered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful and a violation of this Part for any person to park in any such reserved parking space any vehicle unless that vehicle bears or displays either a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate," or a "disabled veteran placard." Provided, all provisions, requirements and restrictions contained in the other sections of this Part shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.

§ 15-703. Unlawful to Park Overtime or When Lot Closed. [A.O.]

1. It shall be unlawful for any person to park a vehicle or to allow a vehicle to remain parked in any unmetered parking lot:
 - A. For longer than the maximum parking time prescribed by § 15-701.
 - B. At any time when the lot is not in operation and is closed to public use.

§ 15-704. Unmetered Lots for Certain Types of Vehicles. [A.O.]

The unmetered parking lots established by § 15-701 shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other kind or class of vehicle in any such lot.

§ 15-705. Manner of Parking. [A.O.]

1. Every vehicle parked in an unmetered parking lot shall be parked wholly within the lines bounding or marking the individual parking space assigned to that vehicle, and shall be parked headed into the parking space. It shall be unlawful for any person:
 - A. To park a vehicle in a space not rented by him.

- B. To park a vehicle otherwise than as required by this section.
- C. To park a vehicle elsewhere than in an individual parking space, the prohibited areas including, but not limited to, the access and exit driveways and turning and maneuvering spaces.

§ 15-706. Parking on Rental Basis Only. [A.O.]

The parking spaces in the unmetered parking lots shall be available for parking on a monthly rental basis only. The rental fee shall be fixed by the Borough by a resolution and shall be for a calendar month or the part of a calendar month remaining after the rental arrangements are made. The rental fee shall be paid in advance to the Glen Rock Borough Council designated representative and/or local police authority for the use of the Borough, and after the first month shall be automatically renewable until the renter notifies the Borough that he wishes to terminate the rental arrangements. At any time, however, the Borough may, by amending § 15-701, discontinue provision of a specific unmetered parking lot or a portion of the parking spaces in any such lot, or may change any unmetered parking lot, or part of an unmetered parking lot, to a metered parking lot or to metered parking spaces. The rental parking spaces shall be assigned by the Glen Rock Borough Council designated representative and/or local police authority. The name of the renter of a parking space and/or the numbers and/or letters on the registration tag of the vehicle entitled to be parked there shall be posted by the Borough at the rental space or shall be painted on the surface of that parking space.

§ 15-707. Penalty for Violation. [A.O.]

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$50 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the appropriate official all violations of any provision of this Part, indicating, in each case, the section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and, any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Chief of Police and pay the sum of \$_____ within _____ hours after the time of the notice, or if he will place the sum of \$_____ enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Borough, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.

PART 8

REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES**§ 15-801. Applicability and Scope. [A.O.]**

This Part is enacted under authority of § 6109(a)(22) of the Vehicle Code, 75 Pa.C.S.A. § 6109(a)(22), and gives authority to the Borough to remove and impound those vehicles which are parked in a tow-away zone and in violation of parking regulations of this chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others may be towed under the provisions of the Pennsylvania Vehicle Code.

§ 15-802. Authority to Remove and Impound. [A.O.]

The Borough shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally; provided that the circumstances of its parking were within the conditions stated in § 15-801. Provided, no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part or the provisions of the Vehicle Code.

§ 15-803. Tow-Away Zones Designated. [A.O.]

The following designated streets and/or parking lots are hereby established as tow-away zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of Borough parking regulations:

Street	Side	Between	Parking Lot
		(Reserved)	

§ 15-804. Designation of Approved Storage Garages; Bonding; Towing and Storage. [A.O.]

Removal and impounding of vehicles under this Part shall be done only by "approved storage garages" that shall be designated from time to time by the Borough. Every such garage shall submit evidence to the Borough that it is bonded or has acquired liability insurance in an amount satisfactory to the Borough as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Borough its schedule of charges for towing and storage of vehicles under this Part and, when the schedule is approved by the Borough, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Part by any approved storage garage. The Borough shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Part.

§ 15-805. Payment of Towing and Storage Charges. [A.O.]

The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Part for which the vehicle was removed or impounded.

§ 15-806. Reclamation Costs. [A.O.]

In order to reclaim his vehicle, the owner shall pay towing and storage costs plus a \$50 fee, of which \$25 shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

§ 15-807. Records of Vehicles Removed and Impounded. [A.O.]

The Borough shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

§ 15-808. Restrictions Upon Removal of Vehicles. [A.O.]

No vehicle shall be removed under the authority of this Part or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

§ 15-809. Penalty for Violation. [A.O.]

Any person who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of \$50 together with all costs of disposing of the vehicle under the provisions of the Vehicle Code, 75 P.S. § 7301 et seq.

§ 15-810. Reports and Disposition of Unclaimed Vehicles. [A.O.]

If after a period of 15 days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with § 7311 of The Vehicle Code, 75 Pa.C.S.A. § 7311 by the person having legal custody of the vehicle. If the vehicle has not been claimed after 30 days, the vehicle may be transferred to a licensed salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Vehicle Code (75 Pa.C.S.A. § 7301 et seq.).

PART 9

WINTER STORM EMERGENCIES

§ 15-901. Short Title. [A.O.]

The short title of this Part will be "The Glen Rock Borough Winter Storm Emergency Ordinance."

§ 15-902. Definitions. [A.O.]

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

CHAINS — Full chains, strap chains or other types of chains mounted on both driving wheels of motorized vehicles.

EMERGENCY DIRECTOR — The Mayor of Glen Rock Borough, or the President of the Borough Council, shall act as the Emergency Director for the purposes of declaring a snow or ice emergency. Such individual shall be hereinafter referred to as the "Emergency Director."

EMERGENCY ROUTES — All streets in the Borough so designated and marked.

SNOW — Any precipitation depositing any accumulations on the streets including snow, sleet, hail, ice and freezing rain.

SNOW OR ICE EMERGENCY — A state of highway conditions that is hazardous and dangerous to vehicular and pedestrian traffic and so declared by the Emergency Director.

SNOW OR ICE REMOVAL CONDITIONS — Whenever there exists upon the streets within the Borough a substantial accumulation of ice or snow, which for the effective removal thereof, requires a prohibition of parking and/or a prohibition to vehicular traffic.

SNOW/ALL-WEATHER TIRES — Tires having treads (with or without metal studs) designated for use in snow, which tires must be in such conditions as to pass inspection in and be authorized as lawful by the Commonwealth of Pennsylvania.

VEHICLES — All self-propelled motorized vehicles using Borough streets, roads and highways.

§ 15-903. Emergency Routes. [A.O.]

The Borough Council shall, by resolution, designate streets which are necessary thoroughfares for the movement of vehicular traffic through the Borough of Glen Rock, and those routes shall be known as "winter storm emergency routes." Such

routes, by resolution, may be added or deleted as winter storm emergency routes. The resolution shall also be attached to this Part.

§ 15-904. Posting Emergency Routes. [A.O.]

All streets designated as winter storm emergency routes shall be posted with suitable signs or markers at intervals not exceeding 1,000 feet, which signs shall bear the words "Winter Storm Emergency Route."

§ 15-905. Declaration of a Winter Storm Emergency. [A.O.]

The Mayor of Glen Rock Borough, or the President of the Borough Council, shall act as the Emergency Director for the purposes of declaring a winter storm emergency within the Borough of Glen Rock, notice of which shall be issued through radio, newspaper, or other available media. In such instance, a winter storm emergency shall continue in full force and effect for a period of 24 hours following the start of the accumulation of snow or ice or until such other period as designated by the Emergency Director. Termination of the emergency shall be given by the use of the same media used to announce such snow emergency.

§ 15-906. Parking Prohibited During Winter Storm. [A.O.]

During any winter storm emergency, it shall be a violation of this Part for any person firm, organization or entity to park, abandon or leave unattended any vehicle on any winter storm emergency route as designated within the boundaries of Glen Rock Borough. This prohibition of parking shall remain in effect for a period of up to 24 hours following net accumulation of snow and/or ice, or until such time that the winter storm emergency route has been cleared of accumulated snow/ice, whichever is earlier. Any person, firm, organization or entity to park, abandon or leave unattended any vehicle on any of the designated winter storm emergency routes during a winter storm shall be in violation of this Part and shall be subject to the penalties as set for the under § 15-910.

§ 15-907. Removal of Vehicles Parked on Winter Storm Emergency Routes. [A.O.]

All vehicles parked, stalled, incapable of moving under their own power or left unattended on "Winter Storm Emergency Routes" in violation of the above provisions are hereby declared to be public nuisances, obstructing the necessary and required snow plowing and clearing of streets of the Borough of Glen Rock, contrary to public interest, convenience and safety, and the Borough of Glen Rock and/or the Police Department is hereby directed to secure and immediately tow away and remove any and all vehicles parked in violation hereof at the registered licensed owner's expense, and to notify the registered licensed owner within a reasonable period of time regarding the retrieval of his vehicle. All costs of such towing and any necessary storage fee shall be the responsibility of the registered licensed vehicle owner. These costs shall be in addition to any penalty that may be levied.

§ 15-908. Driving During a Winter Storm Emergency. [A.O.]

1. During a winter storm emergency, no person shall be permitted to drive a motor vehicle upon any street, road or highway within the boundaries of Glen Rock Borough which is not equipped with snow/all-weather tires, chains or four-wheel drive.
2. Should any person, firm organization or entity operate any vehicle not so equipped and it shall become stalled or incapable of moving under its own power or who leaves such vehicle abandoned or unattended on any street or road or highway as a result of its inability to move under its own power because of its failure to be equipped as stated above shall be in violation of this Part and shall be subject to the penalties set forth herein.

§ 15-909. Snow Shoveling. [A.O.]

No individual shall be permitted to shovel, blow, plow, or otherwise deposit snow onto any street after the street has been plowed, and no individual shall shovel, blow, plow, or otherwise deposit or cause to be deposited snow upon or against any fire hydrant.

§ 15-910. Penalties. [A.O.]

1. If, at any time during a period of snow emergency or declared snow removal conditions under this Part, a person shall park a motor vehicle or allow a motor vehicle to remain anywhere upon a winter storm emergency route, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine not to exceed \$300, for any violation of the provisions of this Part, along with all costs of prosecution, including, but not limited to, Borough administrative and attorney's fees. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.
2. If, at any time during a period of winter storm emergency declared under this Part, a person shall drive a motor vehicle upon a winter storm emergency route without having that vehicle equipped with snow/all-weather tires, chains or four-wheel drive, that person shall be guilty of a violation of this Part, and upon conviction, shall be sentenced to pay of fine not in excess of \$300, plus all costs of prosecution, including, but not limited to, Borough administrative fees and attorney's fees for each violation.
3. If as a result of a violation of this Part the offender's motor vehicle was towed away as provided and authorized herein, in addition to the fine imposed in parts Subsections 1 and 2 above, the offender shall pay to the Borough the reasonable cost of towing and storing said motor vehicle.
4. If, at any time during a period of winter storm emergency declared under this Part, a person shall violate § 15-907 hereof, that person shall be guilty

of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine not in excess of \$100, plus all costs of prosecution, including, but not limited to, Borough administrative fees and attorney's fees. Each day that any violation of this provision of the Part continues shall constitute a separate violation of this Part and shall subject the person to additional penalties, in an amount no less than the minimum, for such days.

§ 15-911. Enforcement. [A.O.]

The provisions of this Part shall be enforced by the Mayor of Glen Rock Borough, or any Borough employee or official designated from time to time by the Borough Council, or by any police officer having authority within Glen Rock Borough.

PART 10

PEDESTRIAN REGULATIONS

§ 15-1001. Pedestrians to Obey Traffic-Control Signs. [A.O.]

1. At all locations in the Borough where official traffic-control signals are installed, pedestrians, except where directed otherwise by pedestrian-control signals installed under § 15-1002 of this Part, shall obey the directions of those traffic-control signals, as follows:
 - A. When facing a green signal, a pedestrian may proceed across the roadway within a crosswalk.
 - B. When facing a steady yellow signal, a pedestrian shall not start to cross the roadway.
 - C. When facing a steady red signal, a pedestrian shall not enter the roadway.

§ 15-1002. Pedestrian-Control Signal Locations Established. [A.O.]

1. At the following locations, official pedestrian-control signals shall be erected (or are ratified if previously erected):

Location

(Reserved)

2. Every pedestrian facing a steady or flashing "Don't Walk" signal shall obey the directions of that signal, as follows:
 - A. When facing a steady "Don't Walk" signal, a pedestrian shall not start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his crossing on the "Walk" signal should proceed to a sidewalk or safety zone while the "Don't Walk" signal is showing.
 - B. When facing a flashing "Don't Walk" signal a pedestrian shall not start to cross the roadway in the direction of the indication, but any pedestrian who has partly completed crossing during the "Walk" indication should proceed to a sidewalk or safety zone.

Any pedestrian who fails to obey the directions of a "Don't Walk" signal, as indicated above, shall be guilty of an offense and a violation of this Part.

§ 15-1003. Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted. [A.O.]

Except when authorized by a police officer or other appropriately attired person authorized to direct, control or regulate traffic, it shall be unlawful for any pedestrian to cross the roadway at any of the following streets, at the intersection with that street indicated.

Street	Intersection	Direction of Travel
	(Reserved)	

§ 15-1004. Locations Where Pedestrians May Cross Only in Crosswalk. [A.O.]

1. It shall be unlawful for any pedestrian:
 - A. To cross any roadway in a business district within the Borough except in a crosswalk.
 - B. To cross the roadway, in any of the following portions of streets in the Borough, except in a crosswalk.

Street	Between
	(Reserved)

Provided, nothing in this section shall permit any pedestrian to cross in a crosswalk at any location where that crossing is prohibited by § 15-1002 of this Part.

§ 15-1005. Penalty for Violation. [A.O.]

Any pedestrian who violates any provision of this Part shall be guilty of a summary offense and, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

CHAPTER 16
PARKS AND RECREATION

PART 1
PARK HOURS AND REGULATIONS

- § 16-101. Definitions.**
- § 16-102. Park Hours.**
- § 16-103. Prohibited Conduct.**
- § 16-104. Authorization to Promulgate Additional Rules.**
- § 16-105. Enforcement.**
- § 16-106. Penalties and Damages.**
- § 16-107. Liability.**

PART 1

PARK HOURS AND REGULATIONS**§ 16-101. Definitions. [Ord. 434 (2005-3), 5/19/2005, § 1; as amended by A.O.]**

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

PARK or PARKS — Unless specifically limited, shall be deemed to include all parks, playgrounds, recreation areas, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Glen Rock Recreation Board and/or Glen Rock Borough, now or hereafter owned or acquired by Glen Rock Borough for park or recreational purposes.

PERSON — Any natural person, corporation, organization of persons, company, association or partnership.

RULES AND REGULATIONS — Any rules and regulations hereby or hereafter promulgated by the Glen Rock Recreation Board and/or Glen Rock Borough under the Authority herein conferred.

§ 16-102. Park Hours. [Ord. 434 (2005-3), 5/19/2005, § 2; as amended by A.O.]

The Glen Rock Community Park shall be open daily to the public from dawn to dusk hours only, unless otherwise specifically authorized or designated by Glen Rock Borough.

§ 16-103. Prohibited Conduct. [Ord. 434 (2005-3), 5/19/2005, § 3; as amended by A.O.]

1. No person in attendance at the Glen Rock Community Park shall:
 - A. Injure, deface, remove, climb on, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, fences, backstops, signs or fixtures, or any other property of Glen Rock Borough located within the park.
 - B. Litter any area of the park with garbage, paper, bottles, cans or other waste material; nor dispose of the same in any way except in receptacles designated for such purpose.
 - C. Kindle or maintain any fire in the park except in fireplaces or areas specially designated for such purpose. No portable grills shall be permitted at the park without prior written consent of the Glen Rock Recreation Board or its designated agent.
 - D. Injure, deface, destroy or remove any notice, rule, regulation posted at any place within the park by authority of the Glen Rock Recreation

Board; nor shall any notice or placard be posted within the park other than by authority of the Glen Rock Recreation Board or Glen Rock Borough Council.

- E. Set up any booth, table, or stand for the sale of any article or service whatsoever within the limits of the park without permission of the Glen Rock Recreation Board; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Glen Rock Recreation Board.
- F. Operate, stop or park any vehicle, bicycle, or other means of conveyance except in areas permitted or designated by property authority of the Glen Rock Recreation Board, or operate the same in a reckless or negligent manner or in excess of any posted speed limit or in such manner as to become a nuisance to other area users.
- G. Bring onto the premises, possess or consume any alcoholic beverage or illegal drugs of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol or illegal drugs.
- H. Carry or discharge any firearms, firecrackers, fireworks or other missile propelling instruments or explosives, or other dangerous weapons which have such properties as to cause annoyance or injury to any person or property, unless permission has been granted by the Glen Rock Recreation Board in designated areas; police officers in the performance of their duties shall be exempt from these provisions.
- I. Allow pets to run at large out of control. All pets must be leashed. All pet owners shall be responsible for cleaning up after pets.
- J. Engage in any form of the game of golf including driving or otherwise striking any golf ball with any golf club.

§ 16-104. Authorization to Promulgate Additional Rules. [Ord. 434 (2005-3), 5/19/2005, § 4]

The Glen Rock Recreation Board is authorized to establish additional rules and regulations as deemed necessary and with approval of the Glen Rock Borough Council.

§ 16-105. Enforcement. [Ord. 434 (2005-3), 5/19/2005, § 5]

The police officers of Southern Regional Police Department are hereby charged with the enforcement of the provisions of this Part.

§ 16-106. Penalties and Damages. [Ord. 434 (2005-3), 5/19/2005, § 6; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense. Glen Rock Recreation Board is authorized on behalf of Glen Rock Borough to institute suit for any damage caused to property of the Borough or Recreation Board, as a result of any misuse of park property or any negligence of any person using the park. Any person who discovers damage to property of the Glen Rock Recreation Board or Glen Rock Borough shall report said damage to Glen Rock Borough at 717-235-3206.

§ 16-107. Liability. [Ord. 434 (2005-3), 5/19/2005, § 7]

Neither Glen Rock Recreation Board, nor Glen Rock Borough, shall be responsible for any damage to or loss of personal property brought onto to park property by any person. Glen Rock Borough shall not be responsible for any injury suffered by any person resulting from use of the park premises.

CHAPTER 17
(RESERVED)

CHAPTER 18
SEWERS AND SEWAGE DISPOSAL

PART 1
MANDATORY SEWER CONNECTIONS

- § 18-101. Definitions.**
- § 18-102. Use of Public Sewers Required.**
- § 18-103. Sanitary and Industrial Sewage to Be Conducted Into Sewer.**
- § 18-104. Disposal of Sewage in Violation of Part Prohibited.**
- § 18-105. Illegal Sewage Receptacles Not to Be Used on Property Connected With Sewer.**
- § 18-106. Certain Sewage Receptacles Prohibited.**
- § 18-107. Notice to Connect With Sewer.**
- § 18-108. Improved Properties to Be Connected Separately Through a Building Sewer.**
- § 18-109. Construction Costs to Be Borne by Owner; Indemnification.**
- § 18-110. Building Sewer to Be Connected as Designated by Authority.**
- § 18-111. Authority for Borough to Make Connections and Collect Costs.**
- § 18-112. Tampering With Sewers Prohibited.**
- § 18-113. Conversion of Existing Sewer to Building Sewer.**
- § 18-114. Inspection of Building Sewer Required.**
- § 18-115. Building Sewer to Be Maintained by Property Owner.**
- § 18-116. Warning Devices Required During Excavation; Restoration of Public Property.**
- § 18-117. Sewage Discharge Prohibited Upon Failure to Remedy Unsatisfactory Condition.**
- § 18-118. Borough Reserves Right to Adopt Additional Rules and Regulations.**
- § 18-119. Penalty for Violation.**
- § 18-120. Fines and Penalties to Be Recoverable as Provided by Law.**

PART 1

MANDATORY SEWER CONNECTIONS

§ 18-101. Definitions. [Ord. 158 (66-6), 7/20/1966, Article I, § 1.01]

Unless the context specifically and clearly indicates otherwise the meaning of terms and phrases used in this Part shall be as follows:

AUTHORITY — Glen Rock Sewer Authority, a Pennsylvania municipality authority.

BOROUGH — The Borough of Glen Rock, York County, Pennsylvania, a municipality of the Commonwealth of Pennsylvania, acting by and through its Council or, in appropriate cases, acting by and through its authorized representatives.

BUILDING SEWER — The extension from the sewer drainage system of any structure to the lateral of a sewer.

IMPROVED PROPERTY — Any property located within this Borough upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

INDUSTRIAL ESTABLISHMENT — Any room, group of rooms, building or other enclosure used or intended for use in the operation of one business enterprise for manufacturing, processing, cleaning, laundering or assembling any product, commodity or article or from which any process waste, as distinct from sanitary sewage, shall be discharged.

INDUSTRIAL WASTES — Any and all wastes discharged from any industrial establishment, other than sanitary sewage.

LATERAL — That part of the sewer system extending from a sewer to the curblin or, if there shall be no curblin, to the property line or, if no such lateral shall be provided, then "lateral" shall mean that portion of or place in a sewer which is provided for connection of any building sewer.

OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any improved property.

PERSON — Any individual, partnership, company, association, society, corporation or other group or entity.

SANITARY SEWAGE — Normal water-carried household and toilet wastes discharged from any improved property, including such ground, surface or stormwater as may be present.

SEWER — Any pipe or conduit constituting a part of the sewer system used or usable for sewage collection purposes.

SEWER SYSTEM — All facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of sanitary sewage and industrial wastes, situate in or adjacent to this Borough and owned, maintained and operated by the Authority.

§ 18-102. Use of Public Sewers Required. [Ord. 158 (66-6), 7/20/1966, Article II, § 2.01]

The owner of any improved property benefitted, improved and accommodated by any sewer shall connect such improved property therewith, in such manner as this Borough and the Authority may require, within 45 days' after notice to such owner from this Borough to make such connection, for the purpose of discharge of all sanitary sewage and industrial wastes from such improved property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Borough or the Authority, from time to time.

§ 18-103. Sanitary and Industrial Sewage to Be Conducted Into Sewer. [Ord. 158 (66-6), 7/20/1966, Article II, § 2.02]

All sanitary sewage and industrial wastes from any improved property after connection of such improved property with a sewer shall be required under § 20-102 shall be conducted into a sewer, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Borough or the Authority, from time to time.

§ 18-104. Disposal of Sewage in Violation of Part Prohibited. [Ord. 158 (66-6), 7/20/1966, Article II, § 2.03]

No person shall place or deposit or permit to be placed or deposited upon public or private property within this Borough any sanitary sewage or industrial wastes in violation of § 20-102. No person shall discharge or permit to be discharged to any natural outlet within this Borough any sanitary sewage or industrial wastes in violation of § 20-102, except where suitable treatment has been provided which is satisfactory to this Borough and the Authority.

§ 18-105. Illegal Sewage Receptacles Not to Be Used on Property Connected With Sewer. [Ord. 158 (66-6), 7/20/1966, Article II, § 2.04]

No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any improved property which has been connected to a sewer or which shall be required under § 20-102 to be connected to a sewer. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Borough, shall be cleansed and filled at the expense of the owner of such improved property, under the direction and supervision of this Borough; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Borough, cleansed and filled, shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the owner of such improved property.

§ 18-106. Certain Sewage Receptacles Prohibited. [Ord. 158 (66-6), 7/20/1966, Article II, § 2.05]

No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.

§ 18-107. Notice to Connect With Sewer. [Ord. 153 (66-6), 7/20/1966, Article II, § 2.06]

The notice by this Borough to make a connection to a sewer, referred to in § 20-102, shall consist of a copy of this Part, including any amendments and/or supplements at the time in effect, or a summary of each section thereof, and a written or printed document requiring the connection in accordance with the provisions of this Part and specifying that such connection shall be made within 45 days from the date such notice is given. Such notice may be given at any time after a sewer is in place which can receive and convey sanitary sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner in accordance with law.

§ 18-108. Improved Properties to Be Connected Separately Through a Building Sewer. [Ord. 158 (66-6), 7/20/1966, Article III, § 3.01]

Except as otherwise provided in this section, each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted, except under special circumstances and for good' sanitary reasons or other good cause shown, but then only after special permission of this Borough and the Authority, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by this Borough and the Authority.

§ 18-109. Construction Costs to Be Borne by Owner; Indemnification. [Ord. 158 (66-6), 7/20/1966, Article III, § 3.02]

All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a sewer shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and save harmless this Borough and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a sewer.

§ 18-110. Building Sewer to Be Connected as Designated by Authority. [Ord. 158 (66-6), 7/20/1966, Article III, § 3.03]

A building sewer shall be connected to a sewer at the place designated by the Authority and where the lateral is provided. The invert of a building sewer at the point of connection shall be at the same or a higher elevation than the invert of the sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight.

§ 18-111. Authority for Borough to Make Connections and Collect Costs. [Ord. 158 (66-6), 7/20/1966, Article III, § 3.04]

If the owner of any improved property located within this Borough and benefitted, improved and accommodated by any sewer, after 45 days' notice from this Borough, in accordance with § 20-102 shall fail to connect such improved property as required, this Borough may make such connection and may collect from such owner the costs and expenses thereof by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.

§ 18-112. Tampering With Sewers Prohibited. [Ord. 158 (66-6), 7/20/1966, Article III, § 3.05]

No person shall uncover, connect with, make any opening into or use, alter or disturb in any manner any sewer or any part of the sewer system without first obtaining a permit in writing from the Authority, and paying to the Authority any tapping fee charged and imposed by the Authority against the owner of each improved property who connects such improved property to a sewer.

§ 18-113. Conversion of Existing Sewer to Building Sewer. [Ord. 158 (66-6), 7/20/1966, Article IV, § 4.01]

Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.

§ 18-114. Inspection of Building Sewer Required. [Ord. 158 (66-6), 7/20/1966, Article IV, § 4.02]

No building sewer shall be covered until it has been inspected and approved by this Borough and the Authority. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.

§ 18-115. Building Sewer to Be Maintained by Property Owner. [Ord. 158 (66-6), 7/20/1966, Article IV, § 4.03]

Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

§ 18-116. Warning Devices Required During Excavation; Restoration of Public Property. [Ord. 158 (66-6), 7/20/1966, Article IV, § 4.04]

Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation of a building sewer shall be restored at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to this Borough.

§ 18-117. Sewage Discharge Prohibited Upon Failure to Remedy Unsatisfactory Condition. [Ord. 158 (66-6), 7/20/1966, Article IV, § 4.05]

No person shall fail or refuse, upon receipt of a notice of this Borough or the Authority, in writing, to remedy any unsatisfactory condition with respect to a building sewer within 45 days of receipt of such notice. This Borough or the Authority may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of this Borough and the Authority.

§ 18-118. Borough Reserves Right to Adopt Additional Rules and Regulations. [Ord. 158 (66-6), 7/20/1966, Article IV, § 4.06]

This Borough reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connection with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

§ 18-119. Penalty for Violation. [Ord. 158 (66-6), 7/20/1966, Article V, § 5.01; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon summary conviction thereof for a first offense and upon summary conviction for each subsequent offense, shall be sentenced to a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 18-120. Fines and Penalties to Be Recoverable as Provided by Law. [Ord. 158 (66-6); 7/20/1966, Article V, § 5.02]

Fines and costs imposed under provisions of this Part shall be enforceable, and recoverable in the manner at the time provided by applicable law.

CHAPTER 19
(RESERVED)

CHAPTER 20
SOLID WASTE

PART 1
MUNICIPAL SOLID WASTE AND RECYCLING

- § 20-101. Short Title.**
- § 20-102. Purpose.**
- § 20-103. Definitions.**
- § 20-104. Unauthorized Accumulation and Disposal.**
- § 20-105. Authorized Collection and Disposal.**
- § 20-106. Storage of Refuse.**
- § 20-107. Disposal of Waste.**
- § 20-108. Recyclables.**
- § 20-109. Billing, Payment and Collection Procedures.**
- § 20-110. Collection Schedules, Rules and Regulations.**
- § 20-111. Penalties and Enforcement.**

PART 2
DUMPSTER SCREENING

- § 20-201. Definition.**
- § 20-202. Location.**
- § 20-203. Violations and Penalties.**

PART 1

MUNICIPAL SOLID WASTE AND RECYCLING

§ 20-101. Short Title. [Ord. 363 (95-2), 6/7/1995, § 1]

This Part shall be known as the "Glen Rock Borough Municipal Solid Waste and Recycling Ordinance."

§ 20-102. Purpose. [Ord. 363 (95-2), 6/7/1995, § 2]

The purpose of this Part is to provide for the health, safety and welfare of the residents of the Borough of Glen Rock by regulating the collection, storage, transportation, removal, dumping, disposal and recycling of solid waste by instituting a comprehensive solid waste management program and establishing a mandatory recycling program pursuant to the requirements of Act 101 of 1988, as amended, 53 P.S. § 4000.101 et seq.

§ 20-103. Definitions. [Ord. 363 (95-2), 6/7/1995, § 3; as amended by Ord. 435 (2005-4), 7/13/2005, § 1]

The following words and phrases when used in this Part shall have the meanings given to them in this section:

ALUMINUM CANS — Containers which are comprised entirely of aluminum and which formerly contained only nonaerosol, edible substances.

AUTHORITY — The York County Solid Waste and Refuse Authority or its authorized representative.

BOROUGH — The Borough of Glen Rock, York County, Pennsylvania, or its authorized representative.

COMBINATION UNIT — A structure which combines one or more residential uses with one or more commercial uses.

COMMERCIAL — The use of premises other than as a dwelling unit.

CONTRACTOR — The party with whom the Borough enters into a contract for the collection, disposal and recycling of refuse from all dwellings and businesses within the Borough.

DUMPSTER — A dumpster or tote cart, which shall have a hinged cover, and which may be emptied by mechanical means into a collection vehicle.

GLASS — All clear, green and brown colored glass, food and/or beverage containers. Glass shall not include crystal, ceramics, light bulbs and plate, window, laminated, wired or mirrored glass.

LARGE ITEM FOR BULK COLLECTION — The term "large item" which may be placed weekly for bulk collection, shall mean discarded household items and appliances (dishwasher, washer, dryer, etc.) television, furniture, lawn mower, automobile tires off rims, and other items too large to be placed in regular refuse receptacles for normal refuse collection; however "large item" shall not include construction materials, concrete, paint, tires on rims, tree stumps, vehicle parts or batteries, and hazardous materials, which include, but are not limited to, oil, chemicals and pesticides.

MULTIFAMILY DWELLING UNIT — A dwelling unit occupied as a residence for three or more families living independently of each other, including an apartment house, row house or townhouse.

NEWSPAPER — Includes recyclable paper of the type commonly known as newspaper, but excluding therefrom periodicals, magazines and chemically coated paper.

PERSON — Any individual, firm, partnership, corporation, association, cooperative enterprise, trust, municipal authority, federal institution or agency, state institution or agency, municipality, public and private schools and education facilities, other governmental agency or any other entity or any group of such persons which is recognized by law as the subject of rights and duties. In any provisions of this Part prescribing a fine, penalty or imprisonment, the term "person" shall include the officers and directors of a corporation or other legal entity having officers and directors.

PICKUP POINT — The location designated by the Borough where recyclables are to be placed for collection by the contractor.

PLASTIC CONTAINERS — Those containers labeled PET or HDPE 42, PET plastics include, but are not limited to, one-, two- and three-liter soda bottles. HDPE 42 plastics include, but are not limited to, milk, cider and water jugs, laundry detergent and fabric softener containers.

RECYCLABLES — Those recyclable materials to be source-separated in the Borough. The term includes clear and colored glass, aluminum cans, steel and bimetal cans, newspaper and plastic containers or other materials that may be designated as recyclable by the Borough.

RECYCLING — Any process by which materials which would otherwise become solid waste are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

REFUSE — The term "refuse" as defined in this Part is all solid waste (excluding body waste), but including garbage, rubbish and ashes.

- (1) **GARBAGE** — All animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods.

- (2) ASHES — The residue from the burning of coal, wood, paper or other combustible materials.
- (3) RUBBISH — All solid waste other than garbage and ashes (excepting body waste) and including wastepaper, glass, metal, plant growth, wood and other ordinary solid waste.
- (4) Refuse shall not include:
 - (a) That resulting from building construction, repair or demolition.
 - (b) That resulting from manufacturing industrial processes, including, by way of example and not limitation, those carried on in factories, processing or packing plants, canneries, refineries, slaughterhouses and steel mills.
 - (c) Dead animals.
 - (d) Machinery or motor vehicles or parts of either.
 - (e) Hazardous materials, including infectious or pathogenic hospital-type wastes, radioactive wastes and explosive or volatile materials.
 - (f) That normally included within the term "sanitary sewage."

REFUSE UNIT — A quantity of refuse of a capacity not more than 30 gallons and shall be placed in a separate enclosed waterproof container (e.g., metal cans, barrel, box, plastic bag), the maximum weight of which filled contained shall not exceed 65 pounds.

SOLID WASTE — Garbage, refuse or other discarded materials resulting from commercial, institutional, residential and community activities.

SOURCE SEPARATE — To separate recyclable materials from the solid waste stream at the point of waste generation.

STEEL AND BIMETAL CANS — Containers comprised of aluminum, tin, steel or a combination thereof which formerly contained only nonaerosol edible substances or such other substances as have been approved for recycling by the Borough. Such terms shall include, but not be limited to, cans formerly containing such substances as vegetables, meats, fruits, juices or other similar food storage containers constructed of the materials stated above. Such terms shall not include aerosol cans, hazardous cleaning substances, automotive supply cans (e.g., transmission fluids, motor oils, etc.) and other similar containers.

§ 20-104. Unauthorized Accumulation and Disposal. [Ord. 363 (95-2), 6/7/1995, § 4]

- 1. No person shall, after the effective date of this Part, accumulate or allow to be accumulated any garbage, refuse or recyclables upon public or private property within the Borough for a period of time longer than one week; and

during such period such accumulation shall be in a manner to insure that no annoyance, nuisance or health hazard shall be created or maintained thereby.

2. No person shall, after the effective date of this Part, dispose of any refuse or recyclables upon public or private property within the Borough except as hereinafter provided.
3. No person shall hereafter carry or transport, or allow to be carried or transported, any refuse or recyclables in, through or across any street of the Borough or private property unless by an authorized collector as specified in § 20-105 or a licensed Pennsylvania collector as specified in § 20-106, Subsection 2.

§ 20-105. Authorized Collection and Disposal. [Ord. 363 (95-2), 6/7/1995, § 5; as amended by A.O.]

1. The contract for the exclusive right to collect and dispose of refuse and recyclables from persons in the Borough (other than dumpster customers) shall be awarded to a person who shall be the authorized collector for the Borough from time to time as shall be decided by the Council of the Borough following the procedure prescribed by the Borough Code, 53 P.S. § 45101 et seq. Such contract shall fix and regulate the manner of collecting and disposing of refuse and recyclables not inconsistent with this Part and any rules and regulations which may be made as authorized in § 20-110.
2. Refuse and recyclables shall be collected, transported and disposed of in a manner, with equipment and personnel, and at a place as required by all applicable governmental statutes and regulations and the requirements of the Pennsylvania Department of Health, Department of Environmental Protection and the York County Solid Waste and Refuse Authority.
3. Any item not included in the definition of "refuse" under § 20-103 of this Part shall not be placed with garbage or refuse ordinarily collected but shall be disposed of by special arrangement with an appropriate and authorized collector (e.g., construction/demolition materials, manufacturing/industrial waste, dead animals, machinery for vehicles, hazardous materials or sanitary sewage).

§ 20-106. Storage of Refuse. [Ord. 363 (95-2), 6/7/1995, § 6]

1. Residential Properties.¹
 - A. Any refuse and recyclables accumulated by owners or occupants of residential property shall be placed in containers for collection by the authorized collector. The containers shall be durable, watertight and made of rust-resistant metal or plastic. The size of each container

¹Editor's Note: See also Ch. 10, Health and Safety, Part 1, Nuisances, Subsection 1A(1).

shall not exceed 30 gallons capacity, nor weigh more than 65 pounds unless a dumpster container is utilized. Containers for curbside recyclables will be as specified by the Borough or as provided by the Borough directly or through exclusive contract for the collection of recyclables. Use of dumpster containers shall comply with the provisions of Subsection 2 below. Each refuse container and curbside recyclable container shall be placed for collection so as to be accessible to the collector at ground level and at a point immediately behind the curbline of the street, within no more than 10 feet of the cartway of the street or alley from which the collection with a vehicle is made if there is no curbing or at a location mutually agreeable between the resident, the Borough and the collector. Failure to place containers at such locations may result in refuse and recyclables not being collected.

- B. Such containers shall not exceed four refuse units in number per collection. Refuse shall not be placed for collection earlier than 5:00 p.m. the evening of the day preceding a scheduled collection day and no later than 6:00 a.m. on the scheduled collection day. There shall be two collections from each property each week.
2. Multifamily Dwelling Unit, Commercial and Combination Unit Properties. Any refuse and recyclables accumulated by owners/occupants of multifamily dwelling unit, commercial or combination unit properties shall be stored in the same type of containers as required for residential properties, except where the owner has made special arrangements with a Pennsylvania licensed collector for the storage and collection of refuse and recyclables in dumpster containers to be furnished by the collector as may be approved by the Borough. Containers for the collection at multifamily dwelling units, commercial or combination unit properties shall be located on the owner's premises at a place agreed upon by the owner of the property and the authorized collector and shall not be unsatisfactory to the Borough. Such locations shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways, alleys or entrances and exits of public or private buildings. The owner of any multifamily dwelling unit, commercial or combination unit property, who utilizes dumpsters, shall contract directly with a Pennsylvania licensed refuse collector and shall provide to the Borough proof of a contract for the collection of refuse and recyclables by a Pennsylvania licensed collector. Said proof shall be supplied each year by March 1 or within 10 days of ownership.

§ 20-107. Disposal of Waste. [Ord. 363 (95-2), 6/7/1995, § 7; as amended by A.O.]

All refuse other than recyclable refuse shall be transported to and disposed of at a facility operated by the York County Solid Waste and Refuse Authority unless such facility is out of operation due to strikes, disasters or other cause, during which time the refuse shall be transported and disposed of at such other facility as is approved by the Pennsylvania Department of Environmental Protection.

§ 20-108. Recyclables. [Ord. 363 (95-2), 6/7/1995, § 8]

1. Collection Standards. All persons within the jurisdiction of the Borough shall be responsible to source separate and place recyclables for collection by the contractor designated by the Borough or in the case of dumpster customers, by a Pennsylvania licensed collector. Recyclables shall be separated from other solid waste and placed together in a recycling container provided for that purpose by the Borough. Recycling containers shall be placed at the designated pickup points on the day specified by the Borough. Any person who generates more recyclables than can be accommodated by the recycling containers provided by the Borough, as well as all multifamily units, commercial units and combination units who utilize dumpster containers, shall be responsible to make arrangements with the contractors for the collection of their recyclables. Contractor shall not collect, remove or dispose of solid waste containing recyclables which has not been source separated.
2. Source Separation. All recyclables placed at curb or alley line by residents for collection pursuant to this Part shall be prepared for collection in accordance with the following:
 - A. All newspapers shall be placed in paper bags or tied in bundles not exceeding 35 pounds in weight nor exceeding one foot in thickness.
 - B. Glass and plastic containers shall have caps and lids removed.
 - C. Glass containers, plastic containers and cans shall be rinsed free of contaminants.
 - D. Glass containers, plastic containers and cans shall be placed in recycling containers to be provided by the Borough. Plastic garbage bags or other home use containers shall not be utilized as containers for recyclable materials. Only containers designated by the Borough shall be utilized for the collection of recyclable material except those customers who utilize dumpsters and who have made direct arrangements with the contractor for the collection of recyclables.
 - E. Any bundled newspaper or container with recyclable materials shall be placed at the curbside for collection adjacent to one another and clearly separated from containers of solid waste.
3. Unauthorized Collection. From time of placement of recyclables at the curb or other pickup point, items shall become the property of the Borough or its contractor. It shall be a violation of this Part for any person unauthorized by the Borough to collect or pick up or cause to be collected or picked up any such items. Any and each such collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereinafter provided.

§ 20-109. Billing, Payment and Collection Procedures. [Ord. 363 (95-2), 6/7/1995, § 9; as amended by Ord. 435 (2005-4), 7/13/2005, § 2; by Ord. 480 (2015-02), 9/16/2015; and by A.O.]

1. Each owner of a property or place of business within the Borough shall be required to pay to the contractor and/or the Borough of Glen Rock or other official as appointed by the Borough of Glen Rock a semiannual fee for the collection of solid waste and recyclable materials. This fee shall be paid regardless of the amount or type of waste and/or recyclables put out for collection. The semiannual fee charged by the contractor shall be established by contract to be entered into between Glen Rock Borough and the contractor pursuant to public bidding requirements. The Borough accepts no responsibility whatsoever for the collection of the fee to be charged to the owner of each property or place of business. The contractor shall be solely responsible for the collection of the semiannual fee. All fees established under the contract for refuse and recyclable collection shall be established by resolution of Borough Council.
2. All fees which remain unpaid 30 days after the invoice date shall be deemed delinquent. All delinquent accounts may have added to it a penalty of \$10 per billing period if the amount exceeds a minimum of the current semiannual trash fee in Glen Rock Borough past due.
3. If the owner of a property shall fail to pay any charges or fees after the same becomes delinquent, the Borough Solicitor is authorized, pursuant to the Pennsylvania Municipal Claims Act,² to enter a lien against the real estate upon which the property is situate in the amount of the fees and charges or aggregate of fees and charges, plus penalties, cost of entry and attorney fees. The Borough may also exercise rights in accordance with 53 P.S. § 7147.
4. If the owner of a property shall fail to pay any charges or fees and the same becomes delinquent by a minimum of one billing period and the minimum amount shall be no less than the equivalent of a semiannual billing cycle worth of charges, the contractor is authorized to file a civil action law suit for the collection of fees, charges, penalties, interest, reasonable attorney fees, administrative fees and costs of collection. Upon the filing of civil lawsuit, an additional penalty fee of \$50 shall be added to all delinquent accounts.
5. Should an owner of a multifamily dwelling, commercial or combination unit within the Borough determine that a dumpster service is preferable, said person shall notify the Borough by March 1, prior to the expiration of the current refuse contract, in order to be excused from participation and billing under the Borough's contract for the following contract year, or new contract period. No property owner shall be excused from participation in the Borough's contract for refuse and recycling for any year in which the bid has already been awarded. In the event dumpsters are utilized for collection of refuse, the property owner shall enter into a separate contract with

²Editor's Note: See 53 P.S. § 7101 et seq.

contractor for removal of refuse and recyclables. The contractor may discontinue service for nonpayment of fees for any person who utilizes dumpster services. Discontinuance of service by the contractor for nonpayment of fees shall not relieve the property owner from abiding by all requirements of this Part.

6. The foregoing remedies shall be cumulative in favor of the Borough and against the person in violation.

§ 20-110. Collection Schedules, Rules and Regulations. [Ord. 363 (95-2), 6/7/1995, § 10]

The Council of the Borough is authorized to establish collection schedules or make any rule or regulation and modify or repeal the same from time to time as it shall deem necessary or desirable to clarify, administer and effectuate the provisions of this Part and disseminate such collection schedules, rules and regulations as it deems advisable.

§ 20-111. Penalties and Enforcement. [Ord. 363 (95-2), 6/7/1995, § 11]

1. A violation of this Part to the extent that such violation is or could be detrimental to the health, safety or welfare of any person is declared to be a public nuisance and may be abated by an action in equity against the offender.
2. Any person who shall violate or fail to comply with any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$1,000 together with the costs of prosecution and, in default of the payment of such fine and costs, to undergo imprisonment for a sentence of not more than 30 days. Each violation of any provision of this Part and each day of the continuance shall be deemed a separate offense.
3. The charges imposed by this Part shall be a lien upon the property upon which the residential, commercial or combination unit is located, and any such charges not paid within 30 days of the invoice date, at the discretion of the Borough, shall be filed as a lien against the property, which lien shall be filed in the office of the Prothonotary of York County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collection of municipal claims.
4. The foregoing remedies shall be cumulative in favor of the Borough and against the person in violation.

PART 2

DUMPSTER SCREENING

§ 20-201. Definition. [Ord. 442 (2006-3), 11/8/2006, § 1]

DUMPSTER — Any container which is two cubic yards or larger used for the collection and disposal of trash, refuse, vegetative waste, recyclable materials or other kinds of waste, and which may be of the open or enclosed variety, and is typically hoisted onto or mechanically emptied into a specifically equipped vehicle for transporting said waste to a designated facility. Dumpsters are typically used for multifamily, commercial, and industrial uses. All dumpsters are considered permanent structures if they shall be placed in locations for use for 60 days or more.

§ 20-202. Location. [Ord. 442 (2006-3), 11/8/2006, § 2]

1. Dumpsters shall be placed on private property.
2. Exception. In the event it is necessary to place a dumpster on public property an application for a permit shall be filed with the Borough. Upon granting of the permit, the Borough may place conditions on the placement and use of the dumpster.³

§ 20-203. Violations and Penalties. [Ord. 442 (2006-3), 11/8/2006, § 5; as amended by A.O.]

1. Violation of § 20-202 of this Part shall constitute a summary criminal offense and upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus the costs of prosecution, including reasonable attorneys' fees, and in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.
2. Duty to Serve Notice. It shall be the duty of the Borough's police force, Mayor, Zoning Officer and/or its staff, designated Borough office staff, agents and/or any authorized enforcement personnel investigating any violation of this Part to deliver to the owner, tenant or occupant a violation notice in the following manner:
 - A. Personally hand delivered.
 - B. Affixed to the property in violation.
 - C. Regular first class mail.

³Editor's Note: Ord. 442 (2006-3), Section 3, Minimum Screening Requirements, and Section 4, Exceptions, which immediately followed this section, were repealed at time of adoption of Code (see Ch. AO, Code Adoption).

CHAPTER 21
STREETS AND SIDEWALKS

PART 1
EXCAVATIONS IN STREETS

- § 21-101. Definitions.**
- § 21-102. Unlawful To Excavate in Certain Portions of Street.**
- § 21-103. Permit Required.**
- § 21-104. Application for Permit; Contents.**
- § 21-105. Permit Fee.**
- § 21-106. Responsibility for Restoration of Excavation.**
- § 21-107. Work Subject to Approval of Borough Engineer; Costs Paid by Applicant.**
- § 21-108. Applicant's Responsibilities.**
- § 21-109. Action Authorized by Emergency Conditions.**
- § 21-110. Notice To Be Given Prior to Paving Streets; Excavating After Paving.**
- § 21-111. Plans for Utility Installations To Be Approved by Council.**
- § 21-112. Authority for Borough To Collect Cost of Work.**
- § 21-113. Penalty for Violation.**
- § 21-114. Provisions Inapplicable to Sidewalks, Curbs or Poles.**

PART 2
SIDEWALKS

- A. Repair and Replacement.**
 - § 21-201. Definitions.**
 - § 21-202. Owner's Responsibility.**
 - § 21-203. Construction.**
 - § 21-204. Unsafe and Unusable Condition.**
 - § 21-205. Repair or Replacement.**
 - § 21-206. Notice To Repair or Replace.**
 - § 21-207. Permit Required.**
 - § 21-208. Inspection.**
 - § 21-209. Materials and Specifications.**
 - § 21-210. Driveways.**
 - § 21-211. Openings.**
 - § 21-212. Supports.**

- § 21-213. Safety Precautions.**
- § 21-214. Reimbursement.**
- § 21-215. Remedies and Penalties.**

PART 3

OBSTRUCTIONS AND ENCROACHMENTS

- § 21-301. Building Encroachments on Public Property Prohibited; Penalty.**
- § 21-302. Obstructions on Pavements; Encroachments to Constitute Public Nuisance.**

PART 1

EXCAVATIONS IN STREETS**§ 21-101. Definitions. [Ord. 203 (72-10), 5/18/1972, § 1]**

1. The following words, when used in this Part, shall have the meanings ascribed to them in this Section, except in those instances where the context clearly indicates otherwise:

PERSON — And include any natural person, partnership, firm, association or corporation.

STREET — Any public street, avenue, road, square, alley, highway or other public place located in the Borough of Glen Rock and established for the use of vehicles.

In this Part, the singular shall include the plural and the masculine shall include the feminine and the neuter.

§ 21-102. Unlawful To Excavate in Certain Portions of Street. [Ord. 203 (72-10), 5/18/1972, § 2; as amended by A.O.]

It shall be unlawful for any person to open or to make any excavation of any kind in any street in the Borough of Glen Rock without a permit.

§ 21-103. Permit Required. [Ord. 203 (72-10), 5/18/1972, § 3]

It shall be unlawful for any person to open or to make any excavation of any kind in any of the streets in the Borough of Glen Rock without first securing a permit therefor, as hereinafter provided.

§ 21-104. Application for Permit; Contents. [Ord. 203 (72-10), 5/18/1972, § 4]

Any person who shall desire to make any opening or excavation in any of the streets in the Borough of Glen Rock shall make application to the Borough Secretary in writing for the purpose. Such application shall be made upon blanks to be furnished by the Borough and shall set forth the name of the applicant, the exact location of the proposed opening or excavation, and the approximate size or depth thereof, and shall contain an agreement on the part of the applicant that the work shall be done in full compliance with the ordinances of the Borough and the laws of the commonwealth in relation thereto, and that the applicant shall well and truly save, defend and keep harmless the Borough from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to persons or property resulting in any manner therefrom, or occurring in the prosecution of the work connected therewith or from any other matter, cause or thing relating thereto.

§ 21-105. Permit Fee. [Ord. 203 (72-10), 5/18/1972, § 5; as amended by Ord. 394 (98-13), 12/2/1998, § 1]

Before any permit shall be issued to open or excavate any street in the Borough, the applicant shall pay to the Borough Secretary a permit fee in an amount as set by resolution of the Borough Council to cover the cost of inspection and other incidental services in connection therewith. When application shall be made to open or excavate any longitudinal opening or excavation in excess of 10 feet, before any permit shall be issued so as to open or excavate, the applicant shall pay, in addition to such minimum fee, an additional fee at a rate to be set by resolution of Borough Council.

§ 21-106. Responsibility for Restoration of Excavation. [Ord. 203 (72-10), 5/18/1972, § 6]

Any person who shall open or excavate any improved street in the Borough shall thoroughly and completely refill the opening or excavation, puddling and tamping so as to prevent any settling thereafter; and shall restore the surface to the same condition as it was before the opening or excavation, and such restoration shall be in accordance with the specifications of the Department of Highways of the Commonwealth of Pennsylvania which are hereby adopted as specifications of the Borough for restoration of surfaces of streets in the Borough; as restored, the surface shall conform to the proper grade and be of the same surface covering as the part of the thoroughfare immediately adjoining the opening. If within two years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Borough for the cost of all necessary repairs to the permanent paving.

§ 21-107. Work Subject to Approval of Borough Engineer; Costs Paid by Applicant. [Ord. 203 (72-10), 5/18/1972, § 7; as amended by A.O.]

All other work in connection with openings in any street, including excavation, protection, refilling and temporary paving, shall be done by the applicant at his expense, and all such work shall be subject to the provisions of this Part and to the supervision and approval of the Borough of Glen Rock, provided that the Borough of Glen Rock requires that cutting of the surface of improved streets and the backfilling of all excavations therein shall be paid by the applicant on the basis of actual cost of the work plus 10%.

§ 21-108. Applicant's Responsibilities. [Ord. 203 (72-10), 5/18/1972, § 8; as amended by Ord. 325 (91-2), 9/4/1991, § 1; and by A.O.]

1. The applicant shall pay all costs and expenses incident to or arising from the project, including the prescribed fees for the same, the cost of making and maintaining temporary restoration of the disturbed areas and the cost of permanent restoration.
2. The applicant shall complete no excavation work which shall interfere with water mains, sewers or their connections with houses or any other subsurface lines or constructions until permission of the proper authorities in connection with such subsurface lines or construction shall have been

obtained. Regarding any underground utilities, applicant shall be responsible for locating such utility lines prior to excavation by use of the Pennsylvania One Call System.

3. During the making of any excavation in any street, every necessary and reasonable precaution shall be taken by the applicant and the parties making the same to keep the street in a safe and passable condition both day and night by providing suitable barricades and guards to protect persons using the highway from injury and at night the cut or opening shall be marked with sufficient hazard lights to warn persons using the highway of such cut or opening. All excavating permits are granted under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the Borough from any loss in damages or otherwise whatsoever which may or shall be occasioned at any time by the said excavation or by any leak, explosion or other injury from any pipe, apparatus, conduit or any other matter placed in the said excavation.
4. Prior to any backfilling of any excavated area, the applicant shall notify the Borough Engineer that the opening or excavation is ready for backfilling. In the case of unimproved streets, the applicant shall notify the Borough Engineer when the work is completed by proper backfilling. In the case of improved streets, the applicant shall notify the Borough Engineer when the work is completed by temporary paving. In any case of excavation, the Borough shall be notified of the completion date.
5. No tunneling shall be allowed without the express approval of the Borough Engineer and permission therefor endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the Borough Engineer or an inspector designated by him and shall be done only in a method approved by the Engineer.
6. The applicant shall make permanent restoration of the street, utilizing the following method:
 - A. Permanent restoration shall be made and guaranteed for a period of two years. The base material shall consist of four inches of bituminous concrete base course or superpave equivalent, meeting the requirements of Commonwealth of Pennsylvania Department of Transportation, § 305, Form 408. The wearing course shall consist of 1 1/2 inches of ID-2A SRL-M or superpave equivalent, meeting the requirements of § 420, Form 408. If the existing roadway contains a cement concrete course, this course shall be replaced in kind and to the same depth as the existing roadway.
 - B. If any subsidence occurs in the roadway openings after restoration has been made, the applicant shall remove the base course and wearing course, recompact the backfill, replace the base course and replace the wearing course in accordance with the above specifications. The Borough shall determine where and when subsidence has occurred.

- C. All joints, curbs, valve boxes and manholes must be filled with rubberized sealant.
7. Disposition of Materials.
- A. The applicant shall kept the improved area free of all material which may be deposited by vehicles traveling upon or entering onto the highway during the performance of work authorized by the permit.
 - B. The applicant shall be responsible for controlling dust conditions created by its own operations.
 - C. All excess materials shall be removed and disposed of outside the right-of-way as the work progresses at a location mutually agreed upon by the Borough and the applicant.
8. Backfilling. All openings made in the improved area shall be backfilled by the applicant in accordance with the following minimum standards:
- A. The opening shall first be backfilled with 2A modified stone for insulation to a height not to exceed one foot over the top of the facility compacted in not more than four-inch layers.
 - B. The opening shall then be backfilled with 2A modified stone and compacted throughout its full width with approved vibratory compaction equipment in layers not to exceed eight inches.
 - C. Compaction shall be completed to the bottom elevation of the existing pavement.
 - D. The Borough may require the applicant to have material proposed for use as backfill tested for conformance to Form 408.
9. Appurtenances to Underground Installations.
- A. The top of every manhole, valve box or other access to the facility shall be at the same elevation as the surface in which it is located.
 - B. The surface surrounding manhole or valve covers located in shoulders shall be paved in such a manner as to prevent washouts.
10. Additional Restoration.
- A. All disturbed portions of the highway, street, alley or thoroughfare, including all appurtenances and structures such as guard rails or drain pipes, shall be restored to a condition equal to that which existed before the start of any work authorized by the permit.
 - B. If the applicant opens the pavement, whether to install a new facility or to modify an existing facility or for any other reason other than to perform emergency work and the wearing course is less than five

years old, the applicant shall, in addition to the minimum restoration conditions outlined herein, overlay the pavement in accordance with the following conditions:

- (1) When a longitudinal opening longer than 10 feet and wider than three feet is made in the pavement, the applicant shall overlay the traffic lanes in which the opening was made for the entire length of highway that was opened.
 - (2) When two or more transverse trench openings are made in the highway pavement less than 100 feet apart, the applicant shall overlay all traffic lanes in which the openings were made for the entire length of highway between such openings.
 - (3) Regardless of the age of the wearing course, when both longitudinal and transverse trench openings are made in the pavement, the Borough may require the applicant to overlay all traffic lanes in which such openings were made for the entire length of highway that was opened if the Borough determines that the present serviceability index of the highway, street, alley or thoroughfare has been impaired by the openings.
11. Each and every street cut shall be made only after application has been made therefor and permit granted by the Borough Secretary, except emergency cuts by utility corporations. Utility corporations shall make permit applications for all emergency cuts within five days after the emergency cut has been made.
 12. No opening or excavation in any street shall extend from the curblin into the highway a distance greater than one foot beyond the center line of the street before being refilled and the surface of the highway restored to a condition safe and convenient for travel.
 13. No more than 500 feet longitudinally shall be opened in any street at any one time.
 14. In the event that any work performed by or for an applicant shall in the opinion of the Borough Engineer be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him or in the event that the work for which the permit was granted is not completed within the time fixed by the Borough, the Borough may proceed to correct such unsatisfactory work or complete any such work not completed and charge the costs thereof plus 10% to the applicant.

§ 21-109. Action Authorized by Emergency Conditions. [Ord. 203 (72-10), 5/18/1972, § 9; as amended by A.O.]

In the case of any leak, explosion or other accident in any subsurface pipe, line, construction of apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus, to commence an excavation to remedy

such condition before securing a permit provided that application for a permit shall be made immediately and not later than the next business day thereafter, and that all other provisions of this Part are fully complied with. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, construction or apparatus, the Borough of Glen Rock and its representatives, after such notice as it shall deem necessary under the circumstances of the particular case, shall proceed to do the work necessary and required by such emergency, and charge the same on the basis of cost plus 10% to such owner or person.

§ 21-110. Notice To Be Given Prior to Paving Streets; Excavating After Paving. [Ord. 203 (72-10), 5/18/1972, § 10]

The Borough Engineer shall give timely notice to all persons owning property abutting on any street within the Borough about to be paved or improved, and to all public utility companies operating in the Borough, and all such persons and utility companies shall make all water, gas or sewer connections, as well as any repairs thereto which would necessitate excavation of the said street within 30 days from the giving of such notice, unless such time is extended in writing for cause shown by the Borough Engineer. New paving shall not be opened for a period of five years after the completion thereof, except in case of emergency, the existence of which emergency and the necessity for the opening of such paving to be determined by the Borough Engineer. If it is sought to excavate upon or open a street within five years after the completion of the paving thereof for any other reason than as emergency as above-stated, the applicant shall make written application to the Borough Council, and a permit for such opening shall only be issued after express approval of Council.

§ 21-111. Plans for Utility Installations To Be Approved by Council. [Ord. 203 (72-10), 5/18/1972, § 11]

No new underground utility installation shall hereafter be laid or constructed and no existing water or gas main shall be extended in any of the streets of the Borough until the exact location thereto and the plan therefor shall have been first approved by the Borough Council.

§ 21-112. Authority for Borough To Collect Cost of Work. [Ord. 203 (72-10), 5/18/1972, § 12]

Payment for all work done by the Borough under the provisions hereof shall be made by the person made liable therefor under the provisions hereof within 30 days after a bill therefor is sent to such person by the Borough. Upon failure to pay such charges within such time, the same shall be collectible by the Borough in the manner provided by law for the collection of municipal claims.

§ 21-113. Penalty for Violation. [Ord. 203 (72-10), 5/18/1972, § 13; as amended by A.O.]

Any person, whether as principal, agent or employee violating or assisting in the violation of any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of

payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 21-114. Provisions Inapplicable to Sidewalks, Curbs or Poles. [Ord. 203 (72-10), 5/18/1972, § 14]

The provisions of this Part shall not apply to laying sidewalks or curbs or to the planting of poles.

PART 2
SIDEWALKS

A. Repair and Replacement.

§ 21-201. Definitions. [Ord. 297 (88-3), 7/6/1988, § 1]

As used herein, the following words shall have the meaning ascribed to them below:

BOROUGH — The municipality and geographic entity of Glen Rock, York County, Pennsylvania.

BOROUGH'S AGENT — The person designated by the Borough Council from time to time to take action as required by this Part.

CURB — A line of impervious material separating the cartway of a street from the sidewalk.

OWNER — The person, corporation or other entity owning property in the Borough.

PROPERTY — A lot or parcel of land fronting on an adopted street of the Borough.

SIDEWALK — An impervious walkway on a property adjoining the curb.

§ 21-202. Owner's Responsibility. [Ord. 297 (88-3), 7/6/1988, § 2]

The owners of property located in the Borough shall be responsible and liable for the construction, maintenance, repair and replacement of curbs and sidewalks as herein provided.

§ 21-203. Construction. [Ord. 297 (88-3), 7/6/1988, § 2]

Where a sidewalk or curb had not previously been constructed, a sidewalk or curb or both sidewalk and curb shall be constructed upon notice to the owner in such time and manner as herein provided.

§ 21-204. Unsafe and Unusable Condition. [Ord. 297 (88-3), 7/6/1988, § 3]

A sidewalk or curb shall be declared to be in an unsafe and unusable condition by the Borough's agent when the surface or side is visibly and substantially deteriorated; when there are holes, depressions, ridges or other conditions making use dangerous or hazardous; when the construction material is outmoded, old or unadaptable for present day use; and when other visible causes reasonably make the curb or sidewalk dangerous, hazardous, unsafe or unusable.

§ 21-205. Repair or Replacement. [Ord. 297 (88-3), 7/6/1988, § 5]

Within the time herein provided, after notice from the Borough, given after an inspection by the Borough's agent indicates that repair or replacement of a sidewalk or curb is needed, the owner shall make such repair or replacement; provided, however, nothing in this Section shall preclude the Borough from proceeding to make emergency repairs as allowed in § 1806 of the Borough Code, 53 P.S. § 46806.

§ 21-206. Notice To Repair or Replace. [Ord. 297 (88-3), 7/6/1988, § 6]

Notice to repair or replace sidewalks or curbs or both shall be given to the owner of record of the property abutting or fronting the sidewalk or curb by the Borough's agent not less than 60 days before the date for completion of the proposed improvement, and shall state the approximate length in lineal feet of the sidewalks and/or curbs to be improved, the reason for the improvement assigned by the Borough's agent, the date for completion, a reference to this Part, a statement of the place where information as to type of materials and construction may be obtained, a statement of the Borough's remedies for noncompliance with the notice and such other information as may be deemed pertinent. The notice shall be served upon the owner by personal service or certified mail. If the owner is not a resident of the Borough, notice may be served in the manner provided by § 1805 of the Borough Code, 53 P.S. § 46805, on the agent, tenant or occupant, or if no agent, tenant, or occupant of the premises, by posting the notice on the residence or principal building.

§ 21-207. Permit Required. [Ord. 297 (88-3), 7/6/1988, § 7]

No curb or sidewalk construction, reconstruction or repair shall be performed by or for any owner unless the owner or person doing the work shall first have obtained from the Building Permit Officer a permit for the work. There will be no fee for this permit, but it will be a violation to do any work without having first secured the permit. In securing a permit the applicant shall state the following: (A) owner of the real estate; (B) number of feet of curb and sidewalk to be constructed; (C) name of contractor to do the construction; and, (D) proposed location of sidewalk relative to curb and property line. No permit shall be issued until the Borough's agent has approved of the grade and width.

§ 21-208. Inspection. [Ord. 297 (88-3), 7/6/1988, § 8]

It shall be the duty of the Borough's agent to inspect curb or sidewalk construction, reconstruction and repair to determine conformity with the requirements of this Part. The Borough's agent shall have the authority to stop work not in conformity, order correction of the work and otherwise enforce compliance with the requirements of this Part.

§ 21-209. Materials and Specifications. [Ord. 297 (88-3), 7/6/1988, § 9; as amended by A.O.]

Any sidewalk or curb to be constructed, reconstructed or repaired shall be accomplished as to materials, thickness and technical details in accordance with specifications prepared by the Borough of Glen Rock and copies thereof shall be

provided at no cost to persons seeking a permit for sidewalk and curb construction, reconstruction or repair.

§ 21-210. Driveways. [Ord. 297 (88-3), 7/6/1988, § 10]

New driveways at the sidewalk crossing shall be constructed of concrete and shall meet all other specifications of this Part. They shall have a minimum thickness of six inches. The top surface of the driveway shall take the cross slope of the sidewalk from a point three feet from the curbline toward the building line. The driveway shall slope with an easy curve from a point three feet inside of the curbline to two inches above the gutter line. A curb extending 18 inches below the gutter line shall be constructed along the street face at all driveways.

§ 21-211. Openings. [Ord. 297 (88-3), 7/6/1988, § 11]

Square openings shall be left around all poles, trees, fire hydrants, light standards or any other structure within the sidewalk area. No public service curb or sidewalk boxes for access to underground facilities shall be left below the sidewalk level, but shall be brought to the grade of the new walk. The Borough will furnish and set any inlet frames that might be needed in any sidewalk for storm drainage purposes.

§ 21-212. Supports. [Ord. 297 (88-3), 7/6/1988, § 12]

Where sidewalks or curbs are to be constructed, paved, repaved or repaired over cellars, vaults, natural contours or other excavations, such sidewalks shall be supported by iron or steel beams, girders, stone or concrete arches. Any support of wood or perishable material is prohibited.

§ 21-213. Safety Precautions. [Ord. 297 (88-3), 7/6/1988, § 13]

When any person, firm or corporation shall construct, repair or reconstruct any sidewalk or curb, it shall be the duty of the owner to provide adequate safety precautions to avoid injury to persons and damage to property.

§ 21-214. Reimbursement. [Ord. 297 (88-3), 7/6/1988, § 14; as amended by A.O.]

All work under this Part shall be at the owner's expense, at the discretion of the Borough of Glen Rock.

§ 21-215. Remedies and Penalties. [Ord. 297 (88-3), 7/6/1988, § 15; as amended by A.O.]

Upon neglect of any owner to comply with the terms of any notice under this Part within the time specified in the notice, the Borough may cause the repair, replacement or construction of the curbs or sidewalks to be done at the cost of the owner, and may collect the cost of the work, together with charges and expenses, from that owner, and may file a municipal claim or collect the amount due by action of assumpsit in the manner provided by the Borough Code, 53 P.S. § 45101 et seq. In addition, any person violating any provision or regulation specified in this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$50 nor more

than \$1,000, and costs for each and every violation, to be collected and recovered as debts by law are now collectible and a lien may be filed for any work done by the Borough under this Part as above provided, with penalties authorized by the Borough Code and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

PART 3

OBSTRUCTIONS AND ENCROACHMENTS**§ 21-301. Building Encroachments on Public Property Prohibited; Penalty.**
[Ord. 2, 3/2/1906, § 2, as amended by Ord. 10/4/1907, § 1; and by A.O.]

Where any buildings have been heretofore erected within the original plans of said Borough, which shall or do encroach on any of the streets, alleys or squares thereof, such buildings shall not be deemed held or taken as a nuisance or abatable as such. But to prevent a continuance of such encroachments after such building shall become decayed, or require rebuilding, the owner or owners of such building shall not, at any time, rebuild on the streets, lanes, alleys, or squares so encroached upon; and in case any person or persons shall rebuild on such streets, lanes, alleys, or squares, such building shall be deemed taken and adjudged a public nuisance, and shall be abatable and removable as such; and the person or persons so rebuilding shall forfeit and pay a fine of not less than \$100, or at a rate set by the Borough or authorized by law, for the use of the Borough, together with all the costs for the removal of such encroachment, building or buildings, and the cost of prosecution, said fine and costs to be recovered by an action of debt in the corporate name of said Borough, before a magisterial district judge of said Borough.

§ 21-302. Obstructions on Pavements; Encroachments to Constitute Public Nuisance.
[Ord. 2, 3/2/1906, § 3, as amended Ord. 10/4/1907, § 1; and by A.O.]

Where porches and steps or other obstructions have been heretofore erected which shall or do encroach upon the pavements in the said Borough so as to leave such pavement unobstructed for less than three feet, such porch or steps shall not be considered as a public nuisance; but when such porch, steps or other obstruction shall be decayed, or require rebuilding, the owner or owners of such porch, steps or other obstruction shall not at any time, rebuild such porch, steps or other obstruction so as to leave unobstructed and unencumbered less than three feet of space on such pavement; nor shall any person or persons erect and build anew such porch, steps or other obstruction, on any of the pavements in the said Borough, so as to leave unobstructed and unencumbered less than three feet of space on such pavement; any porch, steps or other obstruction, so rebuilt as aforesaid, or erected or built anew shall be considered and adjudged a public nuisance, and shall be removable as such at the expense of the person or persons maintaining it; said expense with costs of prosecution shall be collected in the corporate name of the Borough in an action of debt before a magisterial district judge of said Borough.

CHAPTER 22
SUBDIVISION AND LAND DEVELOPMENT

PART 1

SHORT TITLE; PURPOSE; AUTHORITY; COUNTY REVIEW

§ 22-101.	Short Title.
§ 22-102.	Purpose.
§ 22-103.	Authority.
§ 22-104.	Review by County Planning Commission.

PART 2

ADMINISTRATION

§ 22-201.	Preapplication Consultation.
§ 22-202.	Submission of Sketch Design Plan.
§ 22-203.	Submission of the Preliminary Plan.
§ 22-204.	Preliminary Plan Referrals.
§ 22-205.	Supporting Data Required With Preliminary Plan.
§ 22-206.	Planning Commission Review of Preliminary Plan.
§ 22-207.	Planning Commission's Decision Concerning Preliminary Plan.
§ 22-208.	Borough Council's Decision Concerning Preliminary Plan.
§ 22-209.	Effect of Approval of Preliminary Plan.
§ 22-210.	Submission of the Final Plan.
§ 22-211.	Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval.
§ 22-212.	Amount of Security.
§ 22-213.	Completion of Improvements.
§ 22-214.	Release From Improvement Bond.
§ 22-215.	Remedies to Effect Completion of Improvements.
§ 22-216.	Final Plan Referrals by Planning Commission.
§ 22-217.	Review of Final Plan by the Planning Commission.
§ 22-218.	Planning Commission's Decision Concerning Final Plan.

- § 22-219. Action of Borough Council Concerning Final Plan.
§ 22-220. Recording the Plan.
§ 22-221. Distribution of Copies of Approved Final Plan.

PART 3

REQUIRED FEES AND SUBMISSION MATERIALS

- § 22-301. Fees.
§ 22-302. Specifications of Submission Materials.

PART 4

DEDICATION AND RESERVATION

- § 22-401. Improvements.
§ 22-402. Effect of Recording.
§ 22-403. Effect of Offers of Dedication.
§ 22-404. Effect of Land Reservation.
§ 22-405. Maintenance Guarantee.
§ 22-406. Local Recreation Sites.
§ 22-407. Alternative Method of Providing Local Recreation Sites.
§ 22-408. Water Area.
§ 22-409. Drainageways.

PART 5

VARIATIONS AND ENFORCEMENT

- § 22-501. Minor Subdivision.
§ 22-502. Resubdivision.
§ 22-503. Additions to Existing Lots.
§ 22-504. Substantial Development.
§ 22-505. Resort or Seasonal Type Subdivision.
§ 22-506. Waiver of Modification.
§ 22-507. Modifications.
§ 22-508. Amendments to the Chapter.
§ 22-509. Preventive Remedies of Borough.
§ 22-510. Enforcement Remedies of the Borough.
§ 22-511. Other Actions.
§ 22-512. Appeals.

PART 6
SITE LOCATION AND GENERAL STANDARDS

- | | |
|------------------|--|
| § 22-601. | Location Site. |
| § 22-602. | General Design Standards for Sites. |
| § 22-603. | Street Systems. |
| § 22-604. | Blocks, Lots, and Buildings. |
| § 22-605. | Design Standards for Mobile Home Parks. |

PART 7
DEVELOPMENT STANDARDS

- | | |
|------------------|--|
| § 22-701. | Street Design. |
| § 22-702. | Intersection Design. |
| § 22-703. | Pavement Surface. |
| § 22-704. | Street Verge. |
| § 22-705. | Other Street Provisions. |
| § 22-706. | Water Supply. |
| § 22-707. | Sanitary Sewage. |
| § 22-708. | Storm Drainage. |
| § 22-709. | Other Utilities. |
| § 22-710. | Monuments and Markers. |
| § 22-711. | Erosion and Sedimentation Control Plan. |

PART 8
DEFINITIONS

- | | |
|------------------|------------------------------------|
| § 22-801. | Intent. |
| § 22-802. | General Usage. |
| § 22-803. | Specific Words and Phrases. |

PART 9
ENACTMENT

- | | |
|------------------|------------------------|
| § 22-901. | Interpretation. |
|------------------|------------------------|

PART 10
APPENDIX

- | | |
|--------------------------|--|
| Appendix 22-10-1. | — Lot Size and Setback. |
| Appendix 22-10-2. | — Standards for Mobile Home Parks. |
| Appendix 22-10-3. | — Street Construction Standards for Resort-Type Subdivisions. |

PART 1

SHORT TITLE; PURPOSE; AUTHORITY; COUNTY REVIEW**§ 22-101. Short Title. [Ord. 190 (71-4), 10/14/1971, Article 100, § 101]**

This Chapter shall be known as the "Subdivision and Land Development Ordinance of the Borough of Glen Rock."

§ 22-102. Purpose. [Ord. 190 (71-4), 10/14/1971, Article 100, § 102]

1. The purpose of these subdivision regulations is to ensure the harmonious development of the Borough by:
 - A. Assisting in the orderly and efficient integration of subdivisions within the Borough.
 - B. Attaining conformance of subdivision plans with public improvement plans.
 - C. Achieving coordination of intermunicipal public improvement plans and programs.
 - D. Facilitating the efficient movement of traffic.
 - E. Assuring the protection of water resources and drainageways.
 - F. Securing adequate sites for recreation, conservation, scenic and other open space purposes.
 - G. Providing uniform standards and procedures for equitable administration of all subdivision plans.
 - H. Promoting, in general, the greater health, safety, morals and welfare of the citizens of the Borough.

§ 22-103. Authority. [Ord. 190 (71-4), 10/14/1971, Article 100, § 103]

All plans for subdivision and land development within Glen Rock Borough shall first be submitted to the Borough Planning Commission, which shall be empowered to review said plans, either alone or jointly, with the Borough Council, and shall make recommendations to the Council as to their approval (whether conditional or final) or rejection of any plan. As provided for in Pennsylvania Act 247, Article V, § 501, 53 P.S. § 10501, the Glen Rock Borough Council shall be vested with final authority over subdivision and land development in the Borough.

§ 22-104. Review by County Planning Commission. [Ord. 190 (71-4), 10/14/1972, Article 100, § 104; as amended by Ord. 337 (92-4), 5/6/1992, § 1]

All plans for subdivision or land development located within Glen Rock Borough shall be forwarded upon receipt by Glen Rock Borough to the York County Planning

Commission for review and report. Glen Rock Borough shall not approve such plans until the York County Planning Commission report is received or until the expiration of 30 days from the date the application was forwarded to the York County Planning Commission.

PART 2
ADMINISTRATION**§ 22-201. Preapplication Consultation. [Ord. 190 (71-4), 10/14/1971, Article 200, § 201]**

Copies of this Chapter shall be available at cost on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within Glen Rock Borough. Any prospective subdivider may request a conference with the Planning Commission at its next regular or special meeting to discuss and review tentative plans and discuss the applicability of the provisions of this Chapter.

§ 22-202. Submission of Sketch Design Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 202]

1. At least 12 days prior to the next regularly scheduled Planning Commission meeting the subdivider may submit a sketch design plan in accordance with the provisions of this Chapter. The Planning Commission shall then review the sketch design plan with reference to the following considerations:
 - A. Any Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect proposals.
 - B. Site suitability for the particular type of development proposed.
 - C. The availability of necessary services and facilities.
 - D. The improvements, design, and dedications or reservations required by these regulations.
 - E. Any state highway, either existing or proposed by the Pennsylvania Department of Transportation.

Within 10 days of review of the sketch design plan by the Planning Commission, a report shall be sent to the subdivider indicating recommendations as to changes that should be made in the layout of the subdivision before preparation of the preliminary plan.

§ 22-203. Submission of the Preliminary Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 203; as amended by Ord. 307 (89-4), 10/14/1989, § 1]

At least 12 days prior to the next regularly scheduled Planning Commission meeting the subdivider shall submit seven copies of the preliminary plan to the Secretary of the Planning Commission. The preliminary plan shall be drawn by a registered surveyor or a registered professional engineer licensed as such in the Commonwealth of Pennsylvania. The application shall be deemed to be filed under the terms of said act as of the date of the regular meeting of the Planning Commission following such submission. In the event the preliminary plan covers but a portion of the subdivider's tract, an additional drawing showing the proposed

street system, public spaces and other features which will be pertinent to the development of the entire tract shall be submitted to the Planning Commission as supporting documentation with the preliminary plan.

§ 22-204. Preliminary Plan Referrals. [Ord. 190 (71-4), 10/14/1971, Article 200, § 204; as amended by Ord. 307 (89-4), 10/4/1989, § 2; as amended by A.O.]

1. The Planning Commission shall submit copies of the preliminary subdivision plan and supporting data to other official public agencies for review and recommendations, and shall also transmit a copy to the Borough Secretary accompanied by the written recommendation of the Planning Commission.
 - A. One copy shall be retained by the Secretary of the Planning Commission for record.
 - B. One copy and a feasibility report on water and sewer facilities transmitted to the local office of the Pennsylvania Department of Environmental Protection for review and recommendations where on-lot individual subsurface sewage disposal systems and/or wells are to be utilized in the proposed subdivision.
 - C. One copy transmitted to the local office of the Pennsylvania Department of Transportation for review and recommendations concerning the proposed highway system as it will affect existing or proposed extensions of the official state highway system.
 - D. One copy to the Borough Engineer for review of engineering requirements.
 - E. One copy transmitted to the York County Planning Commission as required by § 22-104 of this Chapter.
 - F. One copy to the Borough Secretary accompanied by written recommendations of the Planning Commission.
 - G. One copy to all affected public utilities who shall be requested to make recommendations as to the suitability of installing underground telephone and electric lines.
 - H. One copy to the Ordinance Committee of the Borough Council of any plan resulting in more than four dwelling units.
 - I. One copy to each additional agency as shall from time to time be designated by resolution of the Borough Council, which resolution shall be on file in the Borough Office.

§ 22-205. Supporting Data Required With Preliminary Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 205; as amended by A.O.]

1. Feasibility Report on Water and Sewer Facilities. The subdivider shall submit a feasibility report in duplicate concerning the availability and/or adaptability of water and sewer facilities in or near a proposed subdivision. Said report shall be prepared by a registered professional engineer and be submitted in conjunction with the preliminary plan for review and recommendations by the local office of the Pennsylvania Department of Environmental Protection.
2. The feasibility report shall consist of an examination of possible connection to an existing sewerage system and water supply system. The study shall include the distance from the nearest public sewer, and the capacity of the existing system to accommodate the proposed load.
3. If connection to an existing sewerage system is not deemed feasible, the possibility of constructing a separate sewerage system and treatment works shall be investigated. This study shall include the location of treatment facilities, receiving stream, type and degree of treatment and design capacity.
4. If either of the above methods of sewerage disposal are found to be feasible, formal application shall be made to the Commonwealth of Pennsylvania, Department of Environmental Protection and a permit obtained from the Department of Environmental Protection prior to the construction of sewers or treatment facilities.
5. The Planning Commission will approve on-lot individual subsurface sewage disposal systems only when the feasibility report indicates:
 - A. Justification of the project necessitates consideration of this method.
 - B. The soil absorption is satisfactory for this type of system.
 - C. Such systems will not endanger groundwater supplies below the level of the absorption system.
 - D. The systems will not be installed in creviced rocks or limestone formations.
6. The soil absorption tests called for above shall be performed in accordance with the regulations of the Pennsylvania Sewage Facilities Act, 35 P.S. § 750.1 et seq., and shall be certified by a Sanitarian of the Pennsylvania Department of Environmental Protection.

§ 22-206. Planning Commission Review of Preliminary Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 206; as amended by A.O.]

1. Preliminary subdivision plans shall be subject to approval, modification or rejection by the Planning Commission prior to final action by the Borough Council.
2. Upon receipt of data required by this Chapter, the Planning Commission shall, alone or jointly with the Borough Council, review the preliminary plan with reference to the following:
 - A. The standards and requirements of this Chapter.
 - B. The recommendations of the Borough Engineer.
 - C. The recommendations received from the York County Planning Commission.
 - D. The recommendations received from the Pennsylvania Department of Environmental Protection.
 - E. The recommendations received from the Pennsylvania Department of Transportation.
 - F. The recommendations of affected public utilities.
 - G. The Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect and Official Map of Glen Rock Borough.

§ 22-207. Planning Commission's Decision Concerning Preliminary Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 207]

1. Upon review the Planning Commission shall make recommendations to the Borough Council as to the approval, conditional approval or disapproval of said preliminary plan as submitted. Such action shall take place at a regularly scheduled meeting of the Planning Commission or at a special meeting if necessary for action within the time limit.
2. The Borough Secretary shall be immediately notified in writing as to the action of the Planning Commission.
3. If the plan is approved conditionally, or disapproved, reasons for such action shall be noted in the letter to the Borough Secretary, along with necessary changes and/or additions to the preliminary plan.

§ 22-208. Borough Council's Decision Concerning Preliminary Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 208; as amended by Ord. 304 (89-1), 1/4/1989; by Ord. 307 (89-4), 10/4/1989; and by Ord. 337 (92-4), 5/6/1992, § 2]

1. Following formal action by the Planning Commission, the Borough Council shall proceed, alone or jointly with the Planning Commission, with final review of the preliminary plan. In the event that the Planning Commission fails to act on, and make recommendations regarding the preliminary plan, such failure to act shall be interpreted by the Borough Council as indicating favorable review. The Borough Council may approve the plan in whole or in part, or subject the plan to modifications, or disapprove the plan. The decision of the Borough Council shall be in writing and shall be communicated to the subdivider personally or mailed to him at his last known address not later than five days following the decision.
2. Borough Council may approve a preliminary plan with conditions. If approval of the plan is conditional, the applicant shall indicate his agreement of the conditions at the time of approval by signing either in person or by an authorized agent, a form in the presence of the Borough Council prepared by the Borough listing the conditions imposed. A copy of the applicant's acceptance of the conditions imposed shall be attached to and become a part of the written decision of the Borough Council. Failure of the applicant to agree to the conditions imposed shall be a denial of the plan by the Borough Council, and the decision of the Council shall comply with the requirements of this Section regarding plans for which approval is not given.
3. When a preliminary plan is not approved in terms as filed, the decision shall specify the defects found in the plan and describe the requirements which have not been met, and in each case, cite the provision of the statute or ordinance relied upon.
4. The Borough Council shall render a final decision on the preliminary plan and communicate it to the subdivider no later than 90 days after the original Planning Commission meeting at which time the preliminary plan was first brought up for consideration. Failure of the Borough Council to render a decision and communicate it to the subdivider within the time and in the manner required shall be deemed as final approval of the preliminary plan unless the subdivider has agreed to an extension of time, in which case failure to meet the extended deadline shall have like effect.

§ 22-209. Effect of Approval of Preliminary Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 209; as amended by Ord. 307 (89-4), 10/4/1989; and by Ord. 337 (92-4), 5/6/1992, § 3]

1. Approval of the preliminary plan by the Borough Council constitutes conditional approval of the subdivision as to the character and intensity of development, the general layout, and the dimensions of streets, lots and other planned features. This approval binds the developer to the general scheme shown on the preliminary plan and the conditions imposed by the

Borough Council if approval was conditional and the developer has agreed to the conditions. The plan shall not be signed by the Borough Council until all conditions are complied with.

2. Approval of the preliminary plan shall not constitute approval of the final subdivision plan, nor does it authorize recording of the preliminary plan or the sale of any lots. However, such approval does authorize the subdivider to proceed with the preparation of the final plan, installation and/or construction of improvements and posting of a bond guarantee as specified in § 22-211 of this Chapter.

§ 22-210. Submission of the Final Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 210; as amended by Ord. 307 (89-4), 10/4/1989]

1. At least 12 days prior to the next regularly scheduled Planning Commission meeting the subdivider shall submit seven copies of the final plan to the Secretary of the Planning Commission. The final plan shall be drawn by a registered surveyor or a registered professional engineer licensed as such in the Commonwealth of Pennsylvania. The application shall be deemed to be filed under the terms of said act as of the date of the regular meeting of the Planning Commission following such submission.
2. At the time of final approval, the original drawing showing the final plan shall be made available for authentication by the Planning Commission and the Borough Council. Both the Planning Commission and the Borough Council shall sign this original drawing and return it to the subdivider for compliance with the recording requirements.
3. Submission of the final plan shall take place within one year after the approval of the preliminary plan by the Borough Council. If the subdivider does not submit the final plan during that time, the approved preliminary plan becomes null and void. However, the subdivider may, due to extenuating circumstances, apply for and receive a time extension from the Borough Council upon recommendation of the Planning Commission.

§ 22-211. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval. [Ord. 190 (71-4), 10/14/1971, Article 200, § 211; as amended by Ord. 337 (92-4), 5/6/1992, § 4]

1. No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by the provisions of this Chapter and any walkways, curbs, gutters, streetlights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by the provisions of this Chapter have been installed in accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the applicant shall deposit with the Borough financial security in an amount sufficient to cover the cost of such improvements or common amenities including, but not limited to,

- roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements or buffer or screen plantings that may be required. Without limitation as to other types of financial security that are acceptable to the Borough or which the Borough may approve, which approval shall not be unreasonably withheld, federal or commonwealth chartered lending institution irrevocable letter of credit and restrictive or escrow accounts in such lending institutions are acceptable financial security to guarantee completion of improvements. Such financial security shall be posted with a bonding company or federal or commonwealth chartered lending institution chosen by the applicant or developer posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth of Pennsylvania.
2. Such bond or other financial security shall provide for, and secure to the public, the completion of any improvements that may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. In the case where development, is projected over a period of years, the Borough Council may authorize submission of final plans by sections or stages of development, subject to such requirements or guarantees to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
 3. Where requested by the applicant in order to facilitate financing, the Borough shall furnish the applicant with a signed copy of a resolution of the Borough Council indicating approval of the final plan contingent upon the applicant obtaining a satisfactory financial security. The final plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days. The applicant shall have the right to request in writing an extension of this ninety-day period, which extension shall not be unreasonably withheld by the Borough Council.

§ 22-212. Amount of Security. [Ord. 190 (71-4), 10/14/1971, Article 200, § 212; as amended by Ord. 337 (92-4), 5/6/1992, § 5]

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually the Borough may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth day after either the original date scheduled for completion or a rescheduled date for completion. Subsequent to said adjustment, the Borough may require the developer to post additional security in order to assure that the financial security equals

110% of the cost of completion. Any additional security shall be posted by the developer in accordance with the provisions of this Chapter.

2. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by the applicant or developer and prepared by a professional engineer licensed as such in the Commonwealth of Pennsylvania and certified by such engineer to be a fair and reasonable estimate of such cost. The Borough, upon the recommendation of the Borough Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Borough are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in the Commonwealth of Pennsylvania and chosen mutually by the applicant or developer and Glen Rock Borough. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be shared equally by the applicant or developer and the Borough.

§ 22-213. Completion of Improvements. [Ord. 190 (71-4), 10/14/1971, Article 200, § 213; as amended by Ord. 337 (92-4), 5/6/1992, § 6]

1. As the work of installing the requirement improvements proceeds, the applicant posting the financial security may request the Borough Council to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing, by certified or registered mail, addressed to the Borough Council of Glen Rock Borough and the Borough Council shall have 45 days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to the Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed or, if the Borough Council fails to act within said forty-five-day period, the Borough Council shall be deemed to have approved the release of funds as requested.
2. The Borough Council may, prior to final release at the time of completion and certification by the Borough Engineer, require the retention of 10% of the estimated cost of the aforesaid improvements, for a period of up to six months from the date of completion.
3. If any portion of said improvements shall not be approved or shall be rejected by the Borough Council, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification as outlined in the first paragraph of this Section shall be followed. Nothing herein, however, shall be construed in limitation of the applicant's rights to contest

or to question by legal proceedings or otherwise any determination of the Borough Council or of the Borough Engineer.

§ 22-214. Release From Improvement Bond. [Ord. 190 (71-4), 10/14/1971; as added by Ord. 337 (92-4), 5/6/1992, § 7]

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Borough Council, in writing by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. The Borough Council shall, within 10 days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council, said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
2. The Borough Council shall notify the developer within 15 days of receipt of the Borough Engineer's report, in writing by certified or registered mail, of the action of the Borough Council relative thereto. If the Borough Council or Borough Engineer fails to comply with the time limitations contained in this Chapter, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its financial surety arrangement.
3. If any portion of the said improvements shall not be approved or shall be rejected by the Borough Council, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
4. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise any determination of the Borough Council or the Borough Engineer.
5. Where herein reference is made to the Borough Engineer, he shall be a duly registered professional engineer employed by the Borough or engaged as a consultant thereto.
6. To cover inspection costs, the developer must pay a fee to be established by the Borough Council. Any unused portion of this fee will be refunded to the developer upon completion of the inspections.

§ 22-215. Remedies to Effect Completion of Improvements. [Ord. 190 (71-4), 10/14/1971, Article 200, § 214]

In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved final plat, the Borough Council is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security or insufficient to pay the cost of installing or making repairs or corrections to all the improvement covered by said security, the Borough Council may, at their option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the subdivider, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

§ 22-216. Final Plan Referrals by Planning Commission. [Ord. 190 (71-4), 10/14/1971, Article 200, § 215; as amended by Ord. 307 (89-4), 10/4/1989; and by A.O.]

1. The Planning Commission shall submit copies of the final subdivision plan and supporting data to other official public agencies for review and recommendations, and shall also transmit a copy to the Borough Secretary accompanied by the written recommendations of the Planning Commission.
 - A. One copy shall be retained by the Secretary of the Planning Commission for record.
 - B. One copy transmitted to the local office of the Pennsylvania Department of Environmental Protection for review and mapping of the proposed utilities system.
 - C. One copy transmitted to the District 8 Office of the Pennsylvania Department of Transportation for review and mapping of dedicated streets.
 - D. One copy to the Borough Engineer for review of engineering requirements.
 - E. One copy transmitted to the York County Planning Commission as required by § 22-104 of this Chapter.
 - F. One copy to the Borough Secretary accompanied by written recommendations of the Planning Commission.
 - G. One copy to all affected public utilities which shall be requested to make recommendations as to the suitability of installing underground telephone and electric lines.

- H. One copy to the Ordinance Committee of the Borough Council of any plan resulting in more than four dwelling units.
- I. One copy to each additional agency as shall from time to time be designated by resolution of the Borough Council on file in the Borough Office.

§ 22-217. Review of Final Plan by the Planning Commission. [Ord. 190 (71-4), 10/14/1971, Article 200, § 216]

- 1. The Planning Commission shall, alone or jointly with the Borough Council, review the final plan with reference to the following:
 - A. The standards and requirements of this Chapter.
 - B. Other pertinent data including engineering plans, maps, profiles, documents and specifications and conditions which were agreed upon at the time of the preliminary plan review.
 - C. The Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect and Official Map of Glen Rock Borough.

§ 22-218. Planning Commission's Decision Concerning Final Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 217]

- 1. Upon review the Planning Commission shall make recommendations to the Borough Council as to the approval, conditional approval, or disapproval of said final plan as submitted. Such action shall take place at a regularly scheduled meeting of the Planning Commission or at a special meeting if necessary for action within the time limit. The Borough Secretary shall be immediately notified in writing as to the action of the Planning Commission.
- 2. If the plan is approved conditionally or disapproved, reasons for such action shall be noted in the letter to the Borough Secretary, along with necessary changes and/or additions to the final plan.
- 3. In the case where development is projected over a period of years, the Planning Commission may authorize submission of the final plan by section or stages of development subject to such requirements of guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

§ 22-219. Action of Borough Council Concerning Final Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 218; as amended by Ord. 304 (89-1), 1/4/1989; by Ord. 307 (89-4), 10/4/1989; and by Ord. 337 (92-4), 5/6/1992, §§ 8, 9]

1. Following formal action by the Planning Commission, the Borough Council shall proceed, alone or jointly with the Planning Commission with final review of the final plan.
2. In the event that the Planning Commission fails to act on and make recommendations regarding the final plan, such failure to act shall be interpreted by the Borough Council as indicating favorable review.
3. The Borough Council may approve the plan in whole or in part, or subject the plan to modifications or conditions or may disapprove the plan. The decision of the Borough Council shall be in writing and shall be communicated to the subdivider personally or mailed to him at his last known address not later than five days following the decision.
4. Borough Council may approve a final plan with conditions. If approval of the plan is conditional, the applicant shall indicate his agreement of the conditions at the time of approval by signing either in person or by an authorized agent, a form in the presence of the Borough Council prepared by the Borough listing the conditions imposed. A copy of the applicant's acceptance of the conditions imposed shall be attached to and become a part of the written decision of the Borough Council. Failure of the applicant to agree to the conditions imposed shall be a denial of the plan by the Borough Council, and the decision of the Council shall comply with the requirements of this Section regarding plans for which approval is not given.
5. The decision of the Borough Council shall be recorded on all copies of the final plan received from the Planning Commission.
6. When a final plan is not approved in terms as filed, the decision shall specify the defects found in the plan and describe the requirements which have not been met, and in each case cite the provisions of the statute or ordinance relied upon.
7. The Borough Council shall render a final decision on the final plan and communicate it to the subdivider no later than 90 days after the original Planning Commission meeting at which time the final plan was first brought up for consideration. Failure of the Borough Council to render a decision and communicate it to the subdivider within the time and in the manner required shall be deemed as final approval of the final plan unless the subdivider has agreed in writing to an extension in time, in which case failure to meet the extended deadline shall have like effect.
8. Approval of the final plan by the Borough Council constitutes final approval of the land development as to the character and intensity of development, the layout and the dimensions of streets, lots and other planned features.

This approval binds the developer to the scheme shown on the final plan and the conditions imposed by the Borough Council if approval was conditional and the developer has agreed to the conditions. The plan shall not be signed by the Borough Council until all conditions are agreed to or complied with.

9. Final plan approval and compliance with all conditions if any are imposed authorizes recording of the final plan which must be accomplished before the developer can proceed with the sale of any lots or the construction of buildings or structures.

§ 22-220. Recording the Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 219; as amended by Ord. 337 (92-4), 5/6/1992, § 10]

1. Upon approval of the final plan and the compliance with all conditions of approval of the plan was conditional, the Borough shall within 90 days of such approval or compliance with conditions record such plan in the Office of the Recorder of Deeds of York County. Developer shall secure the notation of review by the York County Planning Commission prior to recording of the plan. Within 30 days after such recording, the Borough shall furnish proof of recording to the developer.
2. The recording of the final plan shall not constitute grounds for assessment increase until such time as lots are sold or improvements are installed on the land included within the subject subdivision.
3. No changes, erasures, modifications or revisions shall be made on the final plan after approval, unless the plan is first submitted to the Planning Commission and Borough Council for their review and approval.

§ 22-221. Distribution of Copies of Approved Final Plan. [Ord. 190 (71-4), 10/14/1971, Article 200, § 220]

1. Distribution of copies of the final plan as approved shall be as follows:
 - A. Two copies of the plan and one copy of supporting materials shall be retained for Borough records.
 - B. One copy of the plan to the Borough Engineer.

PART 3

REQUIRED FEES AND SUBMISSION MATERIALS

§ 22-301. Fees. [Ord. 190 (71-4), 10/14/1971, Article 300, § 301, as amended by Ord. 307 (89-4), 10/4/1989, § 11; and by Ord. 337 (92-4), 5/6/1992, § 11]

1. Fees for filing and reviewing a preliminary plan, final plan or land development plan and fees for inspection of improvements shall be set from time to time by resolution of the Borough Council which fees shall not exceed the cost charged by the engineer or other reviewing consultant to Glen Rock Borough when fees are not reimbursed by or imposed on applicants. Said fees shall include the cost of the following:
 - A. Reviewing the subdivision or land development plan and engineering details by the Borough Engineer, Borough Solicitor and other review consultants if necessary.
 - B. Reviewing the cost estimates of required improvements for the purpose of posting security.
 - C. Inspection of site for conformance to survey.
 - D. Inspection of required improvements during installation and final inspection for completion of installation of required improvements.
2. Costs shall be billed to the applicant upon completion of each review phase. If fees remain unpaid after 30 days of date of invoice by Glen Rock Borough, interest shall be charged at the rate of 1 1/2% per month thereafter. No building permits shall be issued nor any subdivision or land development shall be recorded for any tract of land for which any fees required by this Section remain unpaid.

§ 22-302. Specifications of Submission Materials. [Ord. 190 (71-4), 10/14/1971, Article 300, § 302; as amended by Ord. 307 (89-4), 10/4/1989, § 13; and by A.O.]

1. Part I-Sketch Design Plan. The sketch design plan should be on a topographical survey map, may be a freehand drawing on a print of such a map and shall show the following information:
 - A. Site Map.
 - (1) Existing and proposed streets, highways, and rights-of-way on and adjacent to the tract.
 - (2) Lot lines and subdivision boundary.
 - (3) All public reservations such as for schools, parks, etc.

- (4) Approximate location of tree masses and other large size or prominent physical features.
 - (5) The sketch design plan shall be drawn at a scale of one inch equals 50 feet.
 - B. Development Data. Numbers of acres in tract, acres in public use, average lot size, approximate number of lots, anticipated type of development.
 - C. Location Map. Sketch vicinity map showing the relation of the subdivision to surrounding area and community.
 - D. Legal Data. Name and address of subdivider, name of municipality, title, scale, north arrow, and date.
- 2. Part II-Preliminary Plan. The preliminary plan shall show and be accompanied by the following information:
 - A. Site Map.
 - (1) Seven copies of the preliminary subdivision plan. Sheet size of 22 inches by 36 inches.
 - (2) Scale of one inch equals 50 feet or one foot equals 100 feet with scale selected indicated on the map.
 - (3) Proposed subdivision name or identifying title.
 - (4) North point and date.
 - (5) Municipality in which the subdivision is located.
 - (6) Name and address of the owner of the property or of his authorized agent or the subdivider.
 - (7) Name and seal of the registered engineer or registered surveyor responsible for the plan.
 - (8) Tract boundaries, with bearings and distances.
 - (9) Contours at vertical intervals of five feet or, in the case of relatively level tracts, at such lesser intervals as may be necessary for satisfactory study and planning of the tract.
 - (10) Datum to which contour elevations refer shall be U.S. Coast and Geodetic Survey datum.
 - (11) The location of existing streets in and adjacent to the tract (including names, right-of-way widths and cartway widths), highways, alleys, and platted rights-of-way, buildings, water

mains, fire hydrants, sewers, drain pipes, power and fuel transmission lines, culverts, easements, bridges, watercourses, railroad facilities, parks, playgrounds, and other significant man-made features on the site and those on adjacent land.

- (12) Names of all adjacent subdivisions and the names of the property owners of adjacent undivided tracts, the zoning classification, if any, of the land to be subdivided and of all the adjacent properties.
- (13) All existing watercourses, tree masses, rock outcrops, springs, swampy areas and other significant natural features.
- (14) All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.
- (15) Location and width of all proposed streets, alleys, rights-of-way and easements; street names and grade, proposed lot lines with dimensions; proposed minimum building setback line for each street; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
- (16) Clear-sight triangles as required in § 22-702 of this Chapter.
- (17) The location of the soil absorption tests when such tests are required.
- (18) Number of acres in the tract, acres in public use, number of lots, type of anticipated use, lineal feet in streets, minimum lot size.
- (19) A location map, at a scale of 1,200 feet to the inch, showing the proposed development and adjoining areas.

B. Supporting Data.

- (1) Feasibility report on sewer and water facilities for the tract as required in § 22-205.
- (2) Detailed Drawings Required.
 - (a) Streets. Typical cross-section and center line profiles for each proposed street showing existing and proposed grades.
 - (b) Bridges and Culverts. Preliminary engineering designs of any new bridges or culverts proposed in the tract.

- (c) Stormwater Drainage. A drawing of all present and proposed grades and facilities for stormwater drainage.
 - (3) In the event that the plans propose the enlargement of utility or other services extending from another municipality, a statement or certificate indicating that the proposal has been reviewed by the municipality or municipal authority concerned and is considered to be reasonable.
 - (4) Where the preliminary plan covers only a part of the subdivider's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
 - C. A draft of deed restrictions and/or protective covenants for the subdivision.
 - D. Offers of dedication and reservation.
 - E. Letter from postmaster of area where subdivision is located stating that the proposed subdivision street names do not duplicate names now in use.
3. Part III-Final Plan. The following materials shall be submitted for approval of a final plan. Final plans shall conform in all important details with preliminary plans as previously approved and any conditions specified in the approval of preliminary plans shall be incorporated in the final plans.
- A. Site Map.
 - (1) Seven copies of the final subdivision plan.
 - (2) Drawn on same sheet size and at same scale as the preliminary plan.
 - (3) The final plan site map shall be drawn on tracing cloth or be transparent reproduction with black line on cloth or stable plastic base film. If the final plan site map is drawn in two or more sections, they must be numbered consecutively and accompanied by a key map showing the location of the several sections.
 - (4) For all street rights-of-way and property lines within the subdivision, the following must be shown-accurate dimensions, bearings or deflection angles of all straight lines; error of closure may not exceed one foot in 10,000 for slopes of less than 10% or two feet in 10,000 for slopes of 10% and over and radii, arcs and central angles of all curves.
 - (5) For other rights-of-way and easements, the location, bearings, dimensions and purpose.

- (6) Survey data shall include primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings and similar data on the map are referred.
- (7) Number to identify each lot and/or site.
- (8) Purpose for which sites other than residential lots are dedicated or reserved.
- (9) Building setback lines on all lots and other sites.
- (10) Names of record owners of adjoining unplatted land.
- (11) Reference to recorded subdivision plans of adjoining subdivided land by record name, date and number.
- (12) Notarized certification of title showing that applicant is the owner of the land, that the subdivision shown is his act and deed, and that it will be recorded as shown.
- (13) Certification by licensed surveyor or licensed engineer certifying to accuracy of survey and subdivision.
- (14) The location of all proposed monuments and street signs and the location and methods of streetlighting facilities.
- (15) A location map corrected and updated from the preliminary plan.
- (16) Provisions for approval by the Glen Rock Borough Planning Commission.
- (17) Provisions for approval by the Glen Rock Borough Council.
- (18) Provisions for review by the York County Planning Commission.

B. Supporting Data.

- (1) Corrected and updated from the preliminary plan, all detailed drawings and specifications for improvements shall be submitted.
- (2) Two copies of a center line profile and cross-section maps or diagrams of streets showing proposed grades, curbs, sanitary and stormwater sewers, water lines, and any other underground utilities at a minimum scale of 40 feet horizontal and four feet vertical.
- (3) Certificates Required.

- (a) From a registered professional engineer employed by the Borough Council-certification that the subdivider has installed all improvements to the specifications of these requirements and has complied with any conditions attached to the approval of the preliminary plan by the Planning Commission and/or the Borough Council; or that the subdivider has posted bond or certified check in amount sufficient to assure completion of all required improvements.
 - (b) From state agencies-certification that method of sewage disposal and water supply have been approved by the Pennsylvania Department of Environmental Protection.
 - (c) Other certificates as may be required.
- (4) An agreement that the subdivider will install underground utilities before paving streets and constructing sidewalks.
- (5) The final plan shall include thereon or be accompanied by:
 - (a) Protective covenants or private deed restrictions.
 - (b) Satisfactory arrangements made to guarantee construction of all improvements not completed.
 - (c) Filing fees and any other fee that may be required.

PART 4

DEDICATION AND RESERVATION

§ 22-401. Improvements. [Ord. 190 (71-4), 10/14/1971, Article 400, § 401]

The final responsibility of the improvements required by this Chapter shall lie with the subdivider. Upon installation of these improvements by the subdivider and subsequent inspection by the registered professional engineer retained by the Borough, the subdivider shall take final step to dedicate these improvements and have them accepted by Glen Rock Borough.

§ 22-402. Effect of Recording. [Ord. 190 (71-4), 10/14/1971, Article 400, § 402]

1. Recording the final plan after approval of the Borough Council has the effect of an irrevocable offer to:
 - A. Dedicate all streets and other public ways to public use.
 - B. Dedicate all neighborhood parks and other public areas to public use.
 - C. Reserve for possible future public acquisition such additional areas as may be required by the Borough.

§ 22-403. Effect of Offers of Dedication. [Ord. 190 (71-4), 10/14/1971, Article 400, § 403]

The offer to dedicate streets, parks or other areas or portions of them, does not impose any duty upon the Borough concerning maintenance or improvement until the proper authorities of the Borough have made actual appropriation by ordinance or resolution or by entry or improvement. If land is dedicated for a public site and its use for this purpose is not imminent, the subdivider may be permitted to dedicate the land with the privilege of using the surface rights until the Borough is ready to use the land. Such dedication with the temporary privilege of use must be noted on the final plan.

§ 22-404. Effect of Land Reservation. [Ord. 190 (71-4), 10/4/1971, Article 400, § 404]

On sites reserved to eventual public acquisition, no building development is permitted during the period of reservation. The Borough may require the reservation of such sites in addition to or in lieu of land to be dedicated for public use. The reservation period must not be longer than 18 months unless with the consent of the subdivider. Land so reserved must be indicated on the final plan.

§ 22-405. Maintenance Guarantee. [Ord. 190 (71-4), 10/14/1971, Article 400, § 405; as amended by Ord. 337 (92-4), 5/6/1992, § 12]

After the Borough Council accepts dedication of all or some of the required improvements following completion, the Borough Council shall require the posting of financial security to secure structural integrity of said improvements as well as

the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed 18 months from the date of dedication. Said financial security shall be of the same type as otherwise required by this Chapter with regard to installation of such improvements. The amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

§ 22-406. Local Recreation Sites. [Ord. 190 (71-4), 10/14/1971, Article 400, § 406; as amended by Ord. 337 (92-4), 5/6/1992, § 13; by Ord. 463 (2009-05, § 1); and by A.O.]

1. The applicant or developer shall dedicate land to the Borough or reserve land for private recreation facilities that will be permanently devoted to recreation and adequately secured for such use, construct recreation facilities, pay a fee in lieu of such dedication or construction, or some combination thereof for park or recreation purposes, in accordance with the following standards:

- A. The land to be dedicated or reserved must be suitable size, dimensions, topography, access and general character for the purpose use and must be located in an area identified in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect as having a need for additional recreation facilities.

- B. The amount of land to be dedicated or reserved shall be as follows:

Dwelling Units or Lots Shown

on Plan

Land to be Dedicated

1 to 25

0.02 acres per lot

26 to 50

1 acre

51 to 75

2 acres

76 to 100

3 acres

101 to 150

4 acres

- C. Where the application of the area standards of Subsection 1B would result in a site too small to be usable, or where there is not an identified need for additional land for recreation purposes in the area of the Borough in which the subdivision or development is located or where the applicant and Borough Council agree for any other reason, the applicant or developer shall pay to Glen Rock Borough a fee per lot or per unit established annually by resolution of the Borough Council for the purpose of providing park or recreational facilities accessible to the development. In lieu of such fees, the applicant and the Borough Council may agree that the applicant will construct recreational facilities at an existing Borough recreation site accessible to the development. The applicant and the Borough Council may also agree in a written agreement upon any combination of dedication of

site, construction of facilities and/or payment of a fee that will meet the intent of the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect and this Chapter.

- D. The fee in lieu of dedication or facilities to be constructed shall be substantially equal in value to the value of the land that would be dedicated if the standards of Subsection 1B of this Section were applied and shall be based on the prevailing average value of development land in the Borough.
- E. A fee established by this Section shall be paid to Glen Rock Borough prior to the recording of the final plan. Such fee shall be deposited in an interest-bearing account clearly identifying the facilities for which said fee was reserved. Interest earned on such accounts shall become funds of that account. Funds from such accounts shall be expended only in properly allocable proportions of the cost incurred to construct the specific recreation facilities or improvements to existing facilities for which the funds were collected.

§ 22-407. Alternative Method of Providing Local Recreation Sites. [Ord. 190 (71-4), 10/14/1971, Article 400, § 407]

- 1. The Borough may permit a private recreation or park site to be used if:
 - A. In its judgment the purpose of these regulations regarding recreation and park sites will be accomplished.
 - B. The private site is permanently devoted to recreation and park use and adequately secured for such use by deed covenants or other private restrictions.
 - C. The Borough obtains a written guarantee from the subdivider that such a private site will be adequately equipped and maintained.

§ 22-408. Water Area. [Ord. 190 (71-4), 10/14/1971, Article 400, § 408]

- 1. In a subdivision abutting a lake, river, creek or other sizeable water body, the Borough Council, upon consultation with the Planning Commission, may request the dedication or reservation of:
 - A. Any title to the water body the subdivider possesses beyond the wharf or dock-line to the common use of the adjoining properties.
 - B. Up to 20% of the land abutting the shore for public use.

§ 22-409. Drainageways. [Ord. 190 (71-4), 10/14/1971, Article 400, § 409; as amended by A.O.]

1. Where a subdivision is traversed by a watercourse, stream, channel or other drainageway, the subdivider must provide a drainage easement conforming substantially to the existing alignment of the drainageway. The easement must be a width adequate to:
 - A. Preserve the unimpeded flow of natural drainage.
 - B. Widen, deepen, relocate, improve, or protect the drainageway.
 - C. Install a stormwater sewer.
2. Any changes in the existing drainageway must be approved by the Pennsylvania Department of Environmental Protection.

PART 5

VARIATIONS AND ENFORCEMENT

§ 22-501. Minor Subdivision. [Ord. 190 (71-4), 10/14/1971, Article 500, § 501; as amended by Ord. 307 (89-4), 10/4/1989; and by A.O.]

1. In the event that an initial subdivision of land is four lots or less, the following procedures shall apply:
 - A. At least 12 days prior to a regularly scheduled meeting of the Planning Commission, the subdivider shall submit six copies of the final plan. Requirements for sketch design plan and the preliminary plan may be waived if determined by the Planning Commission that the subdivision is minor in nature. All specifications called for under § 22-302, Subsection 3, shall be complied with concerning format of drawings and required information. The final plan of a minor subdivision shall be drawn by a registered surveyor or a registered professional engineer.
 - B. The Planning Commission shall refer copies to the following agencies for comments and recommendation:
 - (1) One copy retained by the Secretary of the Planning Commission for record.
 - (2) One copy transmitted to the local office of the Pennsylvania Department of Environmental Protection for review and recommendation.
 - (3) One copy transmitted to the District 8 Office of the Pennsylvania Department of Transportation for review.
 - (4) One copy to the Borough Engineer for review.
 - (5) One copy transmitted to the York County Planning Commission for review.
 - (6) One copy transmitted to the Borough Secretary accompanied by the written recommendations of the Planning Commission.
 - C. The Planning Commission shall review, alone or jointly with the Borough Council, the proposed minor subdivision at a regular meeting with reference to:
 - (1) The standards and requirements of this Chapter.
 - (2) The Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect and Official Map of Glen Rock Borough.

- D. The minor subdivision shall not involve any street improvement and/or street dedication. In the event that such an improvement is proposed the subdivider shall comply with both the preliminary plan and final plan specifications of this Chapter.
- E. If on-lot sewage disposal and water supply systems are to be provided within the minor subdivision, the subdivider shall make appropriate arrangements for soil absorption tests with the Pennsylvania Department of Environmental Protection.
- F. Following Planning Commission review and communication of written recommendations to the Borough Secretary, the subdivider shall present the proposed minor subdivision at the next meeting of the Borough Council. The Borough shall review the proposed minor subdivision with reference to the recommendations of the Planning Commission and the provisions of this Chapter. At this time the subdivider shall make the original drawing of the proposed minor subdivision available for authentication and signature.
- G. The Borough Council may approve in whole or in part, or disapprove the plan as presented, or subject the plan to modifications before approval. At this time the original drawing shall be made available for signature.
- H. The time limitations and procedures that apply to the processing of standard preliminary and final plans shall apply to minor subdivisions.

§ 22-502. Resubdivision. [Ord. 190 (71-4), 10/14/1971, Article 500, § 502; as amended by Ord. 307 (89-4), 10/4/1989]

- 1. For any replatting or resubdivision of land, the same procedures and regulations apply as prescribed for an original subdivision except as follows. Lot sizes may be varied on an approved plan after recording only if:
 - A. No lot or tract of land created or sold is smaller than the size as shown on the approved plan.
 - B. Drainage easements or rights-of-way are not changed.
 - C. Street alignments and block sizes are not changed.
 - D. The property lines between the backs of the lots are not changed.
 - E. The rear portion of lots are not subdivided from the front part.
 - F. The character of the area is maintained.

§ 22-503. Additions to Existing Lots. [Ord. 190 (71-4), 10/14/1971, Article 500, § 503]

1. Whenever small undersized lots (lots which are under the minimum lot size as outlined in the Borough Zoning Ordinance [Chapter 27], or in lieu thereof, under the minimum lot size as outlined in Appendix 22-10-1 are to be added to existing recorded lots, the parcel to be added shall possess the following characteristics:
 - A. No principal structure (housing, commercial structures, etc.) may be built upon this parcel. Accessory structures such as sheds, garages, etc., are permitted, provided they comply with building setback and size requirements as outlined in the Borough Zoning Ordinance [Chapter 27] or the provisional requirements in Appendix 22-10-1.
 - B. The parcel to be added must be contiguous to the existing lot.
 - C. The addition must maintain the overall straightness of lot lines.
 - D. The plan prepared for the addition of this parcel shall follow the procedures outlined in § 22-501, "Minor Subdivisions," of this Chapter.

§ 22-504. Substantial Development. [Ord. 190 (71-4), 10/14/1971, Article 500, § 504; as amended by Ord. 307 (89-4), 10/4/1989]

1. In the event that plans for a neighborhood subdivision of at least 20 dwelling units are submitted, the standards and regulations of this Chapter may be modified by the Borough Council provided that the proposed development meets the following requirements:
 - A. The basic purposes of this Chapter are achieved.
 - B. Protective covenants and other legal provisions will assure conformity with the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - C. The subdivision is bounded by collector streets, and the subdivision is served by a through collector street.
 - D. The area contains reservations for recreational facilities and other community facilities.
 - E. The area is served by public sewer and water.

§ 22-505. Resort or Seasonal Type Subdivision. [Ord. 190 (71-4), 10/14/1971, Article 500, § 505]

Subdivisions that are to be developed for use as a seasonal or resort type purpose shall be required to meet all the standards and requirements stated in this Chapter

except in the construction of streets; the specifications for which are indicated in Appendix 22-10-3.

§ 22-506. Waiver of Modification. [Ord. 190 (71-4), 10/14/1971, Article 500, § 506; as amended by Ord. 337 (92-4), 5/6/1992, § 14]

1. If the literal compliance with any mandatory provision of this Chapter is shown by the applicant, to the satisfaction of the majority of the members of the Borough Council present at a scheduled meeting, to be (A) unreasonable or to cause unique or undue hardship as it applies to a particular property; or, (B) that an alternative proposal will allow for equal or better results than the chapter requirements, the Borough Council may grant a waiver from or modification of such mandatory provision, so that substantial justice may be done and the public interest secured while permitting the reasonable utilization of the property. The granting of a waiver or modification shall not have the effect of making null and void the intent and purpose of this Chapter, nor does the request for a waiver or modification alter the mandatory procedural time periods for review of preliminary or final plans.
2. Request for a waiver or modification shall be made in writing by the applicant and shall be submitted for review by the Planning Commission. The Borough Council shall have the authority to approve or disapprove the request. In granting a waiver or modification, the Borough Council may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of this Chapter. Action on the waiver or modification shall be entered in the minutes of the Borough Council and communicated to the applicant. Failure of the Borough Council to render a decision on the request for waiver or modification and communicate it to the applicant shall be deemed to be a denial of the request.

§ 22-507. Modifications. [Ord. 190 (71-4), 10/14/1971, Article 500, § 507]

The regulations embodied in this Chapter are the minimum standards for the protection of the public welfare. When special circumstances warrant, the Borough may impose stricter standards.

§ 22-508. Amendments to the Chapter. [Ord. 190 (71-4), 10/14/1971, Article 500, § 508]

The Borough Council may on its own motion, or upon recommendation of the Planning Commission amend, supplement or repeal any portion of this Chapter after adequate public notice and a public hearing.

§ 22-509. Preventive Remedies of Borough. [Ord. 190 (71-4), 10/14/1971, Article 500, § 509; as amended by Ord. 337 (92-4), 5/6/1992, § 15]

1. In addition to other remedies, Glen Rock Borough may institute and maintain appropriate actions by law or in equity to restrain, correct or abate

- violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring land shall not exempt the seller or transferor from such penalties or from the remedies provided in this Chapter.
2. Glen Rock Borough or its zoning or building permit officer may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - A. The owner of record at the time of the violation.
 - B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the applicant shall comply with the conditions that would have been applicable to the property at the time he acquired an interest in the real property.

§ 22-510. Enforcement Remedies of the Borough. [Ord. 190 (71-4), 10/14/1971, Article 500, § 510; as amended by Ord. 307 (89-4), 10/4/1989; by Ord. 337 (92-4), 5/6/1992, § 16; and by A.O.]

1. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by Glen Rock Borough before a magisterial district judge, pay a judgment of \$500 plus all court costs, including reasonable attorney fees incurred by Glen Rock Borough as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, Glen Rock Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall

- constitute a separate violation unless the magisterial district judge determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which case there shall be deemed to have been only one such violation by a magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation.
2. The Court of Common Pleas of York County, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
 3. Nothing in this Section shall be construed or interpreted to grant to any person or entity other than Glen Rock Borough the right to commence any action for enforcement pursuant to this Section.

§ 22-511. Other Actions. [Ord. 190 (71-4), 10/14/1971, Article 500, § 512]

Nothing herein shall prevent the Borough Council from taking such other action necessary to prevent or remedy any violation.

§ 22-512. Appeals. [Ord. 190 (71-4), 10/14/1971, Article 500, § 513; as amended by Ord. 337 (92-4), 5/6/1992, § 18]

The procedure for securing review of this Chapter or any decision or determination thereunder is set forth in Article X-A of the Pennsylvania Municipalities Planning Code, as enacted by Act 170 of 1988, as amended, 53 P.S. § 11001-A et seq.

PART 6

SITE LOCATION AND GENERAL STANDARDS

§ 22-601. Location Site. [Ord. 190 (71-4), 10/14/1971, Article 600, § 601; as amended by Ord. 304 (89-1), 1/4/1989]

1. All subdivision plans must reflect a location which has given consideration to the following factors:
 - A. The location of the subdivision must conform to the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect with respect to streets, public sites and proposed utilities.
 - B. The proposed use of the land in any subdivision must conform to the Zoning Ordinance of Glen Rock Borough [Chapter 27].
 - C. Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, falling aircraft, or considered uninhabitable for other reasons may not be subdivided unless the hazards have been removed or the plans show adequate safeguards against them.
 - D. A subdivision must be coordinated with existing development in the neighborhood so the entire area may be developed harmoniously.
 - E. No land shall be subdivided unless the collector street providing access thereto intersects with adopted collector streets on both sides of the access to said subdivision unless:
 - (1) Council shall grant a variance pursuant to § 22-506 specifying as one of the conditions the maximum number of dwelling units.
 - (2) The access to the dwelling units shall not result in unreasonable difficulty or limitation of use by maintenance or emergency personnel or equipment.

§ 22-602. General Design Standards for Sites. [Ord. 190 (71-4), 10/14/1971, Article 600, § 602; as amended by Ord. 307, 10/4/1989]

1. In the layout of any subdivision attention must be focused on conditions which can affect development. These can include the following:
 - A. In all subdivisions, all natural and historic features shall be maintained on the basis of Borough determination. In subdivisions where woods or scattered trees exist, of such nature and quality that the Borough considers them deserving of preservation, a grading plan may be required. The grading plan shall show the following:

- (1) Accurate location of significant individual trees.
 - (2) Accurate existing and proposed ground elevation in relation to these trees. Necessary in order to insure their continued healthy growth may be the following requirements: permanent tree guards, temporary tree guards during construction and grading and limitation as to cuts and fills near the trees.
- B. In a subdivision where slopes on the site average more than 15%, the Planning Commission may recommend modifications in the Zoning Ordinance [Chapter 27] and/or this Chapter of the Borough.
- C. In subdivisions subject to periodic or permanent high water table, a drainage plan prepared by an engineer is required. The drainage plan shall show the following:
 - (1) Present and future elevations.
 - (2) All present and proposed facilities for elimination of the high water table.
- D. Except for a privately created water body, where the subdivision is adjacent to a lake, or other such large water body, the following general standards shall apply:
 - (1) No building may be located within 60 horizontal feet of the median ordinary high water level (maximum pool) or so located that the lowest floor is less than three feet above the ordinary high water level.
 - (2) No structure may be erected beyond the established wharf or dock line.
 - (3) Public access points shall be provided to the water body at an interval of not less than one point in every 1/2 mile along the shore.
 - (4) No building may be erected in any designated floodplain area.

§ 22-603. Street Systems. [Ord. 190 (71-4), 10/14/1971, Article 600, § 603; as amended by Ord. 307 (89-4), 10/4/1989]

1. All streets proposed to be constructed within Glen Rock Borough shall conform to the following general design requirements:
 - A. Proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future subdivision extensions of the street system.

- B. The proposed street system shall be, whenever possible, coordinated with existing system. The proposals shall provide for continuation of the existing system.
- C. Proposed streets, which are aligned with existing streets, shall bear the name of the existing street. In the event a proposed street is not aligned with an existing street, it shall not bear a name similar to any existing street located within the Borough and/or the same postal service area, irrespective of the suffix street, avenue, boulevard, drive, place, court, etc.
- D. Where the lots in a subdivision are large enough for resubdivision, or where a portion of the tract is not subdivided, suitable access to these areas shall be provided.
- E. No land shall be subdivided unless the collector street providing access thereto intersects with adopted collector streets on both sides of the access to said subdivision unless:
 - (1) Council shall grant a variance pursuant to § 22-506 specifying as one of the conditions the maximum number of dwelling units.
 - (2) The access to the dwelling units shall not result in unreasonable difficulty or limitation of use by maintenance or emergency personnel or equipment.

§ 22-604. Blocks, Lots, and Buildings. [Ord. 109 (71-4), 10/14/1971, Article 600, § 604]

- 1. Blocks-Length and Depth. The general shape, length and depth of blocks shall be determined on the following basis:
 - A. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - B. The Zoning Ordinance [Chapter 27] of Glen Rock Borough that may be adopted by the Borough Council.
 - C. Needs for convenient access, circulation, control, safety of street traffic.
 - D. Limitations and opportunities of topography.

Normally block length shall not exceed 1,600 feet nor be less than 500 feet. Except where reverse frontage lots border a major highway, double lots shall be avoided.

- 2. Blocks in Commercial and Industrial Areas. In commercial and industrial areas the block layout shall be designed with reference to service of the

public and in provisions for adequate off-street parking and loading facilities as well as for future expansion. If the nature of the use required special treatment, block length and width requirements in Commercial and Industrial Districts may vary from the elements of design contained in this Section.

3. Lot Layout in Subdivision.

A. Insofar as is possible, all lots shall be:

- (1) Perpendicular to the right-of-way lines.
- (2) Those fronting on curves shall be radial to the right-of-way lines.
- (3) Every lot shall abut by their full frontage on a dedicated public street.

The shape of lots must be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot sizes, widths, depths, and setbacks shall apply as specified in the Glen Rock Borough Zoning Ordinance [Chapter 27] or as detailed in Appendix 22-10-1 of this Chapter until such time that a Zoning Ordinance is adopted by the Borough.

4. Planting Screens. Where lots face an interior street and back on a major thoroughfare or abut properties in other uses with an adverse effect upon them, a planting strip at least 15 feet wide for a screen shall be provided along the back or abutting side of the lot as the case may be. No right-of-access may open onto or through the strip. Where lots back on a creek or other natural barrier there may also be required a fifteen-foot planting strip.
5. Grading. Blocks and lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of stormwater in pools. Roof drainage shall be provided for according to recommendations of the engineer or such other official as may be designated by the Borough Council. Topsoil shall be preserved and redistributed as cover and shall be suitably planted with perennial grasses or ground cover.
6. Residential Parking. At least one off-street parking space with access to a public street shall be provided for each proposed dwelling unit. Where such access is to other than a residential service street, adequate turnaround space shall be provided on the lot.
7. House Numbers. House numbers shall be assigned to each lot by the Borough.

§ 22-605. Design Standards for Mobile Home Parks. [Ord. 190 (71-4), 10/14/1971, Article 600, § 605]

1. The design layout and required improvements for mobile home parks are specified in Appendix 22-10-2 of this Chapter. Except as provided otherwise in Appendix 22-10-2, a mobile home park must comply with all provisions of this Chapter.
2. The Glen Rock Borough Planning Commission may vary the terms as it applies to mobile home parks when, in the opinion of the Glen Rock Borough Planning Commission, equal performances can be obtained by means other than those specified herein.

PART 7

DEVELOPMENT STANDARDS

§ 22-701. Street Design. [Ord. 190 (71-4), 10/14/1971, Article 700, § 701; as amended by Ord. 357 (94-5), 12/7/1994, § 1]

1. Width. The street right-of-way and cartway widths (in feet) must not be less as shown on the following table:

Street Right-of-Way and Cartway Widths			
Street Type	Average Lot Frontage (Measured at the Building Line)		
	Under 60 feet	60-90 feet	100 feet and over
	Major Streets		
Arterial or Limited Access Street			
Right-of-way	As determined after consultation with the York County Planning Commission and the Pennsylvania Department of Transportation.		
Collector Streets			
Right-of-way	60	60	60
Cartway	36	36	36
Minor Streets			
Local Streets			
Right-of-way	60	50	50
Cartway	36	34	30
Permanent Cul-de-sac Street			
Right-of-way	50	50	50
Cartway	34	30	30
Marginal Access Street			
Right-of-way	50	Variable depending on width of adjacent right-of-way, but not less than 33 feet.	
Cartway	30	30	30
Service Drive or Alley			
Right-of-way	22	22	22
Cartway	22	22	22

2. Exceptions to Width Requirements. Provisions for additional street width and right-of-way must be required when determined to be necessary as a part of the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect. Also, modifications in width requirements can be made in areas of steep slopes.
3. Existing Streets. Where an existing street traverses or abuts the subdivision, the entire right-of-way required by these regulations, or as much as is possible within the subdivision, must be provided. The right-of-way must be measured from the center line of the existing roadway.
4. Dead-End Streets. Dead-end streets shall be prohibited, except when designed as temporary cul-de-sac streets by the developer on his own land in order to permit future street extensions into adjoining tracts. These temporary dead-end streets must be on approved plans. Also, they must be constructed with a stabilized all weather turnaround of the same radius as that which would be required for a permanent street; the turnaround to be removed when the street is continued.
5. Cul-de-sac Streets. Permanent cul-de-sac streets should in general not exceed 500 feet in length unless topographic conditions warrant an increase that is approved by the Borough. They must be provided with a paved turnaround with a minimum diameter of 80 feet to the outside curb and 100 feet to the legal right-of-way. The length of a cul-de-sac street shall be measured from the center of the turnaround to the point of intersection of the center line of the cul-de-sac street and the right-of-way line of the intersecting street.
6. Half Streets. New half or partial streets are permitted only:
 - A. When the subdivider obtains agreement in writing from the adjoining property owner to dedicate and improve as required the other half of the street when the adjoining property is subdivided.
 - B. When they are essential to the reasonable subdivision of tracts in conformance with the other requirements and standards of these regulations.
 - C. Where they are needed to complete existing half streets.
7. Curves. Where connecting street lines deflect from each other at any one point, by more than 10°, the lines must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

Type of Street	Minimum Radius
Arterial	500 feet
Collector	300 feet
Minor	200 feet

Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets there must be a tangent of at least 100 feet between reverse curves. For curves on arterial streets, proper superelevation must be provided as required by the Borough and the Pennsylvania Department of Transportation.

8. Vertical Curves. Changes in grade shall be joined by vertical curves; a smooth grade line with gradual changes, as consistent with the type of street and the character of terrain, should be strived for in preference to a line with numerous breaks on short lengths of grades. Vertical curves which do not satisfy the minimum stopping sight distance requirements, specified elsewhere in this Chapter, shall not be approved.
9. Grades. The grades of streets must meet the requirements below:

	Minimum Grade	Maximum Grade
All Streets	0.5%	
Arterial		6%
Collector		7%
Local Streets		12%
Cul-de-Sacs		12%
Marginal Access Streets		12%
Alleys or Service Drives		14%

In all grades exceeding 1%, vertical curves must be used and must be designed for proper sight distance.

10. Crown. The slopes of the crown on residential service and neighborhood collector streets shall be at least 1/8 inch per foot but not more than 1/3 inch per foot as directed by the Engineer.
11. Sight Distances. Proper sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center line, five feet above grade, the minimum sight distance must be as follows:

Type of Street	Sight Distance
Arterial	400 feet
Collector	200 feet
Local Street	200 feet
Cul-de-sac	100 feet

12. Slope of Banks. The slope of banks measured perpendicular to the street center line may not exceed:
 - A. 3 to 1 for fills.

B. 2 to 1 for cuts.

Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent erosion.

§ 22-702. Intersection Design. [Ord. 190 (71-4), 10/14/1971, Article 700, § 702]

- Types of Intersections. Intersections involving the junction of more than two streets are prohibited. Intersections must be as nearly at right angles as possible. However, in no case should they deviate from the standards below:

	Type of Intersection				
	Arterial with Arterial	Arterial with Collector	Collector with Collector	Collector with Minor	Minor with Minor
Angle of Intersection of Street Center lines	90°	75° to 105°	75° to 105°	75° to 105°	75° to 105°

- Intersection Grades. Intersections must be approached on all sides by level areas. Where the grade exceeds 7%, these level areas must have a minimum length of 50 feet (measured from the intersection of the center line) within which no grade may exceed a maximum of 4%.
- Intersection Curve Radii. Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angle of turn, number of lanes, and whether parking is permitted; but curb or edge of pavement radii must not be less than the following:

Type of Intersection	Minimum Simple Curve Radii of Curb or Edge of Pavement
Arterial with Arterial	40 feet or more, as determined after consultation with Pennsylvania Department of Transportation
Arterial with Collector and Minor	35 feet
Collector with Collector	30 feet
Collector with Minor Street	25 feet
Minor Street with Minor Street	20 feet

Three-centered compound curves equivalent to the above minimum simple curves are permitted and encouraged where applicable.

Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with, or parallel to the chord of, the curb radius corners.

4. Intersection Sight Distances. Proper sight lines must be maintained at all street intersections. Measured along the center line, there must be a clear-sight triangle with sides as follows:

Type of Intersection	Clear-Sight Triangle Side
Arterial with Arterial	150 feet
Arterial with Collector and Minor	150 feet
Collector with Collector	75 feet
Collector with Minor	75 feet
Minor with Minor	75 feet

No building or obstruction is permitted in this area. At intersections involving state highways, sight distances must conform to standards of the Pennsylvania Department of Transportation.

5. Distance Between Intersections. The distance between intersections below must be observed.

	Type of Intersection				
	Arterial with				
	Arterial with Arterial	Collector and Minor	Collector with Collector	Collector with Minor	Minor with Minor
Minimum distance between center lines of intersections	800 feet	800 feet	600 feet	500 feet	500 feet
Minimum separation of center lines for streets not in alignment	—	—	—	125 feet	125 feet

- A. Intersections on Arterials. Minor and collector streets may not intersect arterials at intervals of less than 800 feet and shall be in alignment with existing and planned streets entering the arterial from the opposite side.
- B. Intersections of Collector Streets with Other Collector Streets. Collector streets may not intersect another collector street at intervals of less than 600 feet and shall be in alignment with the existing and planned collector streets intersecting the collector street from the opposite side.

- C. Intersections of Minor Streets with Other Minor Streets or with Collector Streets. If streets are not in alignment, the distance between streets opening up on opposite sides of any existing or proposed streets must be no less than 125 feet measured from their center lines.

§ 22-703. Pavement Surface. [Ord. 190 (71-4), 10/14/1971, Article 700, § 703; as amended by A.O.]

1. Pavements. Streets must be surfaced to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the subdivider and approved by the Borough. Before paving the street surface, the subdivider must install required utilities and provide, where necessary, adequate subsurface drainage for the streets, as acceptable to the Borough. The pavement base and wearing surface must be constructed according to the Pennsylvania Department of Transportation's specifications following:
 - A. For minor, collector, and arterial streets the construction of surface course and base course must be in accordance with Pennsylvania Department of Transportation Specifications, Publication 408/2011, as amended or supplemented. Base course must be at least eight inches in depth after compaction.
 - B. The Borough shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision in which case the subdivider is responsible for paving the additional width required.
2. Curbs. In subdivisions which have a typical lot width of 80 feet or less at the building setback line, curbs must be installed. On minor streets, curbs may be either the vertical or rolled curb and gutter type. On collector or arterial streets, only the vertical type may be used. The transition from one type of curb to another may be affected only at a street intersection. All vertical curbs must be constructed of Portland cement concrete. The construction of vertical curbs shall conform to the requirements for plain cement concrete curb contained in the Pennsylvania Department of Transportation's specifications. Rolled curb and gutter type curbs must be constructed of bituminous material placed by curbing machine.
3. Gutters. In areas where curbing is not used, suitable gutters must be installed to avoid erosion. The Borough may require installation of curbs and/or gutters in any subdivision where the evidence indicates that such improvements are necessary for proper drainage.

§ 22-704. Street Verge. [Ord. 190 (71-4), 10/14/1971, Article 700, § 704; as amended by A.O.]

1. Where Sidewalks Required. In subdivisions where semidetached and attached structures are planned and in subdivisions which have a typical lot

- width at the building setback line of 80 feet or less, sidewalks must be installed on both sides of the street, except on streets which bound the subdivision. Sidewalks may also be required by the Planning Commission:
- A. In subdivisions where lots are greater than 80 feet and the character of the neighborhood is such that they are considered necessary.
 - B. If it would be desirable to continue sidewalks that are existing in adjoining subdivision.
 - C. To provide access to community facilities such as schools, shopping areas, and recreation areas.
2. Location of Sidewalks. The sidewalk must commence one foot inside the right-of-way line and extend toward the curbline.
 3. Width of Sidewalks. Sidewalks must be at least four feet wide. In the vicinity of shopping centers, schools, recreation areas, and other such facilities, they must be at least six feet wide and located within the street right-of-way.
 4. Construction of Sidewalks. The sidewalk must be constructed of 3,000 pound Portland cement concrete, be at least five inches thick, and be underlain by crushed stone of at least four inches thickness.
 5. Grass Planting Strip. A grass planting strip must be provided between the curb or edge of the cartway and sidewalk.
 6. Crosswalks. When considered necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation, and other facilities, pedestrian crosswalks must be provided. They must be no less than 12 feet wide.
 7. Street Trees. For the safety, convenience, and attractiveness of the subdivision street trees must be provided. They should be:
 - A. Of a minimum diameter of 1 1/2 inches.
 - B. Planted between the sidewalk and building line at least five feet from the sidewalk, or where the planting strip is six or more feet wide, between the curb and sidewalk, or on the center line of median dividers.
 - C. Uniformly spaced not less than 50 feet nor more than 70 feet apart.
 - D. Native varieties acceptable to the Borough of Glen Rock.
 8. Street Lights. For the safety, convenience, and attractiveness of the subdivision, on-site or public streetlights shall be installed unless conditions require otherwise.

9. Street Signs. Street name signs must be placed at all intersections. Their type, height, and design must be approved by the Borough.
10. Street Names. Names of new streets shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "lane," "way," "drive," "court," "avenue." In approving names of streets, cognizance may be given to existing or platted street names within the postal delivery district served by the Post Office. New streets shall bear the same name of the existing or platted street of which they are a continuation or with which they are in alignment. Street names must be approved by the Planning Commission and Borough Council.

§ 22-705. Other Street Provisions. [Ord. 190 (71-4), 10/14/1971, Article 700, § 705]

1. Required Location and Size of Service Drives or Alleys.
 - A. In subdivisions with detached and semidetached dwellings, alleys are prohibited except:
 - (1) In the rear of lots that front on a major thoroughfare.
 - (2) Where necessary to furnish access to rear yard garages on very steep lots.
 - B. In other types of residential subdivisions they may be permitted. In Commercial or Industrial Districts without off-street loading areas, alleys are required except as following. Where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed, the Borough Council may waive this alley requirement. No part of any dwelling, garage, or other structure may be located within 16 feet of the center line of an alley.
 - C. All service drives or alleys must be paved to a width of at least 22 feet.
2. Dead-End Service Drives or Alleys. Where service drives or alleys dead end, they must be provided with a paved turnaround with a minimum diameter of 80 feet or a paved "Y" turnaround of sufficient size.
3. Access. Streets shall be laid out to make provision for access to all lots and to adjacent undeveloped areas, and the subdivider shall improve these access streets to the limits of the subdivision.
4. Access Drives.
 - A. Within 10 feet of a street right-of-way line, an access drive may not exceed 35 feet or be less than 12 feet in width.

- B. On street frontage, the number of access drives may not exceed two per lot.
 - C. An access drive may not cross a street right-of-way line:
 - (1) Within 60 feet of the right-of-way line of an intersecting street.
 - (2) Within five feet of a fire hydrant.
 - (3) Within 50 feet of another access drive on the same property.
 - (4) Within three feet of a property line other than at a street intersection. Unless the distance is greater than 25 feet no island or curb is permitted.
 - D. The minimum angle between the center line of the access drive and the street shall be not less than 65°.
 - E. An access drive must be located in safe relationship to sight distance and barriers to vision. The drive may not exceed a slope of 5% within 25 feet of the street right-of-way line.
 - F. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed 50% in slope within 25 feet of the point the drive intersects the street right-of-way.
- 5. Reserve Strips. Reserve strips controlling access to the subdivision or to adjacent areas are prohibited except when their control is definitely placed in the Borough under conditions approved by the Borough.
 - 6. Where No Street Standards. Where standards for required street or any other improvements are not set forth in these regulations or specified by the Borough under these regulations, the applicable standards or requirements of the Pennsylvania Department of Transportation govern. All work must be performed in the manner prescribed in the standard specifications for road construction of the Pennsylvania Department of Transportation.

§ 22-706. Water Supply. [Ord. 190(71-4), 10/14/1971, Article 700, § 706; as amended by Ord. 337 (92-4), 5/6/1992, § 19; and by A.O.]

- 1. Requirements. Based upon the results of the feasibility report, the subdivision must be provided with water supply facilities as follows:
 - A. Where there is an existing public water supply system on or near the subdivision, a complete water main system connected to the existing public water supply system.
 - B. Where there is no existing public water supply system on or near the subdivision, a community water supply system with satisfactory

provisions for its maintenance approved by the Borough Engineer and the Pennsylvania Department of Environmental Protection.

- C. Where there is no existing public water supply and the feasibility report indicates that a community water supply system is not feasible, each lot in the subdivision must be provided with an individual water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Protection.
- 2. System Plan. The plan for the installation of the mains of a water supply system must be prepared for the subdivision with cooperation of the appropriate water utility company and approved by the Borough Engineer. Upon the completion of the water supply system, one copy of the plan for the system as built must be filed with the Borough.
- 3. Utility Certification. If water is to be provided by any means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, the developer shall present evidence to the Planning Commission and the Borough Council that the subdivision or land development is to be supplied by a certified public utility, by a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.
- 4. Fire Hydrants. Fire hydrants must be installed as an integral part of any public water supply system, and placed no more than 600 feet apart.

§ 22-707. Sanitary Sewage. [Ord. 190 (71-4), 10/14/1971, Article 700, § 707; as amended by A.O.]

- 1. Requirements.
 - A. Based upon the results of the feasibility report required in § 22-205, the subdivision must be provided with sanitary sewage disposal facilities as follows:
 - (1) Where there is an existing public sanitary sewer system on or near the subdivision, a complete sanitary sewage collection system must be installed and connected to the existing public sanitary sewer system.
 - (2) Where there is no existing public sanitary sewer system, but a public sanitary sewer system is to be installed on or near the subdivision within two to four years, a complete sanitary sewage collection system must be installed.

- (a) Connected to a community treatment plant until connection to a public sanitary sewer system is made.
 - (b) Capped, and on-site subsurface sewage disposal systems provided until such time that connection to a public sanitary sewer system can be made.
 - (3) Where there is no existing public sanitary sewer system, a community sanitary sewer system and treatment plant approved by the Pennsylvania Department of Environmental Protection must be installed in accordance with the requirements of the Pennsylvania Department of Environmental Protection and satisfactory provision made for its maintenance.
 - (4) Where there is no existing public sanitary sewer system and the feasibility report indicates that a community sanitary sewer system and treatment plant is not feasible, on-site subsurface sewage disposal systems must be installed.
 - B. If on-site subsurface sewage disposal systems are feasible, they must be laid out in accordance with minimum standards of the Sewage Facilities Act (Act 537), 35 P.S. § 750.1 et seq., of the Pennsylvania Department of Environmental Protection. The Borough and/or the Pennsylvania Department of Environmental Protection must inspect and approve each on-site sewage disposal system.
 - C. If on-site subsurface sewage disposal systems are not feasible, connection to a public sanitary sewer system or installation of a community sanitary sewer system must be made prior to development of the subdivision.
- 2. System Plan. The plan for the installation of a sanitary sewer system must be prepared for the subdivision and approved by the Borough Engineer and the Pennsylvania Department of Environmental Protection. The Borough Engineer must inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation, the plan for the system as built must be filed with the Borough.
 - 3. Sewer Pipe. Any sewer pipe main must be at least eight inches in diameter and any sewer lateral must be at least four inches. Storm sewers may not be connected with sanitary sewers.
 - 4. Manholes. Manholes shall be located generally at intervals of 250 feet and in no case more than 400 feet. Manholes are also required at all points of change of course or grade and at all points of intersection of sewer lines.

§ 22-708. Storm Drainage. [Ord. 190 (71-4), 10/14/1971, Article 700, § 708; as amended by A.O.]

1. General Requirements. Adequate storm sewers, culverts, and related facilities must be provided, as necessary, to:
 - A. Permit the unimpeded flow of natural watercourses.
 - B. Ensure the drainage of all low points along the line of streets.
 - C. Intercept stormwater runoff along streets at intervals, reasonably related to the extent and grade of the area drained.
 - D. Provide adequate drainage away from on-site sewage disposal facilities.

Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed.

2. Lot Drainage. Lots shall be laid out and graded to provide positive drainage away from new and existing buildings.
3. Nearby Existing Facilities. Where adequate existing storm sewers are readily accessible, the subdivider must connect his stormwater facilities to these existing sewers.
4. Open Drainageways.
 - A. When open drainageways are used for the disposal of stormwater, the Borough shall review the design of such open drainageways in relation to the following:
 - (1) Safety. Steep banks and deep pools shall be avoided.
 - (2) Erosion. Adequate measures shall be taken, such as seeding, sodding, paving, or other measures as necessary to prevent the erosion of banks and the scouring of the channel bottom.
 - (3) Stagnation. Design of open drainageways shall not create stagnant pools or swampy areas.
 - B. Whenever the evidence available to the Borough indicates that natural surface drainage is inadequate, the subdivider shall install a stormwater sewer system in accordance with approved plans and profiles. The system shall be designed by a registered engineer and be approved by the Borough.

- C. Approval. Drainage structures for areas of more than 1/2 mile square shall be subject to approval by the Pennsylvania Department of Environmental Protection.
5. Abutting Properties.
- A. In the design of storm drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. In no case may a change be made in the existing topography which would:
 - (1) Within a distance of 20 feet from a property line to the beginning of the slope result in increasing any portion of the slope to more than 70%.
 - (2) Result in a slope which exceeds the normal angle of slippage of the material involved.
 - B. All slopes must be protected against erosion.
6. Drainage upon and on Streets.
- A. Part I — Upon Streets. In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship:
 - (1) With the established street grade.
 - (2) With the existing street grade where none is established.
 - B. Part II — On Streets. A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street may not be less than 1/8 of an inch per foot and not more than 1/3 of an inch per foot. Adequate facilities must be provided at low points along a street and at other points at which it is necessary to intercept runoff.

§ 22-709. Other Utilities. [Ord. 190 (71-4), 10/14/1971, Article 700, § 709]

- 1. Easements, Width and Location. When easements for utilities are required, they must be a minimum of 15 feet wide. The location of easements for overhead utilities shall be determined after consultation with the appropriate utility companies.
- 2. Underground Installations. Electric, telephone and all other utility facilities shall be installed underground unless, in the opinion of the Borough, special conditions require otherwise.
- 3. Natural Gas Lines. All natural gas lines must be installed in compliance with the ASA Code B31, 80 1958, as amended. The minimum distance from a

natural gas line to a dwelling unit must be as required by the applicable transmission or distributing company.

4. **Petroleum Lines.** Between a proposed dwelling unit and the center line of a petroleum products transmission line which may traverse the subdivision, there must be a minimum distance of 100 feet measured in the shortest distance. In instances such that topographic conditions decrease the hazards involved or in which it would cause undue hardship in the efficient layout of the subdivision, the Planning Commission may reduce this requirement.
5. **Street Lighting Installation.** The subdivider must provide an easement for any streetlights installed or for future streetlighting installations. Before installation, he must consult with the public service utility involved.

§ 22-710. Monuments and Markers. [Ord. 190 (71-4), 10/14/1971, Article 700, § 710]

1. **Specifications.** Monuments and markers must be constructed as follows:

	Material	Minimum Size
Monument	Concrete or stone	6 inches x 6 inches x 30 inches
Marker	Iron pipes or iron or steel bars	15 inches x 3/4 inch diameter

2. **Placement and Marking.** Monuments and markers must be placed by a registered engineer or surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.
3. **Location of Monuments.** Monuments must be set:
 - A. At the intersection of lines forming angles in the boundaries of the subdivision.
 - B. At the intersection of street lines.
4. **Location of Markers.** Markers must be set:
 - A. At the beginning and ending of curves along street property lines.
 - B. At points where lot lines intersect curves either front or rear. At angles in property lines of lots.
 - C. At all other lot corners.

5. Removal. Any monuments or markers that are removed must be replaced by a registered engineer or surveyor at the expense of the person removing them.
6. Landmarks. Wherever possible, subdividers shall preserve trees more than six inches in diameter at the base of the trunk, groves, waterways, scenic and historic places, and other community assets and landmarks.

§ 22-711. Erosion and Sedimentation Control Plan. [Ord. 190 (71-4), 10/14/1971; as added by Ord. 337 (92-4), 5/6/1992, § 20; and amended by A.O.]

The applicant shall submit an erosion and sedimentation control plan to the York County Conservation District, as required, and shall submit an approval letter from the agency indicating that the plan meets the requirements of 25 Pa. Code, Chapter 102, Rules and Regulations of the Pennsylvania Department of Environmental Protection.

PART 8
DEFINITIONS**§ 22-801. Intent. [Ord. 190 (71-4), 10/14/1971, Article 800, § 801]**

The following terms shall have, throughout this text, the meaning given herein.

§ 22-802. General Usage. [Ord. 190 (71-4), 10/14/1971, Article 800, § 802]

1. The word "lot" includes the word "plot" or "parcel."
2. Words in the present tense imply the future tense.
3. Words used as singular imply the plural.
4. The word "person" includes a partnership or corporation as well as an individual.
5. The word "shall" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.

§ 22-803. Specific Words and Phrases. [Ord. 190 (71-4), 10/14/1971, Article 800, § 803; as amended by Ord. 337 (92-4), 5/6/1992, § 21; and by A.O.]

AGENT — Any person, other than the subdivider, who, acting for the subdivider, submit to the Planning Commission and Borough Council subdivision plans for the purpose of obtaining approval thereof.

ALLEY — See "street."

APPLICANT — A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT — Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan, or for the approval of a development plan.

BLOCK — An area bounded by streets.

BOROUGH — Glen Rock, York County, Pennsylvania, as represented by the Glen Rock Borough Council or their duly authorized agents.

BUILDING SETBACK LINE — A line parallel to a property line but within the property which line defines the required minimum distance between any structure and the property line or other line as specified.

CARTWAY — The portion of a street or alley intended for vehicular use.

CLEAR SIGHT TRIANGLE — An area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the center lines of both streets.

COMMON OPEN SPACE — A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.

COMPREHENSIVE PLAN — The plan, or parts thereof, as may be adopted by the Glen Rock Borough Planning Commission as the municipal or regional comprehensive plan, showing its recommendations for such systems as land use, parks and recreation facilities, water supply, sewerage and sewage disposal, garbage disposal, transportation, highways, civic centers and other public improvements which affect the development of the Borough.

CORNER LOT — A lot abutting upon two street at their intersection.

CROSSWALK or INTERIOR WALK — A right-of-way or easement for pedestrian travel across or within a block.

CUL-DE-SAC — See "street."

CURB — The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

DEVELOPER — Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT PLAN — The provisions for development of a planned residential development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities.

DOUBLE FRONTAGE LOT — A lot other than a corner lot fronting on two streets.

DRAINAGE FACILITY — Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision or contiguous land areas.

DRIVEWAY — A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

DWELLING — A building designed for permanent living quarters containing only housing units. This shall not include hotels, rooming houses or other similar accommodations used for transient occupancy.

DWELLING UNIT — A building or portion thereof designed to provide complete living facilities, including eating and plumbing facilities, for a family or a single person.

EASEMENT — A limited right of use granted in private land for public or quasi-public purpose.

ENGINEER — A professional engineer licensed as such in the Commonwealth of Pennsylvania.

FLOODPLAIN or FLOODWAY AREA — The geographic area located at the shore line or water's edge which is subject to periodic flooding.

FRONTAGE — The horizontal or curvilinear distance along the street line upon which a lot abuts.

GRADE — The slope expressed in a percent which indicates the rate of change of elevation in feet per 100 feet.

GUTTER — That portion of a right-of-way carrying surface drainage.

HALF OR PARTIAL STREET — A street parallel and adjacent to a property line having a lesser right-of-way width than required for satisfactory improvement and use of the street.

HARDSHIP — A condition not caused by the subdivider for which he may request a variance.

IMPROVEMENTS — Pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs and plantings and other items for the welfare of the property owners and the public.

LAND DEVELOPMENT — Any of the following activities: (A) the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: (1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or, (2) the division of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (B) a subdivision of land.

LANDOWNER — The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee having a remaining term of not less than 40 years, or other person having a proprietary interest in land.

LOCATION MAP — A map showing the site with relation to adjoining areas.

LOT — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA — The area contained within the property lines of the individual parcels of land as shown on a subdivision plan, excluding any area within a street right-of-way, but including the area of an easement.

LOT WIDTH — The width of a lot measured at the building setback line.

MARGINAL ACCESS STREET — Minor streets, parallel and adjacent to major traffic streets providing access to abutting properties and control of intersections with the major traffic street.

MINOR SUBDIVISION — An initial subdivision of four lots or less.

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

MOBILE HOME LOT — A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK — A parcel or contiguous parcels of land which has been so designed and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOBILE HOME SUBDIVISION — An area designed exclusively for mobile homes and mobile dwelling units where lots are not rented, but sold.

MULTIPLE DWELLING BUILDING — A building providing separate living quarters for two or more families.

OWNER — The owner of record of a parcel of land.

PERFORMANCE BOND — An agreement by and between a contractor and a bonding company in favor of the subdivider and the Borough Council guaranteeing the completion of physical improvements.

PLAN — The map or plan of a subdivision or land development, whether preliminary or final.

PLAN, FINAL — A complete and exact subdivision plan, prepared as for official recording, to define property rights and proposed street and other improvements.

PLAN, PRELIMINARY — A tentative subdivision plan, in less detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN, RECORD — An exact copy of the approved final plan on opaque linen of standard size prepared for necessary signatures and recording with the York County Recorder of Deeds.

PLAN, SKETCH DESIGN — An informal plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision for discussion purposes only and not to be presented for approval.

PLANNED RESIDENTIAL DEVELOPMENT — An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one Residential District created, from time to time, under the provisions of a Borough Zoning Ordinance [Chapter 27].

PLANNING COMMISSION — As referred to in this Chapter, the Planning Commission of Glen Rock Borough.

RESORT-TYPE SUBDIVISION — A subdivision consisting of seasonal-type dwelling units, intended for occasional or infrequent use.

RESUBDIVISION — Any subdivision or transfer of land, laid out on a plan which has been approved by the Commission which changes, or proposes to change property lines and/or public rights-of-way not in street accordance with the approved plan.

REVERSE FRONTAGE LOT — A lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter.

RIGHT-OF-WAY — Land set aside for use as a street, alley or other legal right of passage over privately owned land.

SETBACK LINE — A line parallel to a property line so as to require a horizontal distance between a structure and the property line.

SIGHT DISTANCE — The length of street, measured along the center line, which is continuously visible from any point three feet above the center line.

STREET — Street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private, classified into the following types:

- A. Major streets which include the following:
 - (1) **ARTERIAL STREET; HIGHWAY** — A street or road which is used primarily for fast or heavy traffic including all roads classified as main and secondary highways by the Pennsylvania Department of Transportation.
 - (2) **COLLECTOR STREET** — A street which carries traffic from minor street to the major system of arterial streets, including the principal entrance street of a residential development and street within such a development.
- B. **MINOR STREET** — Which include the following:
 - (1) **LOCAL STREET** — A street which is used primarily for access to the abutting properties.
 - (2) **SERVICE DRIVE OR ALLEY** — A minor street providing secondary vehicular access to the side or rear of two or more properties.
 - (3) **CUL-DE-SAC** — A street intersecting another street at one end and terminating at the other in a permanently constructed vehicular turnaround.

STREET LINE — A right-of-way line which is a dividing line between the street and a lot. The right-of-way of a street defines the actual amount of land dedicated to the municipality for street purposes.

STRUCTURE — Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER — Any person, firm or corporation who subdivides land deemed as a subdivision as defined by this Chapter, said person, firm or corporation acting as owner or authorized agent of the landowner.

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

the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

UNDEVELOPED LAND — Land in parcels sufficiently large for future subdivision which is presently in agriculture, woodland or lying fallow.

WHARF or DOCKLINE — The line paralleling the shore line of a body of water and beyond which has been constructed no structure or group of structures for providing loading and unloading facilities for boats.

PART 9

ENACTMENT

§ 22-901. Interpretation. [Ord. 190 (71-4), 10/14/1971, Article 900, § 902]

The provisions of this Chapter shall be held to be minimum requirements to meet the purposes of this Chapter. When provisions of this Chapter impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Chapter shall prevail. When provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Chapter, the provisions of such statute, ordinance, or regulation shall prevail.

PART 10

APPENDIX

Appendix 22-10-1. — Lot Size and Setback. [Ord. 190 (71-4), 10/14/1971, Appendix 1; as amended by A.O.]

1. To be used in conjunction with § 22-604, Subsection 3, "Lot Layout in a Subdivision."

- A. Lot Dimensions. The dimensions of the lots must conform to any applicable zoning ordinance [Chapter 27]. Where no such ordinance exists, the dimension and areas of lots must be determined with regard to the provision of public water and public sewerage and the results of soil percolation tests as follows:

Type of Dwelling	Public Water and Public Sewer		Public Water or Public Sewer (but not both)		No Public Water or Public Sewer	
	Minimum Lot Size (square feet)	Minimum Width (feet)	Minimum Lot Size (square feet)	Minimum Width (feet)	Minimum Lot Size (square feet)	Minimum Width (feet)
One-family	7,500	70	12,000	80	20,000	100
Two-family	9,000	100	16,000	100	30,000	150
Mobile Home Park	5,000	50	12,000	75	20,000	100

The Planning Commission, in conjunction with the Pennsylvania Department of Environmental Protection, must analyze the results of the soil percolation tests performed on the subdivision, in accordance with § 22-205. On the basis of this analysis, the Commission may increase the minimum lot sizes and widths specified above.

Dwelling types other than those above may be built only where there is or will be public water and public sewer. For these dwellings the Planning Commission must set a minimum lot size, width and depth. In the case of mobile home subdivisions the minimum lot size and width shall be as indicated above.

- B. Corner Lots. Corner residential lots must have enough extra width to permit appropriate setbacks from both streets. Generally, they should be 10 to 25 feet wider than interior lots.
- C. Building Setback Lines. The building setback lines must conform to any applicable zoning ordinance. Where no such ordinance exists, the minimum setback from the center line of the right-of-way must be as follows:

Class of Street	Minimum Setback from Center line
Arterial or limited access Street	50 feet plus 1/2 the width of the right-of-way

Class of Street	Minimum Setback from Center line
Collector Street	30 feet plus 1/2 the width of the right-of-way
Minor Streets excluding Service Drives and Alleys	25 feet plus 1/2 the width of the right-of-way

In establishing the building setback lines for lines for any lots which abut on state highways the subdivider must consult with the Pennsylvania Department of Transportation.

Appendix 22-10-2. — Standards for Mobile Home Parks. [Ord. 190 (71-4), 10/14/1971, Appendix 2; as amended by Ord. 337 (92-4), 5/6/1992, § 22; and by A.O.]

1. Site.
 - A. Location and Design Standards.
 - (1) Layout of Lots. All lots shall abut a street. Side lot lines laid out in rectangular blocks should be diagonal to the street at an angle of 30° from perpendicular. Front and rear lot lines in rectangular blocks shall be straight and continuous. In cul-de-sac arrangements, the side lot lines shall be radial to the street lines.
 - (2) Lot Dimensions. The dimensions of the lots must conform to the Glen Rock Borough Zoning Ordinance [Chapter 27] or as specified in the table under the heading "Lot Dimensions" in Appendix 22-10-1 of this Chapter until such time that a zoning ordinance is adopted by the Borough. The Planning Commission may permit a subdivider to utilize any lot size approved by the Pennsylvania Department of Environmental Protection, regardless of the public utilities available and provided it is not less than 5,000 square feet in area and not less than 50 feet wide. In addition each mobile home lot size shall:
 - (a) Fit dimensions of mobile homes anticipated.
 - (b) Provide for mobile home appurtenant structures and appendages.
 - (3) Corner Lots. Corner Lots for mobile home use shall have extra width to permit appropriate building setback from and orientation to both streets.

- (4) **Building Setback Lines.** The building setback lines shall conform to any applicable zoning or mobile home park ordinance. Where no such ordinance exists, or if the mobile home park is located in an area not controlled by Borough subdivision regulations, the minimum setbacks from the lot line shall be as follows:
- (a) Park boundary property line: 10 feet.
 - (b) Front yard: 20 feet.
 - (c) Side yard: five feet.
 - (d) Rear yard: 10 feet.
- (5) **Buffer Strip and Screening.** Where a mobile home park abuts a major street or is located adjacent to industrial or commercial properties, a planting screen at least 15 feet wide or approved fencing shall be provided along the abutting side separating the park and such adjacent nonresidential uses. Streets in the park that are proposed for dedication to public use shall provide right-of-way widths as follows:

Type of Street	Minimum Right-of-Way
Collector Street	60 feet
Minor Street	50 feet

2. Street Alignment and Gradient.

- A. **General Requirement.** Streets should be adopted to the topography and shall have suitable alignment and gradient for safety of traffic, satisfactory surface and ground water drainage, and proper functioning of sanitary and storm sewer systems.
- B. **Street Grades.** Center line grades should not be less than 1/2%. Center line grade should not exceed the following:
- (1) Collector Streets: 7%.
 - (2) Minor Streets: 12%.

Where the grade of any street at the approach to an intersection exceeds 7%, a leveling area should be provided having not greater than 4% grades.

C. Intersections.

- (1) Street intersections should generally be at right angles. No street should intersect another at an angle of less than 75°.

- (2) Offsets at intersections and intersections of more than two streets at one point should be avoided.
- (3) Streets entering opposite sides of another street should be laid out either directly opposite one another or with a minimum offset of 150 feet between their center lines.
- (4) Minimum curb radii at street intersections should be as follows:

Intersection	Pavement Edge
Collector with Public Road	20 feet
Collector with Collector	20 feet
Collector with Minor	20 feet
Minor with Minor	15 feet

3. Extent of Improvements.

A. General Requirements. The street improvements should:

- (1) Extend continuously from the existing improved street to provide access to each mobile home lot and other facilities in the park.
- (2) Provide convenient circulation of vehicles.

B. Street Surfacing. Streets should be surfaced to the grades and dimensions shown on the street profile and cross-section plan submitted and approved with the final plan. The paving and wearing surface should be constructed according to the following specifications:

- (1) Minor and Collector Streets. For construction of surface course and base course Pennsylvania Department of Transportation Specifications, 1967, Form 408/67 as amended or supplemented shall apply. Base course must be at least eight inches in depth after compaction.

C. Blocks. The size and shape of blocks shall be determined with regard to:

- (1) Zoning requirements as to lot size.
- (2) Need for convenient access, automotive and pedestrian movement.
- (3) Providing desirable lot depths for interior walkways and easements for utilities to be located within the block.
- (4) Blocks shall not exceed a maximum length of 1,100 feet.

- D. Walks. Pedestrian interior walks may be required where essential to assist circulation or pedestrian movement and safety to important facilities in the park.
- (1) Width. Width generally should be at least three feet for walks on individual lots and a minimum of four feet for common walks.
- E. Easements.
- (1) Use. Easements shall be provided for all utilities not located in a street and for well-defined watercourses.
 - (2) Width. Utility easements shall have a minimum width of 15 feet. Easements for natural watercourses shall be of sufficient width to permit maintenance and provide for future flow.
 - (3) Location. Easements shall be centered on or adjacent to side and rear lot lines whenever possible.
- F. Recreation Area and Facilities. Recreation areas and facilities, such as playgrounds, swimming pools, and community buildings should be provided to serve the needs of the residents the park is designed to serve.
- (1) Size of Recreation Area. Where recreational facilities are provided not less than 8% of the gross site area should be devoted to these facilities, generally provided in a centralized location, or decentralized in larger mobile home parks.
- G. Storm Drainage. Drainage facilities shall be provided:
- (1) To permit the unimpeded flow of natural watercourses.
 - (2) To protect structures and mobile home stands.
 - (3) To provide safe and convenient use of streets, lot areas and other facilities in the park.

Where the construction of streets and necessary stormwater system in a park is such that the direction of stormwater flow is diverted to affect surrounding properties, the developer shall obtain sufficient drainage easements to provide adequate disposal of the stormwater.

H. Sanitary Disposal.

- (1) Sanitary Sewers.
 - (a) If the mobile home park can be served by the extension of an existing public sanitary sewerage system, as

determined by the Planning Commission, the developer shall provide lateral connections to each mobile home lot.

- (b) Where a sanitary sewer is not accessible, the developer shall provide a sewage disposal system meeting the requirements and approval of the Pennsylvania Department of Environmental Protection.

(2) Water Supply.

- (a) Public Water Supply. If the mobile home park can be served by the extension of an existing public water supply system, as determined by the Planning Commission, the developer shall construct a system of water mains and connect with such water supply system and provide a connection for each lot.
- (b) Where a public water supply system is not available, the developer shall provide a water system meeting the requirements and approval of the Pennsylvania Department of Environmental Protection.

I. Street Lights. Street or onsite lights shall be provided to illuminate streets, driveways and walkways for the safe movement of vehicles and pedestrians at night. Their type and location shall be shown on the plan.

J. Underground Utilities. Electric, telephone and all other utilities' facilities shall be installed underground unless, in the opinion of the Planning Commission, special conditions require otherwise.

K. Landscaping.

(1) Planting is required to the extent needed to provide for:

- (a) Screening of objectionable view.
- (b) Adequate shade.
- (c) A suitable setting for the mobile homes and other settings. Planting shall be hardy, appropriate for use and location, and planted so as to thrive with normal maintenance.

(2) Screen planting shall be adequate to screen objectionable view effectively within a reasonable time. Views to be screened include laundry drying yards, garbage and trash collection stations, nonresidential uses and rear yards of adjacent properties.

Appendix 22-10-3. — Street Construction Standards for Resort-Type Subdivisions. [Ord. 190 (71-4), 10/14/1971, Appendix 3]

1. The following specifications shall apply in the construction of roads within resort-type subdivisions as defined by this Chapter. Overall reference for the specifications is the Pennsylvania Department of Transportation's Specifications, 1967.
 - A. The base course shall consist of six inches of compacted crushed stone constructed according to the specifications as set forth in Form 408/67 as amended or supplemented in the Pennsylvania Department of Transportation's Specifications, 1967.
 - B. The bituminous surface course shall be constructed as follows:
 - (1) The base to be treated shall be thoroughly compacted, true to line, grade and cross-section as shown on the accepted drawing and swept or otherwise cleaned of all dust, mud and foreign material and shall be thoroughly dry before any bituminous material is applied. The bitumen shall be applied with a power distributor of approved type under a pressure of not less than 40 pounds per square inch.
 - (2) The prime coat shall be applied at the rate of 0.2 — 0.3 gallons of bitumen per square yard. Traffic shall not be permitted on the primed base until the bitumen has penetrated, dried and will not pick up under traffic. After the prime application has thoroughly set up the second application shall be applied at the rate of 0.4 — 0.5 gallons of bitumen per square yard. Immediately behind the second application of bitumen the coarse aggregate shall be uniformly spread at the rate of 40 — 50 pounds of crushed stone per square yard by means of spreader boxes, or approved mechanical equipment, or from moving vehicles equipped to distribute the material in a uniform layer. As soon as possible after the aggregate has been spread it shall be rolled to the full width by a smooth wheel power roller weighing not less than eight tons.
 - (3) Rolling shall progress gradually from the sides to the center, parallel with the center line of the road and lapping uniformly each preceding track by 1/2 the width of the track, and shall continue until the coarse aggregate is thoroughly keyed into the bitumen. Prior to applying the bitumen for the seal coat all loose and excess aggregate shall be removed from the road surface. The seal coat of bitumen shall be applied at the rate of 0.3 — 0.4 gallons of bitumen per square yard and in the manner described above for "Second Application," to be followed by the seal coat of aggregate uniform spread at the rate of 30 — 40 pounds of crushed stone per square yard.

Seasonal Limits. No material shall be placed when either the temperature of the air or base on which the material is to be placed is 50° F., and falling or during unfavorable weather. See §§ 22-802 and 22-803 of this Chapter.

CHAPTER 23
STORMWATER MANAGEMENT

PART 1
GENERAL PROVISIONS

- § 23-101. Statement of Findings.**
- § 23-102. Purpose.**
- § 23-103. Statutory Authority.**
- § 23-104. Applicability.**

PART 2
DEFINITIONS

- § 23-201. Definitions.**

PART 3
STORMWATER MANAGEMENT REQUIREMENTS

- § 23-301. General Requirements.**
- § 23-302. Stormwater Management Districts.**
- § 23-303. Stormwater Management District Implementation Provisions.**
- § 23-304. Calculation Methodology.**

PART 4
STORMWATER MANAGEMENT PLAN REQUIREMENTS

- § 23-401. General Requirements.**
- § 23-402. Stormwater Management Plan Contents.**
- § 23-403. Plan Submission.**
- § 23-404. Stormwater Management Plan Review.**
- § 23-405. Modification of Plans.**
- § 23-406. Hardship Waiver Procedure.**

PART 5
FEES AND EXPENSES

- § 23-501. **General.**
§ 23-502. **Expenses Covered by Fees.**

PART 6
INSPECTIONS

- § 23-601. **Schedule of Inspections.**

PART 7
FINANCIAL GUARANTEES AND MAINTENANCE RESPONSIBILITIES

- § 23-701. **Performance Bond.**
§ 23-702. **Maintenance Guarantee.**
§ 23-703. **Maintenance Period.**

PART 8
CIVIL REMEDIES

- § 23-801. **Civil Remedies.**

PART 9
ENFORCEMENT AND PENALTIES

- § 23-901. **Right of Entry.**
§ 23-902. **Notification.**
§ 23-903. **Penalties.**

PART 10
APPEALS

- § 23-1001. **Appeal to Borough Council.**
 Appendix 23-3-A Release Rate Map
 Appendix 23-3-B Channel Velocities
 Appendix 23-3-C Region 4 Rainfall

PART 1

GENERAL PROVISIONS

§ 23-101. Statement of Findings. [Ord. 334 (92-1), 2/5/1992, § 101]

1. The Borough Council of the Borough finds that:
 - A. Inadequate management of accelerated runoff of stormwater resulting from development throughout a watershed increases flood flow and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control stormwater, undermines floodplain management and flood control efforts in downstream communities, reduces groundwater recharge, and threatens public health and safety.
 - B. A comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety and welfare and the protection of the people of the commonwealth, their resources and the environment.

§ 23-102. Purpose. [Ord. 334 (92-1), 2/5/1992, § 102]

1. The purpose of this Chapter is to promote the public health, safety and welfare within the South Branch Codorus Creek Watershed by minimizing the damages described in § 23-101, Subsection 1A of this Chapter by provisions designed to:
 - A. Control accelerated runoff and erosion and sedimentation problems at their source by regulating activities which cause such problems.
 - B. Utilize and preserve the desirable existing natural drainage systems.
 - C. Encourage recharge of groundwaters where appropriate.
 - D. Maintain the existing flow and quality of streams and watercourses in the Borough and the commonwealth.
 - E. Preserve and restore the flood carrying capacity of streams.
 - F. Provide for proper maintenance of all permanent stormwater management structures which are constructed in the Borough.

§ 23-103. Statutory Authority. [Ord. 334 (92-1), 2/5/1992, § 103]

The Borough is empowered to regulate these activities by the authority of the Act of October 4, 1978, P.L. 864 (Act 167), the "Stormwater Management Act," 32 P.S. § 680.1 et seq., and the Borough Code, 53 P.S. § 45101 et seq.

§ 23-104. Applicability. [Ord. 334 (92-1), 2/5/1992, § 104; as amended by A.O.]

1. This Chapter shall apply only to permanent stormwater management facilities constructed as part of any of the activities listed in this Section. Erosion and sedimentation control during construction involved with any of these activities are specifically not regulated by this Chapter, but shall continue to be regulated under existing laws and ordinances.
2. This Chapter contains only those stormwater runoff control criteria and standards which are necessary or desirable from a total watershed perspective.
3. Storm sewer inlet systems, stormwater swales and culverts shall be designed in accordance with the latest versions of Pennsylvania Department of Transportation Design Manual, Part 2, and the Pennsylvania Department of Environmental Protection regulations, 25 Pa. Code, Chapters 105 and 106.
4. The following activities are defined as regulated activities and shall be regulated by this Chapter, except those which meet the waiver specifications presented hereafter:
 - A. Land development.
 - B. Subdivisions involving new impervious surfaces.
 - C. Construction of new or additional impervious surfaces (driveways, parking lots, etc.)
 - D. Construction of new buildings or additions to existing buildings.
 - E. Diversion or piping of any natural or man-made stream channel.
 - F. Installation of stormwater systems or appurtenances thereto.
5. Should any stormwater management facility qualify as a dam under Pennsylvania Department of Environmental Protection regulations, 25 Pa. Code, Chapter 105, the facility shall be designed in accordance with Chapter 105 and meet the regulations of Chapter 105 concerning dam safety. Construction or modification of any culvert, bridge or any facilities that constitute stream enclosures, as described in PA DEP regulations, Chapter 25 Pa. Code, Chapter 105, (as amended or replaced from time to time by PA DEP), shall be designed in accordance with Chapter 105 and will require a permit from PA DEP. Any facility located within and/or discharging to a PennDOT right-of-way must meet PennDOT minimum design standards and permit submission requirements. Any earth disturbance activity must be conducted in accordance with PA DEP, 25 Pa. Code, Chapter 102, regulations.

PART 2
DEFINITIONS

§ 23-201. Definitions. [Ord. 334 (92-1), 2/5/1992, Art. II]

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

CISTERN — An underground reservoir or tank for storing rainwater.

CONCENTRATED DRAINAGE DISCHARGE — Flow following a defined path with depth and velocity. Aggregation, of diffused flow and riverlets.

CONSERVATION DISTRICT — The Conservation District serving York County.

CULVERT — A pipe, conduit or similar structure including appurtenant works which carries surface water.

DESIGN STORM — The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., fifty-year storm) and duration (e.g., 24 hour), and used in computing stormwater management control systems.

DETENTION BASIN — A basin designed to retard stormwater runoff by temporarily storing runoff and releasing it at a predetermined rate. A detention basin can be designed to drain completely after a storm event, or it can be designed to contain a permanent pool of water.

DEVELOPER — A person or person, partnership, association, corporation or other entity, or any responsible person therein or agent thereof, that undertakes the activities covered by this Chapter.

DEVELOPMENT — The improvement or alteration of any lot, parcel, tract or piece of land for residential, commercial or industrial purposes in any manner which increases the quality of impervious material cover, such as the construction or expansion of buildings, parking facilities, streets, etc.

DEVELOPMENT SITE — The specific tract of land for which a regulated activity is proposed.

DIFFUSED DRAINAGE DISCHARGE — Sheet flow — an overland flow or downslope movement of water taking the form of a thin continuous film over relatively smooth soil, rock, paving or vegetation, etc., and not concentrated into channels larger than nonerosive riverlets.

DIVERSION TERRACE — A channel and a ridge constructed to a predetermined grade across a slope, and designed to collect and divert runoff from slopes which are subject to erosion.

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

DRAINAGE PLAN — The documentation of the proposed stormwater management controls, if any, to be used for a given development site, the contents of which are established in § 23-403.

GROUNDWATER RECHARGE — Replenishment of existing natural underground water supplies.

IMPERVIOUS SURFACE — A surface which prevents the percolation of water into the ground.

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

LAND DEVELOPMENT — (A) the improvement of one lot of two or more contiguous lots, tracts or parcels of land for any purpose involving (1) a group of two or more buildings, or (2) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (B) a subdivision of land.

LAND DISTURBANCE — Any activity involving grading, tilling, digging or filling of ground, or stripping of vegetation, or any other activity which causes land to be exposed to the danger of erosion.

MUNICIPALITY — Glen Rock Borough, York County, Pennsylvania.

PEAK DISCHARGE — The maximum rate of flow of water at a given point and time resulting from a specified storm event.

REGULATED ACTIVITIES — Actions or proposed actions which impact upon proper management of stormwater runoff and which are governed by this Chapter as specified in § 23-104.

RELEASE RATE — The percentage of the predevelopment peak rate of runoff for a development site to which the post-development peak rate of runoff must be controlled to protect downstream areas.

RETURN PERIOD — The average interval in years over which an event of a given magnitude can be expected to occur. For example, the twenty-five-year return period rainfall or runoff event would be expected to recur on the average once every 25 years.

RUNOFF — The part of precipitation which flows over the land.

SCS — Soil Conservation Service, U.S. Department of Agriculture.

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

SEMI-PERVIOUS SURFACE — A surface such as stone, rock, concrete or other materials which permits some vertical transmission of water.

SOIL-COVER COMPLEX — A method of runoff computation developed by SS and found in its publication "Urban Hydrology for Small Watersheds," Technical Release No. 55, SCS, January, 1975.

STORAGE INDICATION METHOD — A reservoir routing procedure based on solution of the continuity equation (inflows minus outflow equals the change in storage for a given time interval) and based on outflow being a unique function of storage volume.

STORM SEWER — A system of pipes or other conduits which carries intercepted surface runoff, street water and other wash waters, or drainage, but excludes domestic sewage and industrial wastes.

STORMWATER MANAGEMENT PLAN — The plan addressing stormwater management for a specific regulated activity, prepared in accordance with Part 4.

STREAM — A watercourse.

SUBAREA — The smallest unit of watershed breakdown for hydrologic modeling purposes for which the runoff control criteria have been installed in the stormwater management plan.

SUBDIVISION — The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development.

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

WATERCOURSE — Any channel of conveyance of surface water having defined bed and banks, whether or not artificial, with perennial or intermittent flow.

WATERSHED STORMWATER PLAN — The plan for managing stormwater runoff accepted by York County for the South Branch Codorus Creek

Watershed as required by Act of October 4, 1989, P.L. 864, (Act 167), and known as the "Stormwater Management Act", 32 P.S. § 680.1 et seq.

PART 3

STORMWATER MANAGEMENT REQUIREMENTS**§ 23-301. General Requirements. [Ord. 334 (92-1), 2/5/1992, § 301; as amended by A.O.]**

1. Maintenance of Natural Drainageways. All natural streams, channels, swales, drainage systems and/or areas of surface water concentration shall be maintained in their existing condition unless an alteration is approved by the Borough. All encroachment activities shall comply with the requirements of 25 Pa. Code, Chapter 105, "Water Obstructions and Encroachments," Rules and Regulations of the Pennsylvania Department of Environmental Protection.
2. The existing points of concentrated drainage discharge onto adjacent property shall not be altered.
3. Areas of existing diffused drainage discharge onto adjacent property shall be managed such that, at minimum, the peak diffused flow does not increase in the general direction of discharge, except as otherwise provided in this Chapter. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the developer must document that there are adequate downstream conveyance facilities to safely transport the concentrated discharge or otherwise demonstrate that no harm will result from the concentrated discharge. Areas of existing diffused drainage discharge shall be subject to any applicable release rate criteria in the general direction of existing discharge whether they are proposed to be concentrated or maintained as diffused drainage areas.
4. Where a subdivision or development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement conforming substantially with the high water line of such watercourse attributable to a flood of one-hundred-year frequency, in order to provide for future possible widening, deepening, relocating, improving or protecting of such drainage facilities. Any changes in the existing drainageway shall be subject to the approval of the Borough Engineer and the Pennsylvania Department of Environmental Protection.
5. Any drainage facilities required by this Chapter that are located on state highway rights-of-way shall be subject to approval by the Pennsylvania Department of Transportation.
6. When it can be shown that, due to topographic conditions, natural drainage swales on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainage swales. Capacities of open channels shall be calculated using the Manning equation.

7. Storm drainage facilities and appurtenances shall be so designed and provided as to minimize erosion in watercourse channels and at all points of discharge.
8. Consideration should be given to the design and use of volume controls for stormwater management, where geology permits.

§ 23-302. Stormwater Management Districts. [Ord. 334 (92-1), 2/5/1992, § 302]

1. Mapping of Stormwater Management Districts. In order to implement the provisions of the South Branch Codorus Creek Stormwater Management Plan the Borough is hereby divided into Stormwater Management Districts consistent with the South Branch Codorus Creek Release Rate Map presented in the plan. The boundaries of the Stormwater Management Districts are shown on an Official Map which is available for inspection at the Borough office. A copy of the Official Map at a reduced scale is included in Appendix 23-3-A for general reference.
2. Description of Stormwater Management Districts. Three types of Stormwater Management Districts may be applicable to the Borough, namely Release Rate Districts, Provisional No-Detention Districts and Provisional 100% Release Rate Districts as described below:
 - A. Release Rate Districts. There are four Release Rate Districts which differ in the extent to which post-development runoff must be controlled. The release rates, and districts are 50%, 70%, 80% and 100%. Within a given District, the post-development peak rate of storm runoff must be controlled to the stated percentage of the predevelopment peak rate of storm runoff in order to protect downstream watershed areas.
 - B. Provisional No-Detention Districts. These watershed areas may discharge postdevelopment peak runoff without detention without adversely affecting the total watershed peak flow. In certain instances, however, the "local" runoff conveyance facilities, which transport runoff from the site to the main channel, may not have adequate capacity to safely transport runoff from the site to the main channel, may not have adequate capacity to safely transport increased peak flow associated with no detention for a proposed development. In those instances, the developer shall either use a 100% release rate control or provide increased capacity of downstream drainage elements to convey increased peak flows consistent with § 23-303, Subsection 8. In determining if adequate capacity exists in the local watershed drainage network, the developer must assume that the entire local watershed is developed per current zoning and that all new development would use the runoff controls specified by this Chapter. Similarly, any capacity improvements must be designed to convey runoff from development of all areas tributary to the

improvement consistent with the capacity criteria specified in § 23-303, Subsection 3.

- C. Provisional 100% Rates Districts. These areas should use a 100% release rate control to protect the areas upstream of the mainstream. Direct discharge or postdevelopment flows with no detention could be appropriate for these areas if the developer could prove that adequate downstream capacity exists to convey the increased peak flows generated with development site is located, without detention controls, to the mainstream. Evaluation of downstream capacity must assume development of all areas tributary to the local drainage network consistent with current zoning and that all new development would use the runoff controls specified by this Chapter, except as otherwise specified above.

**§ 23-303. Stormwater Management District Implementation Provisions.
[Ord. 334 (92-1), 2/5/1992, § 303; as amended by A.O.]**

1. Any stormwater management controls required by this Chapter are subject to release rate criteria (50% through 100%) shall meet the applicable release rate criteria for each of the two-, five-, ten-, twenty-five-, fifty-, and one-hundred-year return period runoff events consistent with the calculation methodology specified in § 23-304.
2. The exact location of the Stormwater Management District boundaries as they apply to a given development site shall be determined by mapping the boundaries using the two-foot topographic contours provided as part of the drainage plan. The District boundaries as originally shown coincide with topographic divides or, in certain instances, are drawn from the intersection of the watercourse and a physical feature such as the confluence with another watercourse or a potential flow obstruction (road, culvert, bridge, etc.) to the topographic divide consistent with topography.
3. Any downstream capacity analysis conducted in accordance with this Chapter shall use the following criteria for determining adequacy for accepting increased peak flow rates:
 - A. Natural or man-made channels or swales must be able to convey increased runoff associated with a two-year return period event within their banks at velocities consistent with protection of the channels from erosion. Acceptable velocities shall be based upon criteria included in the DEP Soil Erosion and Sedimentation Control Manual (February, 1985) and presented in Appendix 23-3-B of this Chapter.
 - B. Natural or man-made channels or swales must be able to convey the increased twenty-five-year return period runoff peak within their banks or otherwise not create any hazard to persons or property.

- C. Culverts, bridges, storm sewers or any other facilities which must pass or convey flows from the tributary area must have sufficient capacity to pass or convey the increased flows associated with the twenty-five-year return period runoff event, except for facilities located within a designated floodplain area which must be capable of passing or conveying the one-hundred-year return period runoff. Any facilities which constitute stream enclosures per DEP's 25 Pa. Code, Chapter 105, regulations shall be designed to convey the one-hundred-year return period runoff.
- 4. For a proposed development site located within a single release rate category area, the total runoff from the site shall meet the applicable release rate criteria. For development sites with multiple points of concentrated runoff discharge, individual drainage points may be designed for up to a 100% release rate so long as the total runoff from the site is controlled to the applicable release rate.
- 5. For a proposed development site located within two or more release rate category areas, the maximum peak rate of runoff that may be discharged at any point is limited to the predevelopment peak rate of runoff at that point multiplied by the applicable release rate. The control rates shall apply regardless of any grading modifications which may change the drainage area which discharges at a given point.
- 6. For proposed development sites located partially within a release rate category area and partially within a provisional no detention area, in no event shall a significant portion of the site area subject to the release rate control be drained to the discharge point(s) located in the no detention area.
- 7. "No Harm" Option. For any proposed development site not located in a Provisional No-Detention District, the developer has the option of using a less restrictive runoff control (including no detention) if the developer can prove that "no harm" would be caused by discharging at a higher runoff rate than that specified by the plan. Proof of "no harm" would have to be shown from the development site through the remainder of the downstream drainage network to the confluence of the South Branch Coderus Creek with the East Branch Coderus Creek. Proof of "no harm" must be shown using the capacity criteria specified in Subsection 3. If downstream capacity analysis is a part of the "no harm" justification. Attempts to prove "no harm" based upon downstream peak flow versus capacity analysis shall be governed by the following provisions:
 - A. The peak flow values to be used for downstream areas for the design return period storms (two-, ten-, twenty-five-, and one-hundred-year) shall be the values from the calibrated Penn State Runoff Model for the South Branch Coderus Creek Watershed. These flow values would be supplied to the developer by the Borough Engineer upon request.

- B. Any available capacity in the downstream conveyance system as documented by a developer may be used by the developer only in proportion to his development site acreage relative to the total upstream undeveloped acreage from the identified capacity (i.e., if his site is 10% of the upstream undeveloped acreage, he may use up to 10% of the document downstream available capacity).
- C. Developer proposed runoff controls which would generate increased peak flow rates at documented storm drainage problem areas would, by definition, be precluded from successful attempts to prove "no harm," except in conjunction with the proposed capacity improvements for the problem areas consistent with Subsection 9.

Any "no harm" justification shall be submitted by the developer as part of the drainage plan submission per Part 4.

- 8. Regional or Subregional Detention Alternatives. For certain areas within the watershed, it may be more cost-effective to provide one control facility for an entire subarea, group of subareas or portion of a subarea incorporating more than one development site than to provide an individual control facility for each development site. The initiative and funding for any regional or subregional runoff control alternatives are the responsibility of prospective developers. The design of any regional control basins must incorporate reasonable development of the entire upstream watershed. The peak outflow of a regional basin would be determined on a case-by-case basis using the hydrologic model of the watershed consistent with protection of the downstream watershed areas. "Hydrologic model" refers to the South Branch Codorus Creek version of the Penn State Runoff Model as developed for the stormwater management plan.
- 9. Capacity Improvements. In certain instances, primarily within the provisional no-detention and provisional 100% release category areas, local drainage conditions may dictate more stringent levels of runoff control than those based upon protection of the entire watershed. In these instances, if the developer could prove that it would be feasible to provide capacity improvements to relieve the capacity deficiency in the local drainage network, then the capacity improvements could be provided by the developer in lieu of runoff controls on the development site. Any capacity improvement would be designed based upon development of all areas tributary to the proposed improvement and the capacity criteria specified in Subsection 3. In addition, all new development upstream of a proposed capacity improvement shall be assumed to implement the applicable runoff controls consistent with this Chapter except that all new development within the entire subarea(s) within which the proposed development site is located shall be assumed to implement the developer's proposed discharge control, if any. Capacity improvements may also be provided as necessary to implement any regional or subregional detention alternatives or to implement a modified "no harm" option which proposed specific capacity improvements to document the

validity of a less stringent discharge control which would not create any harm downstream.

10. Waiver of Runoff Control Based on Minimum Impervious Cover.
 - A. Any proposed regulated activity, except those defined in § 23-104, Subsections 4E and F, which would create 5,000 square feet or less of additional impervious cover and 25% or less total lot coverage would be exempt from meeting the runoff control provisions of this Chapter. For developments which are to take place in stages, the entire development plan must be used in determining conformance to this criteria. Additional impervious cover shall include, but not be limited to, any roof or driveway areas and any new streets and sidewalks constructed as part of or for the proposed development. Any areas which may be designed to initially be semi-pervious (e.g., gravel, crushed stone, porous pavement, etc.) shall be considered impervious areas for the purpose of waiver evaluation.
 - B. Any existing developed residential lot for which a minor extension or improvement of a regulated activity pursuant to § 23-104, Subsections 4C or D is proposed shall be exempt from meeting the runoff control provisions of this Chapter; provided, however, that such extension or improvement shall not exceed 5,000 square feet of additional impervious cover and not be more than 25% of the total lot coverage.
 - C. No waiver shall be provided for any regulated activities as defined in § 23-104, Subsections 4E and F.

§ 23-304. Calculation Methodology. [Ord. 334 (92-1), 2/5/1992, § 304]

1. Stormwater runoff from all development sites shall be calculated using either the rational method or a SCS Technical Release Number 55 (TR 55). The rational method shall not be used for tributary area greater than 320 acres.
2. The design of any detention facility intended to meet the requirements of this Chapter shall be verified by routing the design storm hydrograph through the proposed basin. For basins designed using the modified rational method technique, the detention volume shall, at minimum, equal the volume derived from the approximate routing process as contained in TR55. Actual volume required will be that determined from the routing, but in no case less than the minimum from TR-55.
3. All stormwater detention facilities shall provide a minimum one-foot freeboard above the maximum pool elevation associated with the two-through fifty-year runoff events. An emergency spillway shall be designed to pass the one-hundred-year runoff event with a minimum one-half-foot freeboard.

4. All calculations using the soil cover complex method shall use the Soil Conservation Service Type II twenty-four-hour rainfall distribution. The twenty-four-hour rainfall depths for the various return periods to be used consistent with this Chapter are as follows:

Return Period	24-Hour Rainfall Depth (inches)
2-year	3.1
5-year	3.9
10-year	4.8
25-year	5.3
50-year	6.1
one-hundred-year	6.8

A graphical and tubular presentation of the Type II-24 hour distribution as included in Appendix 23-3-C.

5. All calculations using the rational method shall use rainfall intensities consistent with appropriate times of concentration and return periods and the Intensity-Duration-Frequency Curves as presented in Appendix 23-3-C.
6. Runoff Curve Numbers (CNs) to be used in the soil cover complex method shall be based upon the matrix presented in Appendix 23-3-C.
7. Runoff coefficients for use in the rational method shall be based upon the table presented in Appendix 23-3-C or the nomograph for Rossmiller's formula in Appendix 23-3-C.
8. The Manning equation shall be used to calculate the capacity of watercourses. Manning "n" values used in the calculations shall be consistent with table presented in Appendix 23-3-C. Pipe capacities shall be determined by methods acceptable to the Borough Engineer.

PART 4

STORMWATER MANAGEMENT PLAN REQUIREMENTS**§ 23-401. General Requirements. [Ord. 334 (92-1), 2/5/1992, § 401]**

For any of the regulated activities of this Chapter, prior to the final approval of subdivision and/or land development plans, or the issuance of any permit, or the commencement of any land disturbance activity, the owner, subdivider, developer or his agent shall submit a stormwater management plan for approval.

§ 23-402. Stormwater Management Plan Contents. [Ord. 334 (92-1), 2/5/1992, § 402]

1. The plan shall be prepared by a professional engineer.
2. The engineer shall certify that the plan meets the minimum design requirements of this Chapter and shall include the following:
 - A. General.
 - (1) General description of project.
 - (2) General description of proposed permanent stormwater controls.
 - B. Map(s) of the project area showing:
 - (1) The location of the project relative to highways, municipalities or other identifiable landmarks.
 - (2) Existing contours at intervals of two feet. In areas of steep slopes (greater than 15%), five-foot contour intervals may be used.
 - (3) Drainage area boundaries for all areas, on and offsite, that drain to and/or through the site.
 - (4) Streams, lakes, ponds or other bodies of water within or near the project.
 - (5) Other physical features including existing drainage swales and areas of natural vegetation to be preserved.
 - (6) Location of existing and proposed underground utilities, sewers, water lines and all rights-of-ways.
 - C. Soil types and boundaries within the site area and areas tributary to the site.
 - D. Final Topography.

- (1) Changes to land surface and vegetative cover.
- (2) Areas to be cut or filled.
- (3) Structures, roads, paved areas and buildings.
- (4) Final contours at intervals of two feet. In areas of steep slopes (greater than 15%), five-foot contour intervals may be used.
- (5) Stormwater Management District boundaries applicable to the site.

E. Stormwater Management Controls.

- (1) All stormwater management controls must be shown on a map, described and detailed including, but not exclusively:
 - (a) Groundwater recharge methods such as seepage pits, beds or trenches. When these structures are used, the locations of septic tank infiltration areas and wells must be shown.
 - (b) Other control devices or methods such as roof-top storage, semipervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, storm sewers, etc.
- (2) All calculations, assumptions and criteria used in the design of the control device or method must be shown.

F. Maintenance Program. A maintenance program for all stormwater management control facilities must be included. This program must include the proposed ownership of the control facilities, the maintenance requirements for the facilities, and detail the financial responsibility for the required maintenance.

§ 23-403. Plan Submission. [Ord. 334 (92-1), 2/5/1992, § 403; as amended by A.O.]

1. For regulated activities specified in § 23-104, Subsections 4A and B:
 - A. The stormwater management plan shall be submitted by the developer to the Borough Secretary (or other appropriate person) as part of the preliminary plan submission or land development.
 - B. Three copies of the stormwater management plan shall be submitted.
 - C. Distribution of the stormwater management plan will be as follows:
 - (1) One copy to the Borough Council.

- (2) One copy to the Borough Engineer.
 - (3) One copy to the York County Planning Commission.
2. For regulated activities specified in § 23-104, Subsections 4C and D:
 - A. The stormwater management plan shall be submitted by the developer to the Borough Building Permit Officer as part of the building permit application.
 - B. One copy of the stormwater management plan shall be submitted.
3. For regulated activities specified in § 23-104, Subsections 4E and F:
 - A. The stormwater management plan submitted by the developer to York County Planning commission for the purposes of coordination with the DEP permit application process under 25 Pa. Code, Chapter 105, "Dam Safety and Waterway Management," or 25 Pa. Code, Chapter 106, "Floodplain Management," or DEP's rules and regulations.
 - B. One copy of the stormwater management plan shall be submitted.

§ 23-404. Stormwater Management Plan Review. [Ord. 334 (92-1), 2/5/1992, § 404; as amended by A.O.]

1. The Borough Engineer shall review the stormwater management plan consistency with the adopted South Branch Codorus Creek Stormwater Management Plan as embodied by this Chapter and against any additional storm drainage provisions contained in the Borough Subdivision and Land Development [Chapter 22] or Zoning Ordinance [Chapter 27], as applicable.
2. The York County Planning Commission shall provide an advisory review of the stormwater management plan for consistency with the South Branch Codorus Creek Watershed Stormwater Plan.
3. For regulated activities specified in § 23-104, Subsections 4A and B, the York County Planning Commission shall provide written comments to the Borough, within 30 days, as to whether the stormwater management plan has been found to be consistent with the South Branch Codorus Creek Watershed Stormwater Plan.
4. For regulated activities specified in § 23-104, Subsections 4E and F, the York County Planning Commission shall notify DEP whether the stormwater management plan is consistent with the South Branch Codorus Creek Watershed Stormwater Plan and forward a copy of the review letter to the Borough and developer.
5. The Borough shall not approve any subdivision or land development (regulated activities § 23-104, Subsections 4A and B) or building permit application (regulated activities § 23-104, Subsections 4C and D) if the

stormwater management plan has been found to be inconsistent with the South Branch Codorus Creek Watershed Stormwater Plan by the Borough Engineer.

§ 23-405. Modification of Plans. [Ord. 334 (92-1), 2/5/1992, § 405]

A modification to a submitted stormwater management plan for a proposed development site which involves a change in control methods or techniques, or which involves the relocation or redesign of control measures, or which is necessary because soil or other conditions are not as stated on the stormwater management plan as determined by the Borough Engineer shall require a resubmission of the modified stormwater management plan consistent with § 23-403, subject to review per this Section of this Chapter.

§ 23-406. Hardship Waiver Procedure. [Ord. 334 (92-1), 2/5/1992, § 406]

1. The Borough Council may hear requests for waivers where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The waiver request shall be in writing on an application form promulgated by the Borough and accompanied by the requisite fee based upon a fee schedule adopted by the Borough. A copy of the completed application form shall be provided to each of the following: Borough, Borough Engineer, Borough Solicitor and York County Planning Commission. The application shall fully document the nature of the alleged hardship.
2. The Borough may grant a waiver provided that all of the following findings are made in a given case:
 - A. There are unique physical circumstances or conditions, including irregularity of lot size or shape, or exceptional topographical or physical conditions peculiar to the particular property, and the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Chapter in the Stormwater Management District in which the property is located.
 - B. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter, including the "no harm" provision and that the authorization of a waiver is therefore necessary to enable the reasonable use of the property.
 - C. That such unnecessary hardship has not been created by the applicant.
 - D. That the waiver, if authorized, will represent the minimum waiver that will afford relief and will represent the least modification possible of the regulation in issue.

3. In granting any waiver, the Borough Council may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of Act 167, 32 P.S. § 680.1 et seq., and this Chapter.

PART 5

FEES AND EXPENSES

§ 23-501. General. [Ord. 334 (92-1), 2/5/1992, § 501]

Fees covering costs to the Borough for plan reviews, permit issuance and inspections shall be established by resolution of the Borough Council. No permit to begin any work on the project shall be issued until the required fees have been paid.

§ 23-502. Expenses Covered by Fees. [Ord. 334 (92-1), 2/5/1992, § 502]

1. The fees paid by an applicant shall, at a minimum cover:
 - A. The review of the stormwater management/erosion and sedimentation control plan.
 - B. The site inspection.
2. In addition to the fees required in Subsections 1A and B of this Section, the applicant shall deposit with the Borough, before a permit shall be issued, a sum set by resolution. The sum deposited by the applicant shall be used by the Borough to cover the following costs:
 - A. The inspection of required controls and improvements during construction.
 - B. The final inspection upon completion of the controls and improvements required in the plan.
 - C. Any additional work required to enforce the permit provisions, correct violations and assure the completion of stipulated remedial actions.
3. Any additional costs incurred by the Borough in the administration of this Chapter not paid by the applicant pursuant to Subsection 2 of this Section shall be charged to the applicant and shall be paid promptly by the applicant.
4. Upon completion of the construction of the stormwater management facility and upon final approval thereof by the Borough Engineer, any monies in excess of Borough costs or expenses deposited by the applicant pursuant to Subsection 2 of this Section shall be refunded to the applicant.

PART 6
INSPECTIONS

§ 23-601. Schedule of Inspections. [Ord. 334 (92-1), 2/5/1992, § 601]

1. The Borough Engineer or his designee shall periodically inspect the site during construction of the permanent stormwater facilities. It is the responsibility of the permittee to notify the Borough Engineer 48 hours in advance of the beginning of construction of stormwater management facilities.
2. Any portion of the work which does not comply with the approved plan must be promptly corrected by the permittee. No work may proceed on any subsequent phase of the stormwater management plan, the subdivision or land development or building construction, until the required corrections have been made.
3. After construction of the facility, the developer's engineer will certify to the Borough that construction of the stormwater management facility was completed in accordance with the plans and specifications as originally submitted and approved by the Borough. Plans which are not properly documented and certified or which do not accurately reflect correct site conditions will be rejected.

PART 7

FINANCIAL GUARANTEES AND MAINTENANCE RESPONSIBILITIES**§ 23-701. Performance Bond. [Ord. 334 (92-1), 2/5/1992, § 701]**

1. The Borough shall required a performance bond in favor of the Borough in an amount equal to 110% of the estimated cost of all stormwater management facilities. Said bond shall be conditioned upon the faithful performance of the control measures specified on the plan within the times specified or within any extension thereof granted by the Borough. Said bond shall terminate when all control measures as shown on the approved plan are completed and approved by the Borough Engineer.
2. In lieu of the required bonds, the applicant may deposit funds or securities in an escrow account satisfactory to the Borough Solicitor. Funds deposited in this account for guaranteeing the construction or maintenance of control measures shall be used for these purposes only.

§ 23-702. Maintenance Guarantee. [Ord. 334 (92-1), 2/5/1992, § 702]

1. Maintenance by Single Entity. In cases where permanent control facilities are owned by a single entity (such as homeowner's association), such entity shall be responsible for maintenance. In this case, a legally binding agreement between the entity and the Borough shall be made providing for maintenance of all permanent control facilities, including the inspection of the Borough of all such facilities deemed critical to the public welfare and after each flood event.
2. Maintenance by Individual Lot Owners.
 - A. When stormwater management facilities are located on all individual lots, and when they are the responsibility of the landowner to maintain, a description of the facility of system and the terms of the required maintenance shall be recorded with the deed to the property.
 - B. If the Borough determines at any time that an permanent stormwater management facility has been eliminated, altered or improperly maintained, the owner of the property shall be advised of corrective measures required and give a reasonable period of time to take necessary action. If such action is not taken by the property owner, the Borough may cause the work to be done and a lien for costs may be placed against the property.
3. Maintenance by Borough. The Borough is authorized, where it is deemed necessary for the public welfare, to enter into contracts with persons whereby such persons will dedicate such stormwater management facilities to the Borough; provided, however, before such stormwater management facility is dedicated to the Borough and accepted by the Borough, such

person shall have deposited a sum of money with the Borough sufficient, in the opinion of the Borough, to provide for the future maintenance and repair of the stormwater facility.

§ 23-703. Maintenance Period. [Ord. 334 (92-1), 2/5/1992, § 703]

The maintenance of all facilities shall be in perpetuity.

PART 8

CIVIL REMEDIES**§ 23-801. Civil Remedies. [Ord. 334 (92-1), 2/5/1992, § 801]**

Any development activity conducted in violation of any provision of this Chapter shall be subject to suits to restrain, prevent or abate violation of this Chapter by the Borough or by an aggrieved person. This remedy is cumulative with other remedies in this Chapter.

PART 9

ENFORCEMENT AND PENALTIES**§ 23-901. Right of Entry. [Ord. 334 (92-1), 2/5/1992, § 901]**

Upon presentation of proper credentials, duly authorized representatives of the Borough may enter at reasonable times upon any property within the Borough to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Chapter.

§ 23-902. Notification. [Ord. 334 (92-1), 2/5/1992, § 902]

In the event that an owner, subdivider, developer or his agent fails to comply with the requirements of this Chapter, or fails to conform to the requirements of any permit issued hereunder, the Borough shall provide written notification of violation. Such notification shall set forth the nature of the violation(s) and establish a time limit for correction of these violation(s). Upon failure to comply within the time specified, the owner, subdivider, developer or his agent shall be subject to the penalty provisions of this Chapter (§ 23-903) or other penalty provisions contained in the Subdivision and Land Development Ordinance [Chapter 22], where applicable.

§ 23-903. Penalties. [Ord. 334 (92-1), 2/5/1992, § 903; as amended by A.O.]

1. Any person, firm, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.
2. In addition, the Borough may institute injunctive mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Chapter. Any court of competent jurisdiction shall have the right to issue restraining order, temporary or permanent injunction, mandamus or other appropriate forms of remedy or relief.

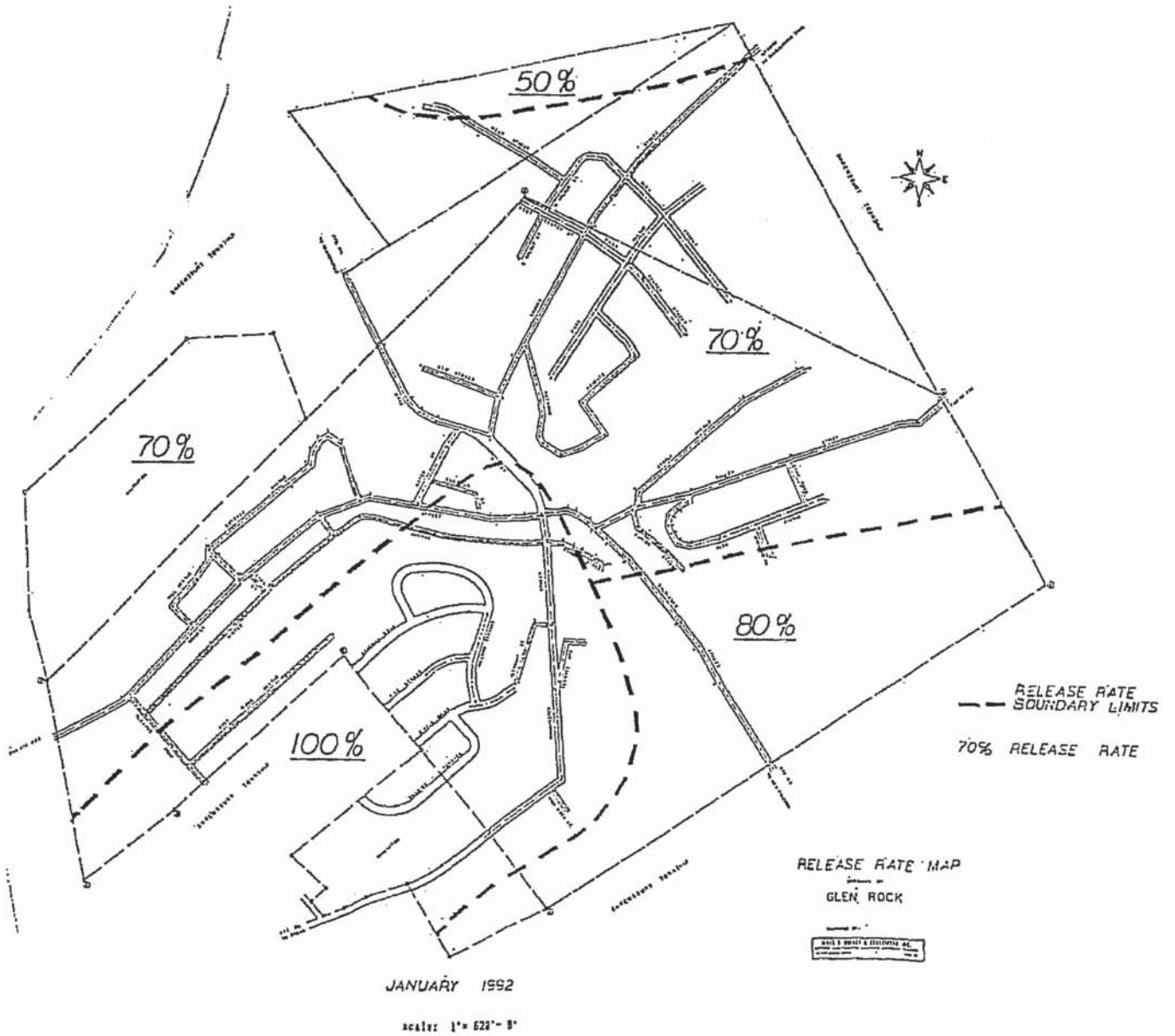
PART 10
APPEALS

§ 23-1001. Appeal to Borough Council. [Ord. 334 (92-1), 2/5/1992, § 1001]

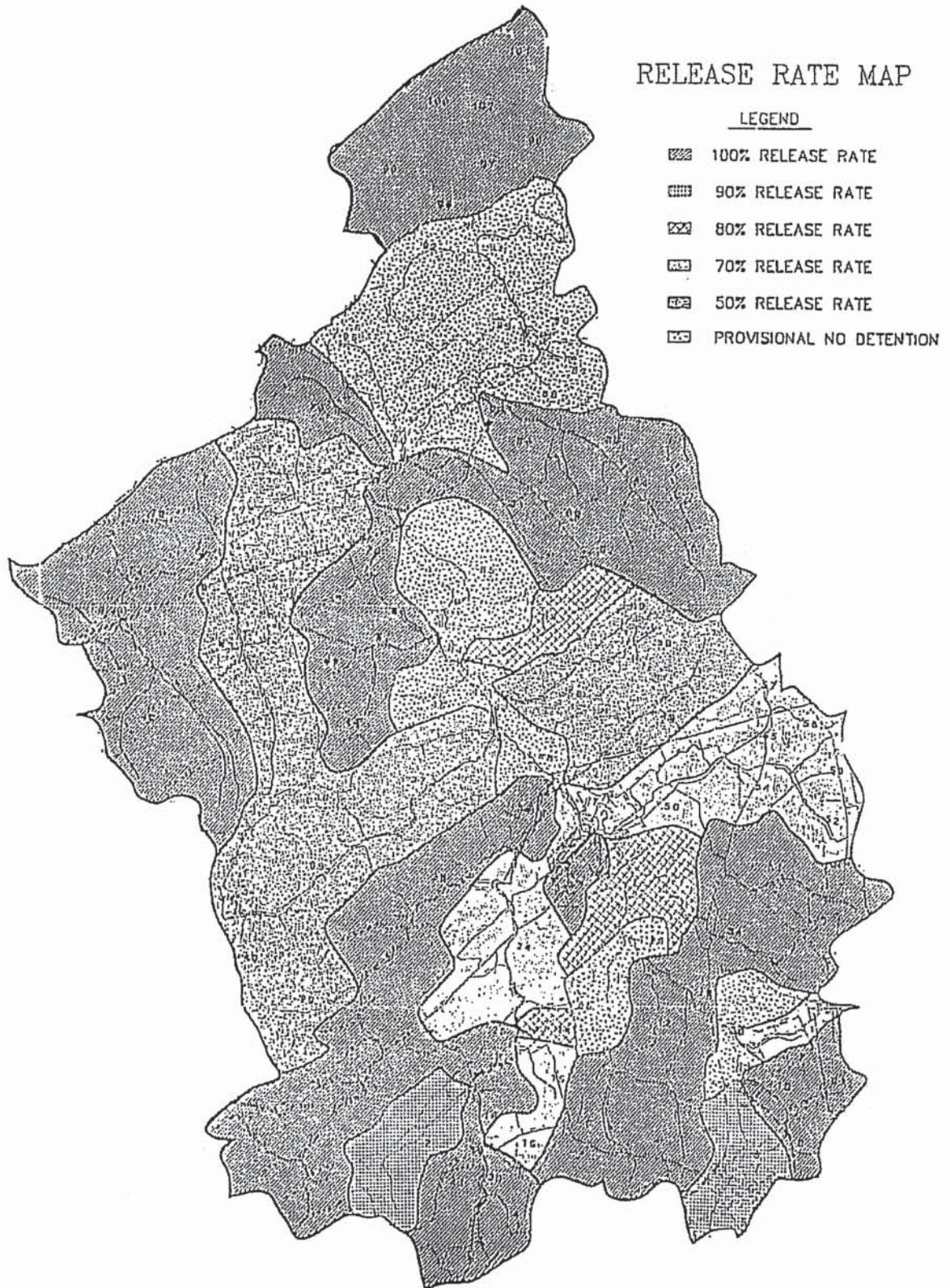
1. Any person aggrieved by any action of the Borough or its agent may appeal to the Borough Council within the time allowed by law for such an appeal.
2. Any person aggrieved by any decision of the Borough Council may appeal to the Court of Common Pleas of York County within the time allowed by law for such an appeal.

STORMWATER MANAGEMENT

Appendix 23-3-A



SOUTH BRANCH CODORUS CREEK WATERSHED



SOUTH BRANCH CODORUS CREEK WATERSHED

SUBAREA DELINEATION
AND
STREAM NETWORK



GLEN ROCK CODE

CALCULATED PSEPH PEAK FLOWS FOR THE SOUTH BRANCH CODORUS CREEK WATERSHED All Flows in Cubic Feet per Second (cfs)

Return Period	2 YEAR		5 YEAR		10 YEAR		25 YEAR		50 YEAR		100 YEAR	
Subarea No.	Subarea	Total	Subarea	Total	Subarea	Total	Subarea	Total	Subarea	Total	Subarea	Total
	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak
1	165	165	236	236	335	335	665	665	875	875	1249	1249
2	65	65	122	122	163		329	329	337	337	455	455
3	42	42	70	70	130	130	197	197	280	280	358	358
4	20	20		38	38	82	82	97	97	149	149	202
5	88	88	157	157	347	347	434	434	639	639	829	829
6	95	95	182	182	369	369	493	493	684	684	920	920
7	56	56	105	105	228	228	278	278	414	414	566	566
8	331	331	469	469	545	545	709	709	880	880	988	988
9	29	29	49	49	97	97	121	121	170	170	215	215
10	109	253	151	354	193	431	253	555	321	732	382	953
11	53	492	78	679	113	909	148	1303	197	1649	214	1669
12	58	128	98	238	181	561	205	743	314	1105	432	1422
13	43	43	81	81	181	181	201	201	317	317	437	437
14	9	9	17	17	17	51	51	72	72	92	92	92
15	20	20	37	37	83	83	94	94	147	147	200	200
16	19	19	34	34	73	73	92	92	131	131	184	184

STORMWATER MANAGEMENT

17	20	135	37	283	76	602	92	791	141	1264	195	1697
18	20	74	39	175	82	406	98	520	149	786	205	1027
19	No Separate Analysis Done											
20	12	57	23	100	47	215	59	288	89	429	118	561
21	22	22	41	41	94	94	105	105	163	163	207	207
22	82	82	104	104	225	225	278	278			546	546
23	147 ¹	232	218	295	456	681*	590	855		1310*	1138	1793
24	126	152	216	298	410	739	504	1037	760	1652	1020	2242
25	4	142	8	303	17	650	22	860	32	1377	42	1837
26	No Separate Analysis Done											
27	22	584	43	990	89	1511	115	2207	173	3151	226	3363
28	16	583	32	1000	67	1549	84	2124	129	3064	173	345

GLEN ROCK CODE

Return Period	2 YEAR		5 YEAR		10 YEAR		25 YEAR		50 YEAR		100 YEAR	
Subarea No.	Subarea	Total	Subarea	Total	Subarea	Total	Subarea	Total	Subarea	Total	Subarea	Total
	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak	Peak
29	42	505	81	794	171	1073	212	1603	326	2095	440	2179
30	12	541	24	818	49	1033	64	1441	95	1808	123	1949
31	103	103	152	152	227	227	293	293	388	388	473	473
32	173	173	248	248	321	321	408	408	507	507	586	586
33	29	29	53	53	116	116	141	141	214	214	284	284
34	71	71	127	127	239	239	346	346	483	483	620	620
35	108	108	163	163	230	230	301	301	388	388	417	471
36	45	407	88	570	175	1013	235	1781	366	2925	430	3957
37												
38												
39	256	256	477	477	519	519	1322	1322	1079	1079	1466	1466
40												
41												
42	242	242	377	377	832	832	974	974	1344	1344	1637	1637
43	143	143	266	266	581	581	748	748	1064	1064	1388	1388
44	As part of Larger Area Which Includes 66, 67, 68, and 69											
45	43	43	85	85	177	177	227	227	329	329	429	429
46	15	1252	28	2113	56	3629	70	5624	104	8879	136	9305
47	7	1240	13	2110	27	3630	34	5620	52	9109	70	9378
48	43	1232	85	2013	177	3429	230	5420	343	9344	447	9126
49	115	115	201	201	395	395	494	494	739	739	948	948
50	178	905	250	1573	312	2410	394	3655	490	5294	581	5185

STORMWATER MANAGEMENT

51	96	96	166	166	320	320	410	410	595	595	739	739
52	44	44	71	71	159	159	188	188	286	286	384	384
53	21	21	37	37	80	80	102	102	151	151	196	196
54	35	72	66	128	136	294	178	397	264	618	343	736
55												
56	45	45	84	84	197	197	251	251	383	383	533	533
57												
58	76	148	130	263	242	527	312	628	456	898	588	1190
59	43	48	91	91	199	199	240	240	362	362	478	478
60	42	42	80	80	169	169	209	209	301	301	383	383
61	106	106	192	192	383	383	495	495	663	663	866	866

GLEN ROCK CODE

Return Period	2 YEAR		5 YEAR		10 YEAR		25 YEAR		50 YEAR		100 YEAR	
Subarea No.	Subarea Peak	Total Peak	Subarea Peak	Total Peak	Subarea Peak	Total Peak	Subarea Peak	Total Peak	Subarea Peak	Total Peak	Subarea Peak	Total Peak
62	51	51	96	96	207	207	260	260	365	365	485	485
63	83	83	165	165	351	351	418	418	645	645	854	854
64	20	1238	38	2096	74	3562	100	5573	141	8753	179	9143
65	105	1240	187	2078	363	3556	445	1584	675	8774	908	9182
66												
67												
68	172	172	310	310	625	625	783	783	1156	1156	1499	1499
70	155	155	263	263	467	467	623	623	869	869	1097	1097
70a	50	1224	86	2078	153	3511	205	5540	259	9108	337	9010
71	71	283	121	477	217	810	285	1446	374	1959	496	2169
72	65											
73	10	49	21	93	43	238	50	234	80	425	103	549
74	68	247	128	389	269	870	344	1048	494	1581	648	1747
75	40	40	77	77	179	179	199	199	260	260	418	418
76	31	31	59	59	141	141	158	158	246	246	318	318
77	14	14	27	27	81	81	72	72	149	149	193	193
78	25	25	48	48	141	141	124	124	260	260	279	279
79	61	61	118	118	258	258	313	313	470	470	607	607
80	20	1404	36	2305	56	3862	75	6175	96	95598	122	10385
81	107	107	195	195	381	381	503	503	671	671	862	862
82	32	32	64	64	143	143	155	155	260	260	335	335

STORMWATER MANAGEMENT

83												
84	66	161	131	269	276	564	341	821	511	1270	664	1486
85												
86	62	163	113	290	225	498	264	836	414	1412	537	1488
87												
88	114	1393	224	2373	475	3805	586	6108	881	9493	1145	10441
89												
90												
91	65	1386	129	2239	278	3761	315	6046	530	9465	695	10282
92	71	71	131	131	288	288	327	327	533	533	646	646
93	28	28	57	57	131	131	140	140	236	236	327	327
94	115	1397	182	2370	309	3835	397	6129	521	9512	661	10384
95	80	80	150	150	334	334	408	408	501	501	773	773
96			86	86								
97			206	206								
98												
99												
100												
101												
102												

STORMWATER MANAGEMENT

Appendix 23-3-B

Permissible Velocities for Channels

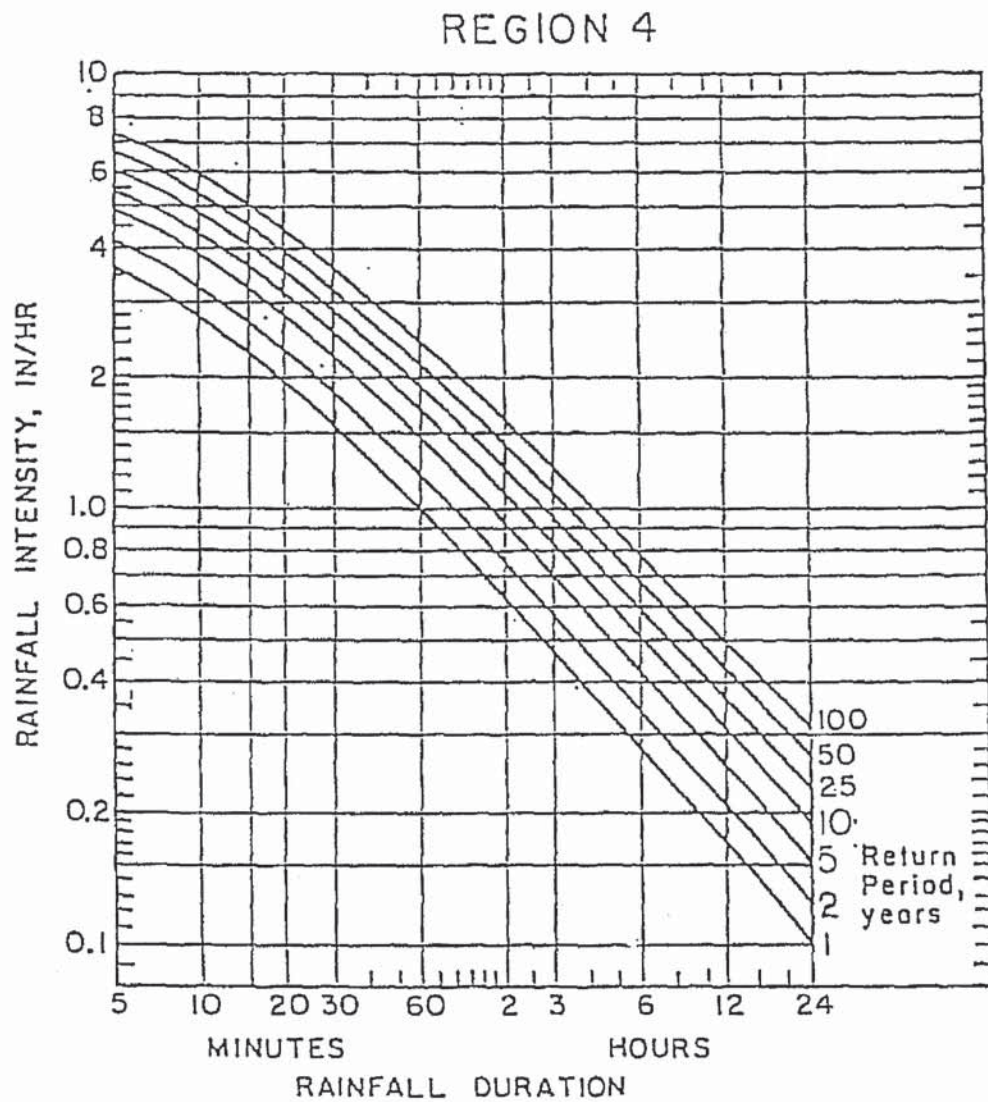
Channel Lining	Permissible Channel Velocity ^a (feet per second)
Vegetation	
Alfalfa	2.5 to 3.5
Bermudagrass	4 to 8
Crabgrass	2.5 to 3.5
Crownvetch	3 to 5
Kentucky Bluegrass	4 to 7
Kentucky 31 Tall Fescue	2.5 to 7
Red Clover or Red Fescue	2.5 to 3.5
Reed Canary	3 to 5
Ryegrass	2.5 to 3.5
Small Grains	2.5 to 3
Smooth Brome	3 to 7
Sudan Grass or Timothy	2.5 to 3.5
Bare Earth, Easily Eroded	
Fine Sand	1.5
Sand Loam	1.75
Silt Loam or Alluvial Silts, Loose	2
Firm Loam	2.25
Bare Earth, Erosion Resistant	
Fine Gravel	2.5
Stiff Clay or Alluvial Silts, Firm	3
Loam to Cobbles (graded)	3.75
Silt to Cobbles (graded or Coarse Gravel)	4
Cobbles and Stones or Shales and Hardpans	5
Durable Bedrock	8
Other	
Plastic	4
6" Rip Rap	5
Asphalt	7
9" Rip Rap	8
12" Rip Rap or Wood	9
Concrete or Steel	12

^a These values, if applied to uniform, straight channels, may be considered in accordance with Chapter 102.12 of the Erosion Control Rules and Regulations. However, slope, soil condition, climate and management must be considered in channel design. If different channel linings exist in a channel, and size and slope do not change, design the channel for the lining with the lower velocity listed. Where velocity ranges are listed, the lower velocity is for design with easily eroded soils and slopes greater than 10%. The higher velocity is for design with erosion resistant soils and slopes less than 5%. Filtration and/or sedimentation in the channel is encouraged. However, this must be considered for velocity determination in the design of the channel cross-section.

Source: Pennsylvania Department of Environmental Resources, 1985, "Soil Erosion and Sedimentation Control Manual," Appendix 67.

STORMWATER MANAGEMENT

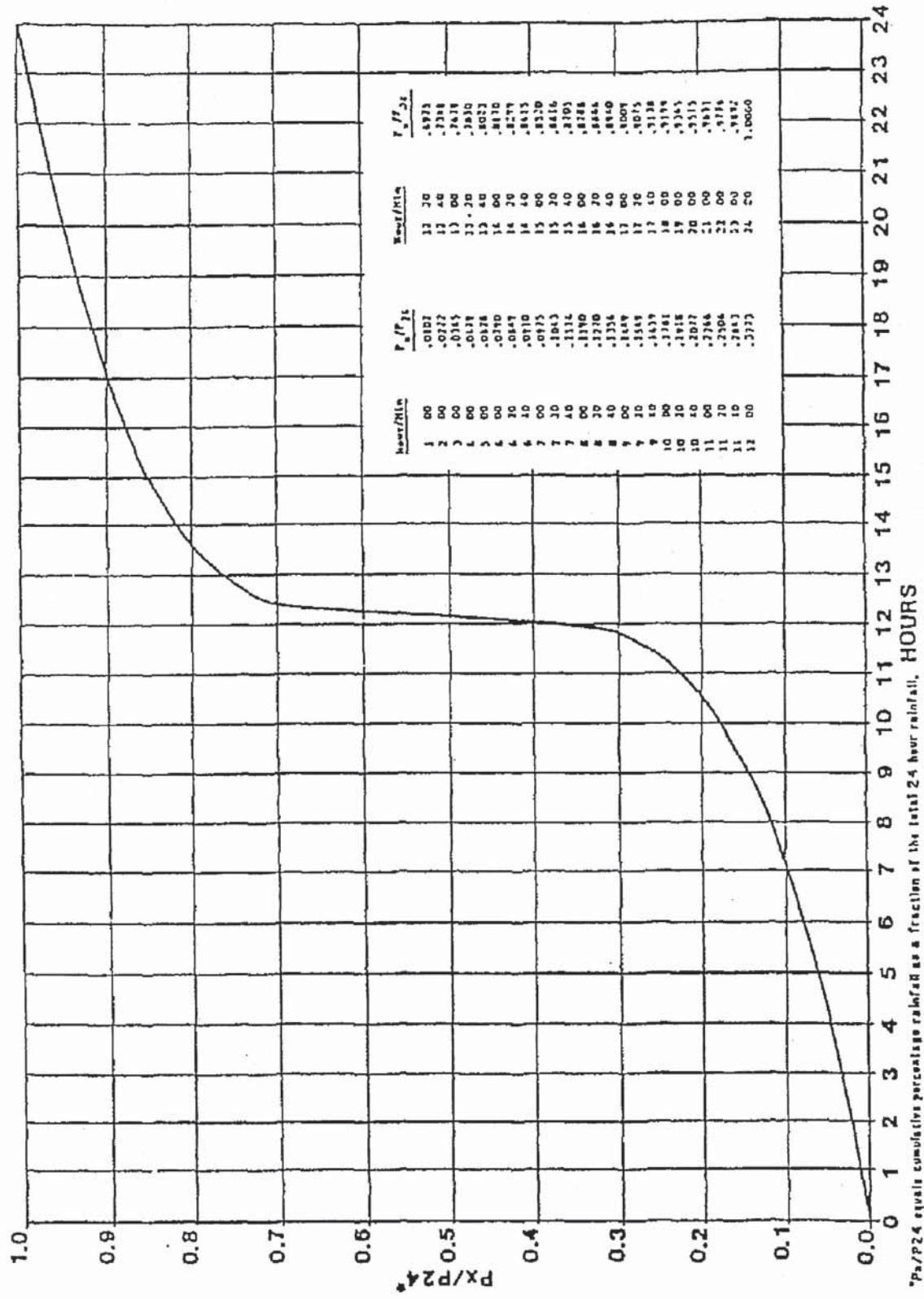
Appendix 23-3-C



Storm intensity-duration-frequency curves for Region 4.

FIGURE C-1

Figure C-2
SCS Type II Rainfall Distribution



Source: U.S. Department of Agriculture, Soil Conservation Service, Engineering Division, 1906, Urban Hydrology for Small Watersheds, Technical Release 55, Washington, D.C.

STORMWATER MANAGEMENT

Table 2-2a.—Runoff curve numbers for urban areas¹

Cover description		Curve numbers for hydrologic soil group—			
Cover type and hydrologic condition	Average percent impervious area ²	A	B	C	D
<i>Fully developed urban areas (vegetation established)</i>					
Open space (lawns, parks, golf courses, cemeteries, etc.) ³ :					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) ⁴ ...		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
<i>Developing urban areas</i>					
Newly graded areas (pervious areas only, no vegetation) ⁵		77	86	91	94
Idle lands (CN's are determined using cover types similar to those in table 2-2c).					

¹Average runoff condition, and $I_a = 0.2S$.

²The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

³CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

⁴Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

⁵Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4, based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

GLEN ROCK CODE

Table 2-2b.—Runoff curve numbers for cultivated agricultural lands¹

Cover description			Curve numbers for hydrologic soil group—			
Cover type	Treatment ²	Hydrologic condition ³	A	B	C	D
Fallow	Bare soil	—	77	86	91	94
	Crop residue cover (CR)	Poor	76	85	90	93
		Good	74	83	88	90
Row crops	Straight row (SR)	Poor	72	81	88	91
		Good	67	78	85	89
	SR + CR	Poor	71	80	87	90
		Good	64	75	82	85
	Contoured (C)	Poor	70	79	84	88
		Good	65	75	82	86
	C + CR	Poor	69	78	83	87
		Good	64	74	81	85
	Contoured & terraced (C&T)	Poor	66	74	80	82
		Good	62	71	78	81
	C&T + CR	Poor	65	73	79	81
		Good	61	70	77	80
Small grain	SR	Poor	65	76	84	88
		Good	63	75	83	87
	SR + CR	Poor	64	75	83	86
		Good	60	72	80	84
	C	Poor	63	74	82	85
		Good	61	73	81	84
	C + CR	Poor	62	73	81	84
		Good	60	72	80	83
	C&T	Poor	61	72	79	82
		Good	59	70	78	81
	C&T + CR	Poor	60	71	78	81
		Good	58	69	77	80
Close-seeded or broadcast legumes or rotation meadow	SR	Poor	66	77	85	89
		Good	58	72	81	85
	C	Poor	64	75	83	85
		Good	55	69	78	83
	C&T	Poor	63	73	80	83
		Good	51	67	76	80

¹Average runoff condition, and $I_a = 0.2S$.

²Crop residue cover applies only if residue is on at least 5% of the surface throughout the year.

³Hydrologic condition is based on combination of factors that affect infiltration and runoff, including (a) density and canopy of vegetative areas, (b) amount of year-round cover, (c) amount of grass or close-seeded legumes in rotations, (d) percent of residue cover on the land surface (good $\geq 20\%$), and (e) degree of surface roughness.

Poor: Factors impair infiltration and tend to increase runoff.

Good: Factors encourage average and better than average infiltration and tend to decrease runoff.

C-3

(210-VI-TR-55, Second Ed., June 1986)

STORMWATER MANAGEMENT

Table 2-2c.—Runoff curve numbers for other agricultural lands¹

Cover description		Curve numbers for hydrologic soil group—			
Cover type	Hydrologic condition	A	B	C	D
Pasture, grassland, or range—continuous forage for grazing. ²	Poor	68	79	86	89
	Fair	49	69	79	84
	Good	39	61	74	80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	—	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element. ³	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	30	48	65	73
Woods—grass combination (orchard or tree farm). ⁴	Poor	57	73	82	85
	Fair	43	65	76	82
	Good	32	58	72	79
Woods. ⁶	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	30	55	70	77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	—	59	74	82	86

¹Average runoff condition, and $I_p = 0.2S$.

²*Poor:* <50% ground cover or heavily grazed with no mulch.

Fair: 50 to 75% ground cover and not heavily grazed.

Good: >75% ground cover and lightly or only occasionally grazed.

³*Poor:* <50% ground cover.

Fair: 50 to 75% ground cover.

Good: >75% ground cover.

⁴Actual curve number is less than 30; use CN = 30 for runoff computations.

⁵CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

⁶*Poor:* Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.

Fair: Woods are grazed but not burned, and some forest litter covers the soil.

Good: Woods are protected from grazing, and litter and brush adequately cover the soil.

C-3

(210-VI-TR-55, Second Ed., June 1986)

GLEN ROCK CODE

Table 2-2d.—Runoff curve numbers for arid and semiarid rangelands¹

Cover description		Curve numbers for hydrologic soil group—			
Cover type	Hydrologic condition ²	A ³	B	C	D
Herbaceous—mixture of grass, weeds, and low-growing brush, with brush the minor element.	Poor		80	87	93
	Fair		71	81	89
	Good		62	74	85
Oak-aspen—mountain brush mixture of oak brush, aspen, mountain mahogany, bitter brush, maple, and other brush.	Poor		66	74	79
	Fair		48	57	63
	Good		30	41	48
Pinyon-juniper—pinyon, juniper, or both; grass understory.	Poor		75	85	89
	Fair		58	73	80
	Good		41	61	71
Sagebrush with grass understory.	Poor		67	80	85
	Fair		51	63	70
	Good		35	47	55
Desert shrub—major plants include saltbush, reasewood, creosotebush, blackbrush, bursage, palo verde, mesquite, and cactus.	Poor	63	77	85	88
	Fair	55	72	81	86
	Good	49	68	79	84

¹Average runoff condition, and $I_n = 0.2S$. For range in humid regions, use table 2-2c.

²*Poor*: <30% ground cover (litter, grass, and brush overstory).

Fair: 30 to 70% ground cover.

Good: >70% ground cover.

³Curve numbers for group A have been developed only for desert shrub.

C-3

(210-VI-TR-55, Second Ed., June 1986)

Table C-2
Runoff Coefficients for the Rational Formula
By Hydrologic Soil Group and Overland Slope (%)

Land Use	A			B			C			D		
	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+
Cultivated Land	0.08 ^a 0.14 ^b	0.13 0.19	0.16 0.22	0.11 0.16	0.15 0.21	0.21 0.20	0.14 0.20	0.19 0.25	0.26 0.34	0.18 0.24	0.23 0.29	0.31 0.41
Pasture	0.12 0.15	0.20 0.25	0.30 0.37	0.18 0.23	0.20 0.34	0.37 0.45	0.24 0.30	0.34 0.42	0.44 0.52	0.30 0.37	0.40 0.50	0.50 0.62
Meadow	0.10 0.14	0.16 0.22	0.25 0.30	0.14 0.20	0.22 0.28	0.30 0.37	0.20 0.26	0.20 0.26	0.35 0.44	0.24 0.30	0.30 0.40	0.40 0.50
Forest	0.05 0.08	0.09 0.11	0.11 0.14	0.08 0.10	0.11 0.14	0.14 0.10	0.10 0.12	0.13 0.16	0.16 0.20	0.12 0.15	0.16 0.20	0.20 0.25
Residential Lot Size 1/8 Acre	0.25 0.33	0.28 0.37	0.31 0.40	0.27 0.35	0.30 0.39	0.35 0.44	0.30 0.38	0.33 0.42	0.38 0.49	0.33 0.41	0.36 0.45	0.42 0.54
Lot Size 1/4 Acre	0.22 0.30	0.26 0.34	0.29 0.37	0.24 0.33	0.29 0.37	0.33 0.42	0.27 0.36	0.31 0.40	0.36 0.47	0.30 0.38	0.34 0.42	0.40 0.52
Lot Size 1/3 Acre	0.19 0.28	0.23 0.32	0.26 0.35	0.22 0.30	0.26 0.35	0.30 0.39	0.25 0.33	0.29 0.38	0.34 0.45	0.28 0.36	0.32 0.40	0.39 0.50
Lot Size 1/2 Acre	0.16 0.25	0.20 0.29	0.24 0.32	0.19 0.28	0.23 0.32	0.20 0.36	0.22 0.31	0.27 0.35	0.32 0.42	0.26 0.34	0.30 0.38	0.37 0.48
Lot Size 1 Acre	0.14 0.22	0.19 0.26	0.22 0.29	0.17 0.24	0.21 0.20	0.26 0.34	0.20 0.20	0.25 0.32	0.31 0.40	0.24 0.31	0.29 0.35	0.35 0.46
Industrial	0.67 0.85	0.68 0.85	0.69 0.86	0.68 0.86	0.69 0.86	0.69 0.86	0.60 0.86	0.69 0.86	0.69 0.87	0.69 0.86	0.69 0.86	0.70 0.88
Commercial	0.71 0.80	0.71 0.80	0.72 0.89	0.71 0.89	0.72 0.89	0.72 0.89	0.72 0.89	0.72 0.89	0.72 0.90	0.72 0.89	0.72 0.89	0.72 0.90
Streets	0.70 0.76	0.71 0.77	0.72 0.79	0.71 0.80	0.72 0.82	0.74 0.84	0.72 0.84	0.73 0.85	0.76 0.89	0.73 0.89	0.75 0.91	0.76 0.95
Open Space	0.05 0.11	0.10 0.16	0.14 0.20	0.08 0.14	0.13 0.19	0.19 0.26	0.12 0.18	0.17 0.23	0.24 0.32	0.16 0.22	0.21 0.27	0.28 0.39
Parking	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.85 0.95	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97

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

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

Source: Rawls, W.J., S.L. Wong and R.H. McCuen, 1991, "Comparison of Urban Flood Frequency Procedures," Preliminary Draft, U.S. Department of Agriculture, Soil Conservation Service, Beltsville, MD.

GLEN ROCK CODE

Table C-3
Manning Roughness Coefficients

	Manning's n range		Manning's n range
I. Closed Conduits:			
A. Concrete pipe	0.011-0.013	B. Earth, fairly uniform section:	
B. Corrugated-metal pipe or pipe arch:		1. No vegetation	0.022-0.025
1. 2-2/3 by 1/2 in. corrugation		2. Grass, some weeds	0.025-0.030
(riveted) pipe):		3. Dense weeds or aquatic plants	
a. Plain or fully coated	0.024	in deep channels	0.030-0.035
b. Paved invert (range values		4. Sides clean, gravel bottom ...	0.025-0.030
are for 25 and 50 percent		5. Sides clean, cobble bottom ...	0.030-0.040
of circumference paved):		C. Dragline excavated or dredged:	
(1) Flow full depth	0.021-0.018	1. No vegetation	0.028-0.033
(2) Flow 0.8 depth	0.021-0.015	2. Light brush on banks	0.035-0.050
(3) Flow 0.6 depth	0.019-0.013	J. Rock:	
2. 6 by 2-in. corrugation		1. Based on design section	0.025
(field bolted)	0.030	2. Based on actual mean section:	
C. Cast-iron pipe, uncoated	0.013	a. Smooth and uniform	0.035-0.040
D. Steel pipe	0.009-0.011	b. Jagged and irregular	0.040-0.045
E. Monolithic concrete:		E. Channels not maintained, weeds	
1. Wood forms, rough	0.015-0.017	and brush uncut:	
2. Wood forms, smooth	0.012-0.014	1. Dense weeds, high as flow depth	0.080-0.120
3. Steel forms	0.012-0.013	2. Clean bottom, brush on sides .	0.050-0.060
F. Cemented rubble masonry walls:		3. Clean bottom, brush on sides,	
1. Concrete floor and top	0.017-0.022	highest stage of flow	0.070-0.110
2. Natural floor	0.019-0.025	4. Dense brush, high stage	0.100-0.140
II. Open Channels, Lined (straight alignment):			
A. Concrete, with surfaces as		IV. Channels & Swales w/Maintained	
indicated:		Vegetation (Values shown are for	
1. Formed, no finish	0.013-0.017	velocities of 2 & 5 f.p.s.):	
2. Trowel finish	0.012-0.014	A. Depth of flow up to 0.7 foot:	
3. Float finish	0.013-0.015	1. Bermudagrass, Kentucky	
4. Float finish, some gravel on		bluegrass, buffalograss	
bottom	0.015-0.017	a. Mowed to 2 inches	0.045-0.070
5. Gunite, good section	0.016-0.019	b. Length 4-6 inches	0.050-0.090
E. Gunite, wavy section	0.018-0.022	2. Good stand, any grass:	
B. Concrete, bottom float finished,		a. Length about 12 inches	0.090-0.180
sides as indicated:		b. Length about 24 inches	0.150-0.300
1. Dressed stone in mortar	0.015-0.017	3. Fair stand, any grass:	
2. Random stone in mortar	0.017-0.020	a. Length about 12 inches	0.080-0.140
3. Cement rubble masonry	0.020-0.025	b. Length about 24 inches	0.130-0.250
4. Cement rubble masonry,		B. Depth of flow 0.7-1.5 feet:	
plastered	0.016-0.020	1. Bermudagrass, Kentucky	
5. Dry rubble (riprap)	0.020-0.030	bluegrass, buffalograss:	
C. Gravel bottom, sides as indicated:		a. Mowed to 2 inches	0.035-0.050
1. Formed concrete	0.017-0.020	b. Length 4 to 6 inches	0.040-0.060
2. Random stone in mortar	0.020-0.023	2. Good stand, any grass:	
3. Dry rubble (riprap)	0.023-0.033	a. Length about 12 inches	0.070-0.120
D. Asphalt		b. Length about 24 inches	0.100-0.200
1. Smooth	0.013	3. Fair stand, any grass:	
2. Rough	0.016	a. Length about 12 inches	0.060-0.100
E. Concrete-lined excavated rock:		b. Length about 24 inches	0.090-0.170
1. Good section	0.017-0.020	V. Street and Expressway Gutters:	
2. Irregular section	0.022-0.027	A. Concrete gutter, troweled finish	0.012
III. Open Channels, Excavated (straight alignment, natural lining):			
A. Earth, uniform section:		B. Asphalt pavement:	
1. Clean, recently completed	0.016-0.018	1. Smooth texture	0.013
2. Clean, after weathering	0.018-0.020	2. Rough texture	0.016
3. With short grass, few weeds ..	0.022-0.027	C. Concrete gutter with asphalt	
4. In gravelly soil, uniform		pavement	
section, clean	0.022-0.025	1. Smooth	0.013
		2. Rough	0.015
		D. Concrete pavement:	
		1. Float finish	0.014
		2. Broom finish	0.016
		E. For gutters with small slope,	
		where sediment may accumulate,	
		increase above values of x by ...	0.002

Source: Chow, V.T., 1959, "Open Channel Hydraulics," McGraw Hill, New York.

STORMWATER MANAGEMENT

Table C-3 (continued)
Manning Roughness Coefficients

	Manning's n range	Manning's n range
VI. Natural Stream Channels:		
A. Minor streams (surface width at flood stage less than 100 feet):		
1. Fairly regular section:		
a. Some grass & weeds, little or no brush	0.030-0.035	
b. Dense growth of weeds, depth of flow materially greater than weed height ..	0.035-0.050	
c. Some weeds, light brush on banks	0.035-0.050	
d. Some weeds, heavy brush on banks	0.050-0.070	
e. Some weeds, dense willows on banks	0.060-0.080	
f. For trees within channel with branches submerged at high stage, increase all above values by	0.010-0.020	
2. Irregular sections, with pools, slight channel meander; increase values given in 1a-f about	0.010-0.020	
3. Mountain streams, no vegetation in channel, banks usually steep, trees and brush along banks submerged at high stage:		
a. Bottom of gravel, cobbles and few boulders	0.040-0.050	
b. Bottom of cobbles, with large boulders	0.050-0.070	
B. Flood plains (adjacent to natural streams):		
1. Pasture, no brush:		
a. Short grass	0.030-0.035	
b. High grass	0.035-0.050	
2. Cultivated areas:		
a. No crop	0.030-0.040	
b. Mature row crops	0.035-0.045	
c. Mature field crops	0.040-0.050	
3. Heavy weeds, scattered brush ..	0.050-0.070	
4. Light brush and trees:		
a. Winter	0.050-0.060	
b. Summer	0.060-0.080	
5. Medium to dense brush:		
a. Winter	0.070-0.110	
b. Summer	0.100-0.160	
6. Dense willows, summer, not bent over by current	0.150-0.200	
7. Cleared land w/tree stumps, 100-150 per acre:		
a. No sprouts	0.040-0.050	
b. With heavy growth of sprouts	0.060-0.090	
8. Heavy stand of timber, a few down trees, little undergrowth:		
a. Flood depth below branches ..	0.100-0.120	
b. Flood depth reaches branches	0.120-0.160	
C. Major streams (surface width at flood stage more than 100 ft.):		
Roughness coefficient is usually less than for minor streams of similar description on account of less effective resistance offered by irregular banks or vegetation on banks. Values of n may be somewhat reduced. Follow recommendation in publication cited if possible. The value of n for larger streams of most regular section, with no boulders or brush, may be in the range of....		
	0.028-0.033	

Source: Chow, V.T., 1959, "Open Channel Hydraulics," McGraw Hill, New York.

CHAPTER 24
TAXATION; SPECIAL

PART 1
EARNED INCOME AND NET PROFITS TAX

- § 24-101. Short Title.
- § 24-102. Intent and Applicable Rules.
- § 24-103. Definitions.
- § 24-104. Exemption.
- § 24-105. Imposition of Tax.
- § 24-106. Declaration and Payment of Tax.
- § 24-107. Registration.
- § 24-108. Filing and Payment of Tax by Employer; Withholding.
- § 24-109. Powers and Duties of Tax Officer.
- § 24-110. Suit for Collection of Tax.
- § 24-111. Interest and Penalties.
- § 24-112. Violations and Penalties.
- § 24-113. Applicability.
- § 24-114. Purpose; Amendment; Restatement; Repeal.
- § 24-115. Effective Date; Initial Current Year.

PART 2
PER CAPITA TAX

- § 24-201. Definitions.
- § 24-202. Imposition, Rate and Computation of Tax.
- § 24-203. Returns and Payment of Tax.
- § 24-204. Powers and Duties of the Collector.
- § 24-205. Administration; Discount; Penalty.
- § 24-206. Suits for Collection; Interest; Penalties.

PART 3
REALTY TRANSFER TAX

- § 24-301. Short Title.
- § 24-302. Authority.
- § 24-303. Definitions.

- § 24-304. Imposition of Tax.
- § 24-305. Administration.
- § 24-306. Interest.
- § 24-307. Exempt Parties.
- § 24-308. Excluded Transactions.
- § 24-309. Documents Relating to Associations or Corporations and Members, Partners, Stockholders or Shareholders Thereof.
- § 24-310. Acquired Company.
- § 24-311. Credits Against Tax.
- § 24-312. Extension of Lease.
- § 24-313. Proceeds of Judicial Sale.
- § 24-314. Duties of Recorder of Deeds.
- § 24-315. Statement of Value.
- § 24-316. Civil Penalties.
- § 24-317. Lien.
- § 24-318. Enforcement.

PART 4

LOCAL SERVICES TAX

- § 24-401. Short Title.
- § 24-402. Definitions.
- § 24-403. Amount of Tax.
- § 24-404. Calendar Year.
- § 24-405. Priority of Claims.
- § 24-406. Overpayments and Refunds.
- § 24-407. Exemptions.
- § 24-408. Duties of Employers and Withholding of Tax.
- § 24-409. Collection Agent.
- § 24-410. Remission of Tax and Liability.
- § 24-411. Permitted Uses of Tax.
- § 24-412. Penalties, Enforcement and Collection Actions.

PART 1

EARNED INCOME AND NET PROFITS TAX**§ 24-101. Short Title. [Ord. 466 (2011-01), 11/16/2011]**

This Part shall be known as the "Glen Rock Borough Earned Income and Net Profits Tax Ordinance," referred to herein as "Part."

§ 24-102. Intent and Applicable Rules. [Ord. 466 (2011-01), 11/16/2011]

1. It is the intent and purpose of this Part to include all of the applicable language and provisions of 53 P.S. § 6924.501 et seq., the Act of General Assembly of July 2, 2008 (P.L. 197) and known as Act No. 32, as may be amended and supplemented from time to time. In all enforcement of the administration of this Part, the language and intent of the Act, as amended, shall take precedence.
2. The tax imposed by this Part shall be collected and administered in accordance with: all applicable laws and regulations; and regulations, policies and procedures adopted by the TCC or Tax Officer. This includes any regulations, policies and procedures adopted in the future to the maximum extent allowed by 1 Pa.C.S.A. § 1937.

§ 24-103. Definitions. [Ord. 466 (2011-01), 11/16/2011]

All words and phrases shall have the meanings as set forth in Act 32, as amended. The following words and phrases, when used in this Part, shall have the meanings ascribed to them as follows:

BUSINESS — An enterprise, activity, profession or any other undertaking of an unincorporated nature conducted for profit or ordinarily conducted for profit, whether by a person, partnership, association or any other entity.

BUSINESS ENTITY — A sole proprietorship, corporation, joint-stock association or company, partnership, limited partnership, limited-liability company, association, business trust, syndicate or other commercial or professional activity organized under the laws of this commonwealth or any other jurisdiction.

CORPORATION — A corporation or joint-stock association organized under the laws of the United States, the Commonwealth of Pennsylvania or any other state, territory, foreign country or dependency. This term shall include an entity which is classified as a corporation for federal income tax purposes.

CURRENT YEAR — The calendar year for which the tax is levied.

DEPARTMENT — The Pennsylvania Department of Community and Economic Development or successor agency charged with any duties under the Act, as may be amended and supplemented.

DOMICILE — The place where one lives and has his permanent home and to which he has the intention of returning whenever he is absent. Actual residence is not necessarily domicile, for domicile is the fixed place of abode which, in the intention of the taxpayer, is permanent rather than transitory. Domicile is the place in which a man has voluntarily fixed the habitation of himself and his family, not for a mere special or limited purpose, but with the present intention of making a permanent home, until some event occurs to induce him to adopt some other permanent home. In the case of businesses or associations, the domicile is that place considered as the center of business affairs and the place where its functions are discharged.

EARNED INCOME — The compensation as required to be reported to or as determined by the Pennsylvania Department of Revenue under Section 303 of the Act of March 4, 1971 (P.L. 6, No. 2), known as the "Tax Reform Code of 1971," and rules and regulations promulgated under that section.¹ For purposes of earned income, employee business expenses are allowable deductions as determined under Article III of the Tax Reform Code of 1971. The term does not include offsets for business losses. The amount of any housing allowance provided to a member of the clergy shall not be taxable as earned income.

EARNED INCOME AND NET PROFITS TAX — The tax levied herein by municipality on earned income and net profits. Also referred to as "tax" herein.

EMPLOYER — A person, business entity or other entity employing one or more persons for a salary, wage, commission or other compensation. The term includes the commonwealth, a political subdivision and an instrumentality or public authority of either. For purposes of penalties hereunder, this term includes a corporate officer.

MUNICIPALITY — A city of the second class, city of the second class A, city of the third class, borough, town, Township of the first class or Township of the second class. For purposes of this Part, such term shall mean Glen Rock Borough, York County, Pennsylvania.

NET PROFITS — The net income from the operation of a business, except corporations as required to be reported to or as determined by the Department of Revenue under Section 303 of the Act of March 4, 1971 (P.L. 6, No. 2), known as the "Tax Reform Code of 1971," and rules and regulations in promulgated under such section.² The term does not include income: which is not paid for services provided; and which is in the nature of earnings from an investment. Further, the term shall not include:

¹Editor's Note: See 72 P.S. § 7303.

²Editor's Note: See 72 P.S. § 7303.

1. Any gain on the sale of farm machinery;
2. Any gain on the sale of livestock held 12 months or more for draft, breeding or dairy purposes; and
3. Any gain on the sale of other capital assets of the farm.

NONRESIDENT — A person, partnership, association or other entity domiciled outside of the municipality.

PERSON or INDIVIDUAL — A natural person.

PRECEDING YEAR — The calendar year before the current year.

RESIDENT — A person, partnership, association or other entity domiciled in the municipality.

SUCCEEDING YEAR — The calendar year following the current year.

TAX BUREAU — A public nonprofit entity established by a TCC for the administration and collection of earned income and net profits tax.

TAX COLLECTION COMMITTEE (herein referred to as "TCC") — The committee established to govern each tax collection district for the purpose of income tax collection. This term shall include a joint tax collection committee.

TAX COLLECTION DISTRICT (herein referred to as "TCD") — The York Tax Collection District as established under the Act.

TAX OFFICER — A political subdivision, public employee, tax bureau, county, excluding a county of the first class, or private agency which administers and collects earned income and net profits for one or more tax collection district. Unless otherwise specifically provided, for purposes of the obligations of an employer, the term shall mean the Tax Officer or Tax Collector for the tax collection district within which the employer is located, or if an employer maintains workplaces in more than one tax collection district, the Tax Officer for each such tax collection district with respect to employees principally employed therein.

TAXPAYER — A person or business required hereunder to file a return of earned income or net profits or to pay a tax thereon.

§ 24-104. Exemption. [Ord. 466 (2011-01), 11/16/2011]

Any nonresident who is otherwise subject to the earned income tax of Glen Rock Borough is hereby exempt from the imposition, collection and payment of this tax, provided that the domicile of the nonresident taxpayer provides a life exemption from the imposition, collection and payment of an earned income and net profit tax to any resident of Glen Rock Borough, York County, Pennsylvania, who would

otherwise be subject to an earned income and net profit tax in the domicile of that nonresident who is subject to this taxation of this Borough.

§ 24-105. Imposition of Tax. [Ord. 466 (2011-01), 11/16/2011]

1. A tax of 1% for general revenue purposes is hereby imposed on earned income and net profits earned by residents of the municipality.
2. A tax of 1% for general revenue purposes is hereby imposed on earned income and net profits earned by nonresidents, exclusive of domestic servants and Maryland residents.
3. The earned income and net profits tax levied under this Part shall be applicable to earned income received and to net profits earned during the period beginning January 1 of the current year and ending December 31 of the current year or for taxpayer fiscal years beginning in the current year. The earned income and net profits tax shall continue in force on a calendar year or taxpayer fiscal-year basis without the need for annual enactment or reenactment, unless the rate of the tax is subsequently changed. For a taxpayer whose fiscal year is not a calendar year, the Tax Officer shall establish deadlines for filing, reporting and payment of taxes which provide time periods equivalent to those provided for a calendar-year taxpayer.

§ 24-106. Declaration and Payment of Tax. [Ord. 466 (2011-01), 11/16/2011]

1. Application.
 - A. Income taxes shall be applicable to taxable income earned or received based on the method of accounting used by the taxpayer in the period beginning January 1 of the current year and ending December 31 of the current year; except that taxes imposed for the first time and changes to existing tax rates shall become effective on January 1 or July 1, as specified in this Part, and the tax shall continue in force on a calendar-year or taxpayer fiscal-year basis, without annual reenactment, unless the rate of the tax is subsequently changed.
 - B. For a taxpayer whose fiscal year is not a calendar year, the Tax Officer shall establish deadlines for filing, reporting and payment of taxes which provide time periods equivalent to those provided for a calendar-year taxpayer.
2. Partial Domicile. The taxable income subject to tax of a taxpayer who is domiciled in a political subdivision for only a portion of the tax year shall be an amount equal to the taxpayer's taxable income multiplied by a fraction, the numerator of which is the number of calendar months during the tax year that the individual is domiciled in the political subdivision, and the denominator of which is 12. A taxpayer shall include in the numerator any calendar month during which the taxpayer is domiciled for more than half the calendar month. A day that a taxpayer's domicile changes shall be

included as a day the individual is in the new domicile and not the old domicile. If the number of days in the calendar month in which the individual lived in the old and new domiciles are equal, the calendar month shall be included in calculating the number of months in the new domicile.

3. Declaration and Payment. Except as provided in Subsection 1B, taxpayers shall declare and pay income taxes as follows:

A. Every taxpayer shall, on or before April 15 of the succeeding year, make and file with the resident Tax Officer, a final return showing the amount of taxable income received during the period beginning January 1 of the current year and ending December 31 of the current year, the total amount of tax due on the taxable income, the amount of tax paid, the amount of tax that has been withheld under § 24-107 below and the balance of tax due. All amounts reported shall be rounded to the nearest whole dollar. At the time of filing the final return, the taxpayer shall pay the Tax Officer the balance of the tax due or shall make demand for refund or credit in the case of overpayment.

B. Net Profits.

- (1) Every taxpayer making net profits shall, by April 15 of the current year, make and file with the Tax Officer a declaration of the taxpayer's estimated net profits during the period beginning January 1 and ending December 31 of the current year, and shall pay to the Tax Officer in four equal quarterly installments the tax due on the estimated net profits. The first installment shall be paid at the time of filing the declaration, and the other installments shall be paid on or before June 15 of the current year, September 15 of the current year and January 15 of the succeeding year, respectively.
- (2) Any taxpayer who first anticipates any net profit after April 15 of the current year, shall make and file the declaration required on or before June 15 of the current year, September 15 of the current year or December 31 of the current year, whichever date next follows the date on which the taxpayer first anticipates such net profit, and shall pay to the Tax Officer in equal installments the tax due on or before the quarterly payment dates that remain after the filing of the declaration.
- (3) Every taxpayer shall, on or before April 15 of the succeeding year, make and file with the Tax Officer a final return showing the amount of net profits earned or received based on the method of accounting used by the taxpayer during the period beginning January 1 of the current year, and ending December 31 of the current year, the total amount of tax due on the net profits and the total amount of tax paid. At the time of filing

the final return, the taxpayer shall pay to the Tax Officer the balance of tax due or shall make demand for refund or credit in the case of overpayment. Any taxpayer may, in lieu of paying the fourth quarterly installment of the estimated tax, elect to make and file with the Tax Officer on or before January 31 of the succeeding year, the final return.

- (4) The Department, in consultation with the Department of Revenue, shall provide by regulation for the filing of adjusted declarations of estimated net profits and for the payments of the estimated tax in cases where a taxpayer who has filed the declaration required under this Subsection anticipates additional net profits not previously declared or has overestimated anticipated net profits.
 - (5) Every taxpayer who discontinues business prior to December 31 of the current year, shall, within 30 days after the discontinuance of business, file a final return as required under this Part and pay the tax due.
- C. Every taxpayer who receives any other taxable income not subject to withholding under Section 512(3) of the Act³ shall make and file with the resident Tax Officer a quarterly return on or before April 15 of the current year, June 15 of the current year, September 15 of the current year, and January 15 of the succeeding year, setting forth the aggregate amount of taxable income not subject to withholding by the taxpayer during the three-month periods ending March 31 of the current year, June 30 of the current year, September 30 of the current year, and December 31 of the current year, respectively, and subject to income tax, together with such other information as the Department may require. Every taxpayer filing a return shall, at the time of filing the return, pay to the Tax Officer the amount of income tax due. The Department shall establish criteria under which the Tax Officer may waive the quarterly return and payment of the income tax and permit a taxpayer to file the receipt of taxable income on the taxpayer's annual return and pay the income tax due on or before April 15 of the succeeding year.
- D. The TCC may, by regulation, waive the requirements for a quarterly return and payment of income tax under specified circumstances, including those instances where a taxpayer's annual taxable income is less than a specified amount.

§ 24-107. Registration. [Ord. 466 (2011-01), 11/16/2011]

1. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the municipality, having imposed a tax on

³Editor's Note: See 53 P.S. § 6924.512(a)(3).

- earned income or net profits within its municipal boundaries who employs one or more persons, other than domestic servants, for a salary, wage commission or other compensation who has not previously registered shall within 15 days after becoming an employer, register with the Tax Officer or other designated Tax Officer, his/her or its name and address and such other information as the Department or Tax Officer may require.
2. Every employer shall require each new employee to complete a certificate of residency form, which form shall be an addendum to the Federal Employee's Withholding Allowance Certificate (Form W-4 or successor form). An employer shall also require any employee who changes their address or domicile to complete a certificate of residency form, which forms are available from the Department or the Tax Officer upon request. The purpose of said form shall be to help identify the political subdivision where an employee lives and works.

§ 24-108. Filing and Payment of Tax by Employer; Withholding. [Ord. 466 (2011-01), 11/16/2011]

1. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the municipality imposing a tax on earned income or net profits within the municipality who employs one or more persons, exclusive of domestic servants and Maryland residents, for a salary, wage, commission or other compensation, shall deduct at the time of payment thereof the greater of the employee's resident tax or the employee's nonresident tax imposed by this Part on the earned income due to his employee or employees and shall, on or before April 30 of the current year, July 31 of the current year, October 31 of the current year and January 31 of the succeeding year, file a quarterly return and pay to the Tax Officer the amount of taxes deducted during the preceding quarterly periods ending March 31 of the current year, June 30 of the current year, September 30 of the current year and December 31 of the current year, respectively. Such return, unless otherwise agreed upon between the Tax Officer and employer, shall show the name and social security number of each such employee, the compensation of such employee during such preceding three-month period, the tax deducted therefrom, the political subdivisions imposing the tax upon such employee, the total compensation of all such employees during such preceding quarterly period and the total tax deducted therefrom and paid with the return as well as any other information prescribed by the Department or the Tax Officer.
2. Any employer who, for two of the preceding four quarterly periods, has failed to deduct the proper tax or any part thereof or who has failed to pay over the proper amount of tax to the Tax Officer may be required by the Tax Officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the Tax Officer on or before the last day of the month succeeding the month for which the tax was withheld.

3. Notwithstanding the provisions of Subsection 1 above, the provisions of this Subsection 3 shall apply if any employer has more than one place of employment in more than one tax collection district. Within 30 days following the last day of each month, the employer may file the return required by Subsection 1 above and pay the total amount of tax due from employees in all work locations during the preceding month to the Tax Officer for either the tax collection district in which the employer's payroll operations are located or as determined by the Department. The return and tax deducted shall be filed and paid electronically. The employer must file a notice of intention to file combined returns and make combined payments with the Tax Officer for each place of employment at least one month prior to filing its first combined return or making its first combined payment. This Subsection shall not be construed to change the location of an employee's place of employment for purposes of nonresident tax liability.
4. On or before February 28 of the succeeding year, every employer shall file with the Tax Officer or other designated Tax Officer to whom tax, which has been deducted, has been remitted as required herein:
 - A. An annual return showing the total amount of compensation paid, the total amount of tax deducted, the total amount of tax paid to the Tax Officer for the period beginning January 1 of the current year and ending December 31 of the current year, and any other information prescribed by the Department.
 - B. An individual withholding statement which may be integrated with the Federal Wage and Tax Statement (Form W-2 or successor form), for each employee employed during all or any part of the period beginning January 1 of the current year and ending December 31 of the current year, setting forth the employee's name, address and Social Security number, the amount of compensation paid to the employee during said period, the amount of tax deducted, the numerical code prescribed by the Department representing the tax collection district where payments required herein were remitted and any other information required by the Department or the Tax Officer and the amount of tax paid to the Tax Officer. Every employer shall furnish two copies of the individual return to the employee for whom it is filed.
5. Every employer who discontinues business prior to December 31 of the current year shall, within 30 days after the discontinuance of business, file the returns and withholding statements hereinabove required and pay the tax due.
6. Except as otherwise provided for in Section 511 of the Act,⁴ every employer who willfully or negligently fails or omits to make the deductions required by this section shall be liable for payment of the taxes which the employer is

⁴Editor's Note: See 53 P.S. § 6924.511.

required to withhold to the extent that such taxes have not been recovered from the employee. The failure or omission of any employer to make the deductions required by this section shall not relieve any employee from the payment of the tax or from complying with the requirements of this Part relating to the filing of declarations and returns.

7. No employer shall be required to deduct or withhold taxes, file returns or pay taxes with regard to residents of Maryland.

§ 24-109. Powers and Duties of Tax Officer. [Ord. 466 (2011-01), 11/16/2011]

1. It shall be the duty of the Tax Officer to collect and receive the taxes, fines and penalties imposed by this Part. It shall also be the Tax Officer's duty to keep a record showing the amount of tax received from each taxpayer paying the tax and the date of such receipt.
2. Each Tax Officer, before entering upon official duties, shall give and acknowledge a bond to the TCC appointing such Tax Officer. The bond provided shall be subject to the requirements set forth in the Act.
3. The Tax Officer shall comply with all resolutions, policies and procedures adopted by the tax collection committee and shall comply with all regulations adopted by the Department under the Act.
4. The Tax Officer shall refund, on petition of and proof by the taxpayer, earned income tax paid on the taxpayer's ordinary and necessary business expenses to the extent that such expenses are not paid by the taxpayer's employer.
5. The Tax Officer and agents designated by him/her/it are hereby authorized to examine the books, papers and records of any employer or of any taxpayer or of any person whom the Tax Officer reasonably believes to be an employer or taxpayer in order to verify the accuracy of any declaration or return or, if no declaration or return was filed, to ascertain the tax due. Every employer and every taxpayer and every person whom the Tax Officer reasonably believes to be an employer or taxpayer is hereby directed and required to give to the Tax Officer or to any agent designated by him any means, facilities and opportunity for such examination and investigations as are hereby authorized. Such examination or audits shall be conducted by the Tax Officer and any agents designated by the Tax Officer shall be conducted in accordance with 53 Pa.C.S.A., Ch. 84, Subch. C (relating to the local taxpayers bill of rights).
6. Any information gained by the Tax Officer, his/her/its agents or by any other official or agent of the taxing district as a result of any declarations, returns, investigations, hearings or verifications required or authorized by this Part shall be and remain confidential, except for official purposes and except in accordance with a proper judicial order or as otherwise provided by law.

7. The Tax Officer is authorized to establish different filing, reporting and payment dates for taxpayers whose fiscal years do not coincide with the calendar year, provided that any filing, reporting or payment dates shall provide time periods equivalent to those time periods set forth for taxpayers whose fiscal year coincides with a calendar year.

§ 24-110. Suit for Collection of Tax. [Ord. 466 (2011-01), 11/16/2011]

1. The Tax Officer may sue in the name of the political subdivision within the TCD for the recovery of taxes due and unpaid under this Part.
2. Any suit brought to recover the tax imposed by this Part shall be begun within three years after: such tax is due; the declaration or return has been filed; or a redetermination of compensation or net profits by the Pennsylvania Department of Revenue, whichever date is later; provided, however, that this limitation shall not prevent the institution of a suit for the collection of any tax due or determined to be due in the following cases:
 - A. Where no declaration or return was filed by any person although a declaration or return was required to be filed by him under provisions of this Part, there shall be no limitation.
 - B. Where an examination of the declaration or return filed by any person or of other evidence relating to such declaration or return in the possession of the Tax Officer reveals a fraudulent evasion of taxes, there shall be no limitation.
 - C. Where any person has deducted taxes under the provisions of this Part and has failed to pay the amounts so deducted to the Tax Officer or where any person has willfully failed or omitted to make the deductions required by this Part, there shall be no limitation.
 - D. Where an employer has intentionally failed to make deductions required by this Part.
 - E. In the case of substantial understatement of tax liability of 25% or more and no fraud, suit shall be begun within six years.
3. The Tax Officer may sue for recovery of an erroneous refund, provided that such suit is begun two years after making such refund, except that the suit may be brought within five years if it appears that any part of the refund was induced by fraud or misrepresentation of material fact.
4. This section shall not be construed to limit the municipality from recovering delinquent taxes by any other means provided by the Act. Further, nothing set forth herein shall be construed to limit a Tax Officer, a tax collection district or political subdivision from recovering delinquent taxes by any other means provided by the Act.

§ 24-111. Interest and Penalties. [Ord. 466 (2011-01), 11/16/2011]

1. Except as may be provided for in Subsection 2 below, in the event any tax imposed in this Part is not paid when due, interest shall accrue at the same rate a taxpayer is required to pay to the commonwealth, as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176), known as the "Fiscal Code," or such successor legislation, on the amount of said tax, and an additional penalty of 1% of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected, but the amount of penalty shall not exceed 15% in the aggregate. Where an action is brought for the recovery of tax, the taxpayer liable for the tax shall, in addition, be liable for the costs of collection, interest and penalties, including but not limited to court costs and attorney's fees.
2. Pursuant to the Act, the Department may establish conditions under which a Tax Officer, with the concurrence of the TCC, may abate interest or penalties that would otherwise be imposed for the nonreporting or underreporting of income tax liabilities or for nonpayment of taxes previously imposed and due if the taxpayer files delinquent returns and pays the tax in full.
3. The provisions of Subsection 2 above shall not affect or terminate any petitions, investigations, prosecutions or other proceedings pending under this Part, or prevent the commencement of further prosecution of any proceedings by the appropriate authorities for violations of this Part. However, no proceedings shall be commenced on the basis of delinquent returns filed pursuant to § 24-110 above if the returns are determined to be substantially true and correct and the tax due is paid within the prescribed time.

§ 24-112. Violations and Penalties. [Ord. 466 (2011-01), 11/16/2011]

1. Any person who fails, neglects or refuses to make any declaration or return required by this Part, any employer who fails, neglects or refuses to register or to pay the tax deducted from his employees or fails, neglects or refuses to deduct or withhold the tax from his employees, any person who refuses to permit the Tax Officer or any agent designated by him to examine his books, records, papers and any person who knowingly makes any incomplete, false or fraudulent return or attempts to do anything whatsoever to avoid the full disclosure of the amount of his net profits or earned income in order to avoid the payment of the whole or any part of the tax imposed by this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$2,500 for each offense and costs and, in default of payment of said fine and costs, to be imprisoned for a period not exceeding six months.
2. Any employer who is required under this Part to collect, account for and distribute taxes and who willfully fails to collect or truthfully account for and distribute such tax, commits a misdemeanor and shall, upon conviction, be

sentenced to pay a fine not exceeding \$25,000 or to imprisonment not exceeding two years, or both.

3. Any person who divulges any information which is confidential under the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$2,500 for each offense and costs or to imprisonment for not more than one year, or both.
4. The penalties imposed under this section shall be in addition to any other penalty imposed by any other section of this Part.
5. The failure of any person to receive or procure forms required for making the declaration or returns required by this Part shall not excuse him or her from making such declaration or return.
6. The Council of Glen Rock Borough hereby approves and adopts the Cost of Collection Schedule, attached hereto and made a part hereof,⁵ to be imposed by the designated Tax Officer for the collection of taxes on earned income and net profits, upon any taxpayer whose taxes are or become delinquent and/or remain due and unpaid; provided, however, that the TCC may approve amendments to said fee schedule by resolution from time to time. Amendments to the collection schedule shall become effective upon adoption by the TCC. The designated Tax Officer is hereby authorized to retain such costs of collection as set forth in the attached schedule, as may be amended and supplemented from time to time, in recovering delinquent taxes and as permitted to be assessed to delinquent taxpayers pursuant to law.

§ 24-113. Applicability. [Ord. 466 (2011-01), 11/16/2011]

This Part shall not apply to any person or property as to whom or which it is beyond the legal power of the municipality to levy, assess and impose the tax or duties as herein provided.

§ 24-114. Purpose; Amendment; Restatement; Repeal. [Ord. 466 (2011-01), 11/16/2011]

The primary purpose of this Part is to conform the local income tax currently levied on earned income and net profits by the municipality with the Act and to do so within the time frame set forth in the Act. Any prior ordinance levying such tax is hereby amended and restated in its entirety to read as set forth in this Part. To the extent that any previous ordinance or portion thereof is inconsistent or conflicts with this Part, such ordinance(s) or portion thereof shall be repealed to the extent of such inconsistency and/or conflict. To the extent the same or any prior ordinance levying such tax in force immediately prior to enactment of this Part, this Part is intended as a continuation of such prior ordinance and not as the enactment of an ordinance imposing a new tax. In the event this Part or any portion thereof is determined to be unconstitutional or otherwise invalid, the prior ordinance, or portion thereof, levying a similar tax shall remain in full force and effect and shall

⁵Editor's Note: Said schedule is on file in the Borough offices.

not be affected by the adoption of this Part. Nothing contained herein shall affect, impair or otherwise abrogate any act done or liability incurred, nor shall any provision of this Part affect, impair or preclude any suit or prosecution pending, whether or not currently initiated, to enforce any right, penalty or violation under the authority of any previous ordinance in force prior to adoption of this Part.

§ 24-115. Effective Date; Initial Current Year. [Ord. 466 (2011-01), 11/16/2011]

The effective date of this Part and beginning of the initial current year shall be January 1, 2012.

PART 2
PER CAPITA TAX

§ 24-201. Definitions. [Ord. 101, 4/7/1958, § 1; as amended by Ord. 281 (85-3), 12/12/1985]

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

ADULT RESIDENT — Any person who has attained the age of 18 years on or before the first day of January of the calendar year in which this tax is in effect.

BOROUGH OF COUNCIL — The Borough Council of the Borough of Glen Rock, County of York and Commonwealth of Pennsylvania.

COLLECTOR — The Tax Collector of the Borough of Glen Rock, County of York and Commonwealth of Pennsylvania, who shall collect and receive all taxes, interest and penalties provided in this Part for the use and benefit of the Borough.

PERSON — Any natural person.

RESIDENT — Any person domiciled within the Borough of Glen Rock, County of York and Commonwealth of Pennsylvania.

SPECIAL TAX ASSESSOR — Such person appointed by the Borough Council of the Borough, at such compensation as the Borough Council shall deem suitable, to administer and enforce this Part. The singular shall include the plural and the masculine shall include the feminine and the neuter.

§ 24-202. Imposition, Rate and Computation of Tax. [Ord. 101, 4/7/1958, § 2; as amended by Ord. 323 (90-11), 12/5/1990, § 1; by Ord. 331 (91-8), 12/4/1991, § 1; and by Ord. 440 (2006-1), 6/14/2006, § 1]

There is hereby imposed, for general Borough purposes, on every adult resident of the Borough of Glen Rock, County of York, and Commonwealth of Pennsylvania, an annual per capita tax of \$10. Such tax shall be imposed in accordance with the provisions hereinafter set forth.

§ 24-203. Returns and Payment of Tax. [Ord. 101, 4/7/1958, § 3]

On or before the 15th day of May of 1958 the Tax Collector shall send to every adult resident of the said Borough, a notice of the per capita tax due from such residents for the fiscal year of 1958. Such notice may be a part of the general notice sent to the residents of said Borough which notifies said residents of the other Borough taxes due and payable. Provided, however, that the said per capita tax shall be listed separate and apart from property taxes and other per capita taxes. Provided,

further, that the failure or omission of the Tax Collector to send or of any adult resident to receive such notice shall not relieve such person from the payment of such tax. Provided, further, that any person who becomes a resident of said Borough after September 1, 1958, shall not be liable for the per capita tax for that year, and any resident who ceases to be a resident at any time after October 1, 1958, shall be liable for the full amount of the per capita tax for said year.

§ 24-204. Powers and Duties of the Collector. [Ord. 101, 4/7/1958, § 4]

It shall be the duty of the Collector to collect and receive all taxes, penalties and interest provided for in this Part and to issue his receipts therefor. He shall keep a record showing the amounts received by him, the persons paying the same and the nature and date of such receipts.

§ 24-205. Administration; Discount; Penalty. [Ord. 101, 4/7/1958, § 5; as amended by Ord. 281 (85-3), 12/12/1985]

1. The Special Tax Assessor is hereby authorized to promulgate and enforce such rules and regulations as may be approved by the Borough Council of the said Borough pertaining to the administration and enforcement of this Part.
2. Taxpayers shall be entitled to a discount of 2% from the amount of the tax upon making payment of the whole amount thereof within two months after the date of the tax notice.
3. Taxpayers who fail to make payment of the tax charged against them for four months after the date of the tax notice shall be charged a penalty of 10% which penalty shall be added to the tax.

§ 24-206. Suits for Collection; Interest; Penalties. [Ord. 101, 4/7/1958, § 6; as amended by Ord. 154 (66-2), 3/10/1966, § 2; by Ord. 187 (71-1), 2/11/1971; by Ord. 281 (85-3), 12/12/1985; and by A.O.]

1. The Borough Council of said Borough, through its Solicitor, may sue in assumpsit for the recovery of all taxes, interest and penalties unpaid, which are required to be paid by this Part.
2. If for any reason tax imposed by this Part is not paid on the date it is required to be paid, interest at the rate of 1/2% on the amount unpaid, together with penalty thereon for each month or fraction thereof shall be added and collected; and where suit is brought for the recovery of such tax and interest, the taxpayer shall, in addition, be liable to costs of suit and a 5% commission for the use of the Borough upon the total of such tax and interest for expenses of collection.
3. Any person convicted before any magisterial district judge of the Borough of violating or failing to carry out any of the provisions of the Part, or of failing, neglecting, or refusing to pay any tax or penalties imposed under this Part,

- or of attempting to do anything whatever to avoid the payment of the whole or any part of the tax imposed under this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$600 plus costs for each and every offense and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense. Provided, that such fine or penalty shall be in addition to any other penalty imposed by any other section of the Part.
4. Provided, further, that the said Borough shall, in addition to and not in limitation of the above-mentioned provisions, have the right to collect the said per capita tax in the same manner and with the same methods as any other tax is collected within said Borough.
 5. The Tax Collector shall be and is hereby empowered with the authority to collect said tax by distress and sell all goods and chattels of the taxpayer, as provided therefor by the Local Tax Collection Law of 1945, as amended and supplemented, 72 P.S. § 5511.1 et seq.
 6. The Tax Collector shall be and is empowered with the authority to collect said tax, interest, penalties and costs by all procedures and remedies granted and allowed to Tax Collectors by the Local Tax Enabling Act, 53 P.S. § 6924.101 et seq.

PART 3

REALTY TRANSFER TAX**§ 24-301. Short Title. [Ord. 459 (2009-01), 1/21/2009, § 1]**

This Part shall be known as the "Realty Transfer Tax Ordinance of Glen Rock Borough."

§ 24-302. Authority. [Ord. 459 (2009-01), 1/21/2009, § 2]

A realty transfer tax for general revenue purposes is hereby imposed upon the transfer of real estate or interest in real estate situated within Glen Rock Borough, regardless of where the documents making the transfer are made, executed or delivered, or where the actual settlements on such transfer took place as authorized by Article XI-D "Local Real Estate Transfer Tax," 72 P.S. § 8101-D et seq. Furthermore, this Part is enacted under authority of the Local Tax Reform Act of December 13, 1988, P.L. 1121, No. 145.

§ 24-303. Definitions. [Ord. 459 (2009-01), 1/21/2009, § 3]

ASSOCIATION — A partnership, limited partnership, or any other form of unincorporated enterprise owned or conducted by two or more persons other than a private trust or decedent's estate.

BOROUGH — Glen Rock Borough, York County, Pennsylvania.

BOROUGH COUNCIL — Glen Rock Borough Council, York County, Pennsylvania.

COLLECTOR — The Recorder of Deeds of York County, Pennsylvania is hereby appointed collector of the tax levied by this Part.

CORPORATION — A corporation, joint-stock association, business trust, or banking institution which is organized under the laws of this commonwealth, the United States, or any other state, territory, foreign country or dependency.

DOCUMENT — Any deed, instrument or writing which conveys; transfers, demises, vests, confirms or evidences any transfer or demise of title to real estate, but does not include wills, mortgages, deeds of trust or other instruments or like character given as security for a debt and deeds or releases thereof to the debtor, land contracts whereby the legal title does not pass to the grantee until the total consideration specified in the contract has been paid or any cancellation thereof unless the consideration is payable over a period of time exceeding 30 years or instruments which solely, grant, vest or confirm a public utility easement. "Document" shall also include a declaration of acquisition required to be presented for recording under section of this Part.

FAMILY FARM CORPORATION — A corporation of which at least 75% of its assets are devoted to the business of agriculture and at least 75% of each class of stock of the corporation is continuously owned by members of the same family. The business of agriculture shall not be deemed to include:

- A. Recreational activities such as, but not limited to, hunting, fishing, camping, skiing, show competition or racing.
- B. The raising, breeding or training of game animals or game birds, fish, cats, dogs or pets or animals intended for use in sporting or recreational activities.
- C. Fur farming.
- D. Stockyard and slaughterhouse operations.
- E. Manufacturing or processing operations of any kind.

MEMBERS OF THE SAME FAMILY — Any individual, such individual's brothers and sisters, the brothers and sisters of such individual's parents and grandparents, the ancestors and lineal descendants of any of the foregoing, a spouse of any of the foregoing, and the estate of any of the foregoing. Individuals related by the half-blood or legal adoption shall be treated as if they related by the whole-blood.

MUNICIPALITY — The Borough of Glen Rock, York County, Pennsylvania.

PERSON — Every natural person, association, or corporation. The term "person," as applied to associations, shall include the responsible members or general partners thereof, and, as applied to corporations, the officers thereof.

REAL ESTATE —

- A. All lands, tenements or hereditaments within this Borough including, without limitation, buildings, structures, fixtures, mines, minerals, oil, gas, quarries, spaces with or without upper or lower boundaries, trees, and other improvements, immovables or interest which by custom, usage or law pass with a conveyance of land, but excluding permanently attached machinery and equipment in an industrial plant.
- B. A condominium unit.
- C. A tenant-stockholder's interest in a cooperative housing corporation, trust or association under a proprietary lease or occupancy agreement.

REAL ESTATE COMPANY — A corporation or association which is primarily engaged in the business of holding, selling or leasing real estate 90% or more of the ownership in which is held by 35 or fewer persons and which:

- A. Derives 60% or more of its annual gross receipts from the ownership or dispositions of real estate.
- B. Holds real estate, the value of which comprises 90% or more of the value of its entire tangible asset holdings exclusive of tangible assets

which are freely transferable and activity traded on an established market.

TITLE TO REAL ESTATE —

- A. Any interest in real estate which endures for a period of time, the termination of which is not fixed or ascertained by a specific number of years, including without limitation an estate in fee simple, life estate, or perpetual leasehold.
- B. Any interest in real estate enduring for a fix period of years but which, either by reason of the length of the term or the grant of a right to extend the term by renewal or otherwise, consists of a group of rights approximating those of an estate in fee simple, life estate or perpetual leasehold including, without limitation, a leasehold interest or possessory interest under a lease or occupancy agreement for a term of 30 years or more or a leasehold interest or possessory interest in real estate in which the lessee has equity.

TRANSACTION — The making, executing, delivering, accepting or presenting for recording of a document.

VALUE —

- A. In the case of any bona fide sale of real estate at arm's length for actual monetary worth, the amount of the actual consideration therefore, paid or to be paid, including liens or other encumbrances thereon existing before the transfer and not removed thereby, whether or not the underlying indebtedness is assumed, and ground rents, or a commensurate part thereof where such liens or other encumbrances and ground rents also encumber or are charged against other real estate; provided, that where such documents shall set forth a nominal consideration, the "value" thereof shall be determined from the price set forth in for actual consideration for the contract of sale.
- B. In the case of a gift, sale by execution upon a judgment or upon the foreclosure of a mortgage by a judicial officer, transactions without consideration or for consideration less than the actual monetary worth of the real estate, a taxable lease, an occupancy agreement, a leasehold or possessory interest, any exchange of properties, or the real estate of an acquired company, the actual monetary worth of the real estate determined by adjusting the assessed value of the real estate for local real estate tax purposes for the common level ratio factor developed by the Pennsylvania Department of Revenue for Pennsylvania realty transfer tax base calculations.
- C. In the case of an easement or other interest in real estate the value of which is not determinable under Subsection A or B, the actual monetary worth of such interest.

- D. The actual consideration for or actual monetary worth of any executory agreement for the construction of buildings, structures or other permanent improvements to real estate between the grantor and other persons existing before the transfer and not remove thereby or between the grantor, the agent or principle of the grantor of a related corporation association or partnership and the grantee existing before or effective with the transfer.

§ 24-304. Imposition of Tax. [Ord. 459 (2009-01), 1/21/2009, § 4]

1. Every person who makes, executes, delivers, accepts or presents for recording any document or in whose behalf any document is made, executed, delivered, accepted or presented for recording, shall be subject to pay for and in respect to the transaction or any part hereof, a tax at the rate of 1% of the value of the real estate represented by such document, which tax shall be payable at the earlier of the time the document is presented for recording or within 30 days of acceptance of such document or within 30 days of becoming an acquired company.
2. The payment of the tax imposed herein shall be evidenced by the affixing of an official stamp or writing by the Recorder of Deeds whereon the date of the payment of the tax, amount of the tax and the signature of the collecting agent shall be set forth.
3. It is the intent of this Part that Glen Rock Borough adopt the provisions of Article XI-D of the Tax Reform Code of 1971 and imposes a realty transfer tax as authorized under that Article subject to the rate limitations therein described and as amended. The entire burden of the tax imposed on a person or transfer shall not exceed the limitations prescribed in the Local Tax Reform Code and Act of December 13, 1988, P.L. 1127 (72 P.S. § 4750.56 et seq.) so that if any other political subdivision or school district have imposed or hereafter shall impose such tax on the same person or transfer than the tax levied by the Borough of Glen Rock under the authority of the Act shall during the time such duplication of the tax exists, except as hereinafter otherwise provided, be 1/2 of the rate and such 1/2 rate shall become effective without any action on the part of Glen Rock Borough; provided, however, that Glen Rock Borough and any other political subdivision which impose such tax on the same person or transfer may agree that instead of limiting their respective rates to 1/2 of the rate herein provided, they will impose respectively different rates, the total of which shall not exceed the maximum rate permitted.

§ 24-305. Administration. [Ord. 459 (2009-01), 1/21/2009, § 5]

If for any reason the tax is not paid when due, all applicable interest and penalties shall be administered, collected and enforced under the Act of December 31, 1965 (P.L. 1257, No. 511, as amended, known as the "Local Tax Enabling Act"; provided, that if the correct amount of the tax is not paid by the last date prescribed for timely payment, Glen Rock Borough, pursuant to § 1102-D of the Tax Reform Code

of 1971 (72 P.S. § 8102-D), authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties.

§ 24-306. Interest. [Ord. 459 (2009-01), 1/21/2009, § 6]

Any tax imposed under § 24-304 that is not paid by the date the tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1923 (P.L. 207, No. 153) (53 P.S. § 7101 et seq.), as amended, known as the "Municipal Claims and Tax Liens Act." The interest rate shall be the lesser of the interest rate imposed upon delinquent commonwealth taxes as provided in § 806 of the Act of April 9, 1929 (P.L. 343, No. 176) (72 P.S. § 806), as amended known as the "Fiscal Code," or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims.

§ 24-307. Exempt Parties. [Ord. 459 (2009-01), 1/21/2009, § 7]

The United States, the commonwealth or any of their instrumentalities, agencies or political subdivisions shall be exempt from payment of the tax imposed by this Part. The exemption of such governmental bodies shall not, however, relieve any other party to a transaction from liability for the tax.

§ 24-308. Excluded Transactions. [Ord. 459 (2009-01), 1/21/2009, § 8]

1. The tax imposed by § 24-304 of this Part shall not be imposed upon:
 - A. A transfer to the commonwealth or to any of its instrumentalities, agencies or political subdivisions, by gift, dedication or deed in lieu of condemnation or deed of confirmation in connection with condemnation proceedings, or a reconveyance by the condemning body of the property condemned by the owner of record at the time of condemnation which reconveyance may include property line adjustments, provided said reconveyance is made within one year from the date of condemnation.
 - B. A document which Glen Rock Borough is prohibited from taxing under the Constitution or statutes of the United States.
 - C. The conveyance to a municipality, Borough, school district or county pursuant to acquisition by the municipality, Borough, school district or county of a tax delinquent property at sheriff sale or tax claim bureau sale.
 - D. A transfer for no nominal actual consideration which corrects or confirms a transfer previously recorded but which does not extend or limit existing record legal title or interest.
 - E. A transfer of division in kind for no or nominal actual consideration of property passed by testate or intestate succession and held by co-

tenants; however, if any of the parties take shares greater in value than their undivided interest, tax is due on the excess.

- F. A transfer between husband and wife, between persons who were previously husband and wife who have since been divorced, provided the property or interest therein subject to such transfer was acquired by the husband and wife or husband or wife prior to the granting of the final decree in divorce, between parent and child or the spouse of such child, between brother or sister or spouse of a brother or sister and between a grandparent and grandchild or the spouse of such grandchild, except that a subsequent transfer by the grantee within one year shall be subject to tax as if the grantor were making such transfer.
- G. A transfer for no or nominal actual consideration of property passing by testate or intestate succession from a personal representative of a decedent to the decedent's devisee or heir.
- H. A transfer for no or nominal actual consideration to a trustee of an ordinary trust where the transfer of the same property would be exempt if the transfer was made directly from the grantor to all of the possible beneficiaries, whether or not such beneficiaries are contingent or specifically named. No such exemption shall be granted unless the Recorder of Deeds is presented with a copy of the trust instrument that clearly identifies the grantor and all possible beneficiaries.
- I. A transfer for no or nominal actual consideration from a trustee to a beneficiary of an ordinary trust.
- J. A transfer for no or nominal actual consideration from trustee to successor trustee.
- K. A transfer (1) for no or nominal actual consideration between principal and agent or straw party; or (2) from or to an agent or straw party where, if the agent or straw party were his principal, no tax would be imposed under this Part.

Where the document by which title is acquired by a grantee or statement of value fails to set forth that the property acquired by the grantee from, or the benefit of, his principal, there is a rebuttable presumption that the property is the property of the grantee in his individual capacity if the grantee claims an exemption from taxation under this paragraph.

- L. A transfer made pursuant to the statutory merger or consolidation of a corporation or statutory division of a nonprofit corporation, except where the Department reasonably determines that the primary intent for such merger, consolidation of division is avoidance of the tax imposed by this Part.

- M. A transfer from a corporation or association of real estate held of record in the name of the corporation or association where the grantee owns stock of the corporation or an interest in the association in the same proportion as his interest in or ownership of the real estate being conveyed and where the stock of the corporation or the interest in the association has been held by the grantee for more than two years.
- N. A transfer from a nonprofit industrial development agency or authority to a grantee of property conveyed by the grantee to that agency or authority as security for a debt or the grantee or a transfer to a nonprofit industrial development agency or authority.
- O. A transfer from a nonprofit industrial development agency or authority to a grantee purchasing directly from it, but only if: (1) the grantee shall directly use such real estate for the primary purpose of manufacturing, fabricating, compounding, processing, publishing, research and development, transportation, energy conversion, energy production, pollution control, warehousing or agriculture; and (2) the agency or authority has the full ownership interest in the real estate transferred.
- P. A transfer by a mortgagor to the holder of a bona fide mortgage in default in lieu of a foreclosure or a transfer pursuant to a judicial sale in which the successful bidder is the bona fide holder of a mortgage, unless the holder assigns the bid to another person.
- Q. Any transfer between religious organizations or other bodies or person holding title for a religious, organization if such real estate is not being or has not been used by such transferor for commercial purposes.
- R. A transfer to a conservancy which possesses a tax exempt status pursuant to § 501(c)(3) of the Internal Revenue Code of 1954, (68A Stat. 3, 26 U.S.C. § 501(c)(3)) and which has as its primary purpose preservation of land for historic, recreational, scenic, agricultural or open space opportunities.
- S. A transfer of real estate devoted to the business of agriculture to a family farm corporation by a member of the same family which directly owns at least 75% of each class of the stock thereof.
- T. A transfer between members of the same family of an ownership interest in a real estate company or family farm corporation.
- U. A transaction wherein the tax due is \$1 or less.
- V. Lease for the production or extraction of coal, oil, natural gas or minerals an assignments thereof.

In order to exercise any exclusion provided in this section, the true, full and complete value of the transfer shall be shown on the statement of value. A copy of the Pennsylvania Realty Transfer Tax Statement of Value may be submitted for this purpose. For leases of coal, oil, natural gas or minerals, the statement of value may be limited to an explanation of the reason such document is not subject to tax under this Part.

§ 24-309. Documents Relating to Associations or Corporations and Members, Partners, Stockholders or Shareholders Thereof. [Ord. 459 (2009-01), 1/21/2009, § 9]

Except as otherwise provided in § 24-306, documents which make, confirm or evidence any transfer or demise of title to real estate between association or corporations and the members, partners, shareholders or stockholders thereof are fully taxable. For the purpose of this Part, corporations and associations are entities separate from their members, partners, stockholders or shareholders.

§ 24-310. Acquired Company. [Ord. 459 (2009-01), 1/21/2009, § 10]

1. A real estate company is an acquired company upon a change in the ownership interest in the company, however effected, if the change does not affect the continuity of the company; and of itself or together with prior changes has the effect or transferring, directly or indirectly, 90% or more of the total ownership interest in the company within a period of three years.
2. With respect to real estate acquired after February 16, 1986, a family farm corporation is an acquired company when, because of voluntary or involuntary dissolution, it ceases to be a family farm corporation or when, because of issuance or transfer of stock or because of acquisition or transfer of assets that are devoted to the business of agriculture, it fails to meet the minimum requirements of family farm corporation under this Part.
3. Within 30 days after becoming an acquired company, the company shall present a declaration of acquisition with the recorder of each county in which it holds real estate for the affixation of documentary stamps and recording. Such declaration shall set forth the value of real estate holdings of the acquired company in such county. A copy of the Pennsylvania Transfer Tax Declaration of Acquisition may be submitted for this purpose.

§ 24-311. Credits Against Tax. [Ord. 459 (2009-01), 1/21/2009, § 11]

1. Where there is a transfer of a residential property by a licensed real estate broker which property was transferred to him within the preceding year as consideration for the purchase of other residential property, a credit for this amount of the tax paid at the time of the transfer to him shall be given to him toward the amount of the tax due upon the transfer.

2. Where there is a transfer by a builder of residential property which was transferred to the builder within the preceding year as consideration for the purchase of a new previously unoccupied residential property, a credit for the amount of the tax paid at the time of the transfer to the builder shall be given to the builder toward the amount of the tax due upon the transfer.
3. Where there is a transfer of real estate which is leased by the grantor, a credit for the amount of tax paid at the time of the lease shall be given the grantor toward the tax due upon the transfer.
4. Where there is a conveyance by deed of real estate which was previously sold under a land contract by the grantor, a credit for the amount of tax paid at the time of the sale shall be given the grantor toward the tax due upon the deed.
5. If the tax due upon the transfer is greater than the credit given under this section, the difference shall be paid. If the credit allowed is greater than the amount or tax due, no refund or carry over credit shall be allowed.

§ 24-312. Extension of Lease. [Ord. 459 (2009-01), 1/21/2009, § 12]

In determining the term of a lease, it shall be presumed that a right or option to renew or extend a lease will be exercised if the rental charge to the lessee is fixed or if a method for calculating the rental charge is established.

§ 24-313. Proceeds of Judicial Sale. [Ord. 459 (2009-01), 1/21/2009, § 13]

The tax herein imposed shall be fully paid, and have priority out of the proceeds of any judicial sale of real estate before any other obligation, claim, lien, judgment, estate or costs of the sale and of the writ upon which the sale is made except the state realty transfer tax and the sheriff or other officer conducting said sale, shall pay the tax herein imposed out of the first monies paid to him in connection therewith. If the proceeds of the sale are insufficient to pay the entire tax herein imposed, the purchaser shall be liable for the remaining tax.

§ 24-314. Duties of Recorder of Deeds. [Ord. 459 (2009-01), 1/21/2009, § 14]

1. As provided in 16 P.S. § 11011-6, as amended by Act of July 7, 1983 (P.L. 40, No. 21), the Recorder of Deeds shall be the collection agent for the local realty transfer tax including any amount payable to Glen Rock Borough based on a redetermination of the amount of tax due by the Commonwealth of Pennsylvania of the Pennsylvania Realty Transfer Tax, without compensation from Glen Rock Borough.
2. In order to ascertain the amount of taxes due when the property is located in more than one political subdivision, the Recorder shall not accept for recording such a deed unless it is accompanied by a statement of value showing what taxes are due each municipality.

3. On or before the 10th of each month, the Recorder of Deeds shall pay over to Glen Rock Borough all local realty transfer taxes collected, less 2% for use of the county, together with a report containing the information as is required by the Commonwealth of Pennsylvania in reporting collection of the Pennsylvania Realty Transfer Tax. The 2% commission shall be paid to the county.
4. Upon a re-determination of the amount of realty transfer tax due by the Commonwealth of Pennsylvania, the Recorder of Deeds shall re-record the deed or record the additional realty transfer tax form only when both the state and local amounts and a re-recording or recording fee has been tendered.

§ 24-315. Statement of Value. [Ord. 459 (2009-01), 1/21/2009, § 15]

Every document lodged with or presented to the Recorder of Deeds for recording, shall set forth therein and as a part of such document the true, full and complete value thereof or shall be accompanied by a statement of value executed by a responsible person in connection with the transaction showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not subject to tax under this Part. A copy of the Pennsylvania Realty Transfer Tax Statement of Value may be submitted for this purpose. The provisions of this Subsection shall not apply to any excludable real estate transfers which are exempt from taxation based on family relationship, provided that the relationship is specified in the deed, instrument or writing. Other documents presented for the affixation of stamps shall be accompanied by a certified copy of the document and statement of value executed by a responsible person connection with the transaction showing such connection and setting forth the true, full and complete value thereof of the reason, if any, why such document is not subject to tax under this Part.

§ 24-316. Civil Penalties. [Ord. 459 (2009-01), 1/21/2009, § 16]

1. If any part of any underpayment of tax imposed by this Part is due to fraud, there shall be added to the tax an amount equal to 50% of the underpayment.
2. In the case of failure to record a declaration required under this Part on the date prescribed therefore, unless it is shown that such failure is due to reasonable cause, there shall be added to the tax 5% of the amount of such tax if the failure is for not more than one month, with an additional 5% for each additional month or fraction thereof during which such failure continues, not exceeding 50% in the aggregate.

§ 24-317. Lien. [Ord. 459 (2009-01), 1/21/2009, § 17]

The tax imposed by this Part shall become a lien upon the lands, tenements or hereditaments, or any interest therein, lying, being situated, wholly or in part within the boundaries of the Borough of Glen Rock which lands, tenements, hereditaments, or interest therein, are described in or conveyed by or transferred by

the deed which is the subject of the tax, imposed, assessed and levied by this Part, said lien to begin at the time when the tax under this Part is due and payable, and continue until discharge by payment, or in accordance with the law, and the Solicitor is authorized to file a municipal or tax claim in the Court of Common Pleas of York County, in accordance with the provisions of the Municipal Claims and Liens Act of 1923, 53 P.S. § 7101 et seq., its supplements and amendments.

§ 24-318. Enforcement. [Ord. 459 (2009-01), 1/21/2009, § 18]

All taxes imposed by this Part together with interest and penalties prescribed herein shall be recoverable as other debts of like character are recovered.

PART 4

LOCAL SERVICES TAX**§ 24-401. Short Title. [Ord. 448 (2007-04), 12/17/2007, § 1]**

This Part shall be known as the "Glen Rock Borough Local Services Tax Ordinance."

§ 24-402. Definitions. [Ord. 448 (2007-04), 12/17/2007, § 1]

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

ACT — The Local Tax Enabling Act, 53 P.S. § 6924.101 et seq., as amended by Act 7 of 2007.

BOROUGH — Glen Rock Borough, York County, Pennsylvania.

COMBINED RATE — The aggregate annual rate of the local services tax levied by both the Borough and Southern York School District.

DCED — The Pennsylvania Department of Community and Economic Development.

EARNED INCOME — This term shall have the same meaning as is given in Division I of § 13 of the Act, 53 P.S. § 6913.

EMPLOYEE — Any person who, as a result of his or her employment occupation, is subject to this tax, or to an exemption.

EMPLOYER — An individual, partnership, association, corporation, governmental body, agency or other entity employing one or more persons on salary, wage, commission or other compensation basis, including self-employed individuals.

FISCAL YEAR — The twelve-month period beginning January 1 and ending December 31.

INDIVIDUAL — Any person, male or female engaged in any occupation within the Borough.

LOCAL SERVICES TAX OFFICER — The person, public employee or private agency as shall be from time to time be designated by the Borough Council to collect this tax and administer the provisions of this Part.

NET PROFITS — This term shall have the same meaning as is given in Division I of § 13 of the Act, 53 P.S. § 6913.

OCCUPATION — Any trade, profession, business, employment or undertaking of any type, kind or character, including services, domestic or other, carried on or performed within the Borough for which compensation is charged or received whether by means of salary, wages, commissions, fees or otherwise for services rendered.

PERSON — Any employee or other person who is subject to, or exempt from, the tax imposed by this Part.

PLACE OF EMPLOYMENT — The place in which the person maintains his or her principal office or is principally employed, as determined pursuant to the Local Tax Enabling Act, 53 P.S. § 6924.101 et seq., which shall be determined as of the day the taxpayer first becomes subject to the tax during any calendar year.

RESERVE COMPONENT OF THE ARMED FORCES — The United States Army, Navy, Marine Corps, Coast Guard, or Air Force Reserve or the Pennsylvania Army or Air National Guard.

TAX — The local services tax adopted and levied by this Part.

TAXPAYER — Any person who is subject to the tax imposed by this Part.

§ 24-403. Amount of Tax. [Ord. 448 (2007-04), 12/17/2007, § 1]

The Borough Council of Glen Rock Borough hereby enacts and levies the tax in the amount of \$20 per year on each person whose place of employment is within the Borough.

§ 24-404. Calendar Year. [Ord. 448 (2007-04), 12/17/2007, § 1]

This tax shall be imposed on a calendar-year basis.

§ 24-405. Priority of Claims. [Ord. 448 (2007-04), 12/17/2007, § 1]

In the event that any person is engaged in more than one occupation, that is, concurrent employment, or in an occupation which requires him or her to work in more than one political subdivision during the calendar year, then the priority of claims to collect this tax shall be in the following order: first, the political subdivision in which the person maintains his or her principal office or is principally employed; second, the political subdivision in which the person resides and works, if such tax is levied by that political subdivision; and third, the political subdivision in which the person is employed and which imposes the tax nearest in miles to the person's home.

§ 24-406. Overpayments and Refunds. [Ord. 448 (2007-04), 12/17/2007, § 1]

1. It is the intent of this Part that no person shall pay more than \$20 on this tax in any calendar year, excluding any such tax paid to the Southern York

- School District or other school district. In the event that, prior to his or her employment in the Borough in any calendar year, an employee has previously paid a local services tax in any other political subdivision, then the employer shall refrain from withholding the tax, so long as the employee provides a recent pay statement from a principal employer whether within or outside of the commonwealth that includes the name of the employer, the length of the payroll period, and the amount of the local services tax withheld, and a statement from the employee that the pay statement is from the employee's principal employer and that the employee will notify other employers of a change in the principal place of employment within two weeks of its occurrence. Forms for such notification shall be the same as those prepared by DCED, as required by § 2(1)(9)(v) of the Act, 53 P.S. § 6924.301.1. It shall be the responsibility of the employer and employee to provide such form properly completed to the Borough or its collection agent.
2. In the event that a person's employer within the Borough withhold this tax, and the person has previously paid a local services tax in another political subdivision pursuant to this section, then, upon written request of the taxpayer, pursuant to regulations adopted by the Borough pursuant to § 2(f)(9)(vii) of the Act, 53 P.S. § 6924.301.1. The Borough or its Local Services Tax Officer shall refund such overpayment, except that the Borough shall only be required to provide refunds for overpaid amounts that exceed \$1. Refunds made within 75 days of the refund request or within 75 days after the last day the employer is required to remit the tax for the last quarter of the calendar year, whichever is last, shall not be subject to interest. The amount of the refund shall be limited to the amount of any local services tax paid by the taxpayer in another political subdivision, but in no event shall exceed the amount of this tax fixed by the Borough for the calendar year in which the refund was sought.
 3. In the event that a person has in any calendar year previously paid a local services tax in another political subdivision, but such tax was less than \$20 then the taxpayer shall be liable for the difference between the tax actually paid in the other political subdivision and the amount due for this tax to the Borough.
 4. The provisions of this section shall not apply to any local services tax paid to the Southern York School District.

§ 24-407. Exemptions. [Ord. 448 (2007-04), 12/17/2007, § 1; as amended by Ord. 449 (2008-01), 2/20/2008, § 1]

1. The following persons shall be exempt from the tax:
 - A. Any person whose total earned income and net profits from all sources within the Borough is less than \$12,000 in the calendar year in which the tax is levied.

- B. Any person who served in any war or armed conflict in which the United States was engaged, and is honorably discharged or released under honorable circumstances from active service, if, as a result of military service, the person is blind, paraplegic, or a double or triple amputee, or has a service-connected disability declared by the United States Veterans' Administration or its successor to be 100% permanent disability.
 - C. Any person who serves as a member of a reserve component of the Armed Forces and is called to active duty at any time during the taxable year.
- 2. A person seeking exemption from the tax pursuant to this section may annually file an exemption certificate with the Borough and with his or her employer affirming that he or she reasonably expects to receive earned income and net profits from all sources within the Borough of less than \$3,200 in the calendar year for which the exemption certificate is filed. The exemption certificate shall have attached to it a copy of the employee's last pay stubs or W-2 forms from employment within the Borough for the year prior to the year for which the exemption is requested. Upon receipt of the exemption certificate and until notified otherwise by the Borough, the employer shall not withhold the tax from the person for the calendar year, or the remainder of the calendar year, for which the exemption certificate applies. The exemption certificate shall be on a form prepared by DCED, pursuant to § 2(e)(1) of the Act, 53 P.S. § 6924.301.1.
 - 3. For any person who claims an exemption pursuant to this section, upon notification to an employer by the person or by the Borough that the person has received earned income and net profits from all sources within the Borough equal to or in excess of \$3,200 in that calendar year, or that the person is otherwise ineligible for the exemption for that calendar year, or upon an employer's payment to the person of earned income within the Borough of \$3,200 or more in that calendar year, the employer shall withhold the tax from the person for the remainder of the calendar year, and shall withhold from the person, for the first payroll period after receipt of the notification or after the person equals or exceeds \$3,200 in earned income, a lump sum equal to the amount of the tax not previously withheld in the current calendar year due to the exemption, plus the per payroll amount due for that first payroll period. The amount of tax withheld per payroll period for the remaining payroll periods in the calendar year shall be the same amount withheld for other employees.

§ 24-408. Duties of Employers and Withholding of Tax. [Ord. 448 (2007-04), 12/17/2007, § 1]

It shall be the duty of every employer within the Borough, or every employer of a person whose place of employment as defined in this Part is the Borough, to collect this tax from and on behalf of each such person whose place of employment is the Borough from the employee in a manner set forth in § 2(f)(9)(i) of the Act, which is

by a pro rata share of the tax for each payroll period in which the employee is engaging in an occupation. The pro rata share of the tax assessed on a person shall be determined by dividing the combined rate of the tax levied for the calendar year by the number of payroll periods established by the employer for the calendar year, or, in the case of a person who becomes employed after the beginning of the calendar year, by the number of payroll periods remaining in the calendar year. In the event that the employment of a person is subsequently severed, the person shall be liable for any outstanding balance of the tax due to the Borough for that calendar year, which the Borough may collect as permitted by law.

§ 24-409. Collection Agent. [Ord. 448 (2007-04), 12/17/2007, § 1]

1. It shall be the duty of the Local Services Tax Officer to accept and receive payments of this tax and to keep record thereof showing the amount received by him from each employer or self-employed individual together with the date the tax was received.
2. The Local Services Tax Officer is hereby charged with the administration and enforcement of this Part and is hereby authorized to empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this Part including provisions for the examination of the payroll records of any employer subject to this Part; the examination and correction of any revenue made in compliance with this Part and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred. Any person aggrieved by any decision of the Local Services Tax Officer shall have the right to appeal to the Court of Common Pleas of York County as in other cases provided.
3. The Local Services Tax Officer is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, give the Local Services Tax Officer the means, facilities and opportunity for such examination.
4. This section may be amended from time to time by Resolution.

§ 24-410. Remission of Tax and Liability. [Ord. 448 (2007-04), 12/17/2007, § 1]

1. It shall be the responsibility of every employer of every taxpayer whose place of employment is in the Borough to collect and remit said taxes to the Borough's Local Services Tax Officer no later than 30 days after the end of each quarter of a calendar year. Nothing in this section or this Part is intended, or shall be construed, to relieve any taxpayer whose place of employment is the Borough from the responsibility and liability for the payment of this tax. In the event that any such taxpayer's employment fails to collect or remit such tax to the Borough or the Local Services Tax Officer, then it shall be the responsibility of the taxpayer to do so.

2. Notwithstanding the provisions of this Part, no employer shall be held liable for failure to withhold the tax or for the payment of the withheld tax money to the Borough if the failure to withhold the tax arises from incorrect information submitted by the employee as to the employee's place or places of employment, the employee's principal office, or where the employee is principally employed. An employer shall also not be liable for payment of the tax in an amount exceeding the amount withheld by the employer if the employer complies with the provisions of §§ 2, 2(e) and 2(f)(9) of the Act, 53 P.S. § 6924.301.1.

§ 24-411. Permitted Uses of Tax. [Ord. 448 (2007-04), 12/17/2007, § 1]

1. The Borough Council shall, in their sole discretion, determine the use of the revenues generated by this tax, except that the use shall be limited to one or more of the following purposes and amounts:
 - A. Emergency services, which shall include emergency medical, police and/or fire services; provided, that at least 25% of the funds derived from the tax shall be used for this purpose.
 - B. Road construction and/or maintenance.
 - C. Reduction in property taxes.
 - D. Property tax relief in the event that the Borough implements a homestead and farmstead exclusion in accordance with 53 P.S., 85, sub F (relating to homestead property exclusion), and § 22.6 of the Act, 53 P.S. § 6924.330.
 - E. Any other uses permitted by law.

§ 24-412. Penalties, Enforcement and Collection Actions. [Ord. 448 (2007-04), 12/17/2007, § 1]

1. Subject to the limitations of this section, and of the Act, any person, employee, employer, partnership, corporation, or any other entity, which violates any of the provisions of this Part shall commit a summary offense, and, upon conviction thereof by a magisterial district judge (formerly known as district justice), shall be subject to a fine of up to \$1,000 for each tax which is due pursuant to this Part, together with the tax and costs of collection.
2. In addition to the penalties in Subsection 1, the Borough and its Local Services Tax Officer shall be entitled to any and all civil remedies available by law for the collection of such tax, and shall be entitled to all costs of collection, as approved by the Borough from time to time by resolution. The Borough and its collection agent are further authorized to collect this tax by any other lawful means available to them, whether in law or equity.

3. The Borough specifically authorizes its Local Services Tax Officer to act on its behalf and as its agent to collect all such taxes pursuant to this section and this Part, and to initiate and prosecute on its behalf any summary criminal actions pursuant to Subsection 1, and any other legal actions for remedies as authorized in Subsection 2. If for any reason the tax is not paid when due, interest at the rate of 6% on the amount of such tax shall be calculated beginning with the due date of the tax and penalty of 5% shall be added to the flat rate of such tax for nonpayment thereof. Where suit is brought for the recovery of this tax or other appropriate remedy undertaken, the person shall be liable therefore shall, in addition, be responsible and liable for the costs of collection.

CHAPTER 25
TREES

PART 1
TRIMMING AND PLANTING OF TREES

- § 25-101. Restrictions on Planting and Growing of Certain Trees.**
- § 25-102. Clearance Above Street and Sidewalk.**
- § 25-103. Removal and Trimming of Trees.**
- § 25-104. Penalty for Violation.**

PART 1

TRIMMING AND PLANTING OF TREES**§ 25-101. Restrictions on Planting and Growing of Certain Trees. [Ord. 328 (91-5), 11/6/1991, § 1]**

It shall be unlawful for any person to plant, maintain and allow to grow any tree within the lines of any street, alley or traveled portion of any sidewalk in the Borough of Glen Rock.

§ 25-102. Clearance Above Street and Sidewalk. [Ord. 328 (91-5), 11/6/1991, § 2]

Every owner of property in the Borough of Glen Rock shall be required to keep the limbs and branches of all trees growing upon such property or along the street, sidewalk, curb or alley abutting upon such property trimmed so that no part of such limbs or branches or of the foliage growing therefrom shall have a clearance of less than eight feet above the surface of the sidewalk or of less than 14 feet above the surface of the roadway of any street or alley below such limbs or branches.

§ 25-103. Removal and Trimming of Trees. [Ord. 328 (91-5), 11/6/1991, § 3]

It shall be the responsibility of the owners of real estate in the Borough of Glen Rock to conform to the requirements of this Part as to trees upon real estate owned by them or along streets, alleys and sidewalks abutting upon such real estate and upon notice from the Borough Council, to remove any tree or trees growing in violation of § 25-101 of this Part and to trim and cut the branches or limbs of trees as required by § 25-102 hereof. Any person failing to comply with any such notice within the time limit stated therein shall be guilty of a violation of this Part and, following the expiration of such time limit, the Borough Council shall have the authority to cause the work required by such notice to be done by the Borough of Glen Rock or under contract therewith and to collect the cost of such work with an additional amount of 10% from such property owner in default.

§ 25-104. Penalty for Violation. [Ord. 328 (91-5), 11/6/1991, § 4; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

CHAPTER 26

WATER

PART 1

WELLS

- § 26-101. Compliance With Water Well Regulations Required.**
- § 26-102. Special Permission Required for Drilling Water.**
- § 26-103. Conditions for Drilling Wells for Use Other Than Human Consumption.**
- § 26-104. Penalty for Violation.**
- § 26-105. Other Remedies for Violations.**

PART 2

WATER CONSERVATION

- § 26-201. Drought Contingency and Water Shortage Plan.**
- § 26-202. Nonessential Uses of Water.**
- § 26-203. Mandatory Water Use Restrictions.**
- § 26-204. Water Rationing.**
- § 26-205. Exemptions.**
- § 26-206. Authority of Mayor.**
- § 26-207. Violation and Penalty.**

PART 1

WELLS

§ 26-101. Compliance With Water Well Regulations Required. [Ord. 225 (75-1), 10/20/1975, § 1]

It shall hereafter be unlawful for any person, partnership, corporation or other entity to drill, dig or make a water-producing well for the purpose of providing water for human consumption or use within the Borough of Glen Rock, York County, Pennsylvania, except as hereinafter provided.

§ 26-102. Special Permission Required for Drilling Water. [Ord. 225 (75-1), 10/20/1975, § 2]

It shall hereafter be presumed that an ample supply of water for human consumption and use is reasonably available to all places within Glen Rock Borough, supplied by the Glen Rock Water Authority; provided, however, upon petition to Borough Council, after hearing and cause shown that such water supply is not ample or reasonably available, the Council may grant special permission to the petitioner to drill, dig or make a water-producing well in Glen Rock Borough for such water supply upon such conditions and limitations as may be appropriate; and, provided further, the drilling, digging, making and maintaining of such well and the human consumption and use of water therefrom shall comply with all other applicable laws, rules and regulations of governmental bodies having jurisdiction.

§ 26-103. Conditions for Drilling Wells for Use Other Than Human Consumption. [Ord. 225 (75-1), 10/20/1975, § 3]

1. Wells may be drilled, dug or made to obtain a water supply for watering vegetation, car washing, outdoor pools and similar purposes not involving human consumption and use without the petition, hearing and procedure pursuant to § 26-102; provided, however, that:
 - A. Written notice of the intent to do so and the purpose of such well shall be given to Glen Rock Borough and the Glen Rock Water Authority not less than 30 days before work commences.
 - B. The water produced by such well shall not in any manner be introduced into or connected with a water supply or system which is for the purpose of human consumption or use.
 - C. If water is supplied by the Glen Rock Water Authority to the premises upon which such well is located, before the water from such well is used in any manner, the owner shall install at his expense a back-flow preventer on the line supplying water of the Glen Rock Water Authority to said premises at such location and in such manner as said Authority shall require.

§ 26-104. Penalty for Violation. [Ord. 225 (75-1), 10/20/1975, § 4; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$10 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 26-105. Other Remedies for Violations. [Ord. 225 (75-1), 10/20/1975, § 5]

The violation or threatened violation of any provision of this Part is declared to be a nuisance, and whether or not the penalties allowed by § 26-104 above are imposed, may be restrained by an action in equity in the courts of York County, Pennsylvania.

PART 2

WATER CONSERVATION

§ 26-201. Drought Contingency and Water Shortage Plan. [Ord. 326 (91-3), 10/2/1991, § 1]

The "Drought Contingency and Water Shortage Plan of Glen Rock Borough" is hereby adopted and attached hereto.¹ This Plan may be modified and updated by resolution of the Borough Council.

§ 26-202. Nonessential Uses of Water. [Ord. 326 (91-3), 10/2/1991, § 2]

Those uses of water not essential to the protection of public health and safety are deemed nonessential. Nonessential uses of water may be restricted by both voluntary and mandatory measures as prescribed and outlined within the drought contingency and water shortage plan. A list of nonessential water uses is included in the plan.

§ 26-203. Mandatory Water Use Restrictions. [Ord. 326 (91-3), 10/2/1991, § 3]

If, during a water shortage period, a voluntary ban on nonessential uses of water has not sufficiently reduced the rate of depletion of the water supply sources and those sources have reached a level at which the plan prescribes more severe demand reduction measures, a mandatory restriction of nonessential water uses shall be imposed. Those water service customers found not cooperating with this action shall be faced with a surcharge of up to \$25 per day for each day of noncompliance or the curtailment of water service, whichever is deemed most appropriate. The Glen Rock Water Authority shall have the power and authority to assess said surcharge.

§ 26-204. Water Rationing. [Ord. 326 (91-3), 10/2/1991, § 4]

If a water shortage emergency is declared by the Governor of the Commonwealth of Pennsylvania within an area which includes the service area of the Borough of Glen Rock and both voluntary and mandatory restrictions of nonessential water uses have failed to sufficiently reduce the rate of depletion of all available water supply sources, and if the Borough's plans for water rationing have been reviewed and approved by the Pennsylvania Emergency Management Council, water rationing may be implemented.

§ 26-205. Exemptions. [Ord. 326 (91-3), 10/2/1991, § 5]

Any water service customers may apply to the Borough for an exemption to the terms of this Part which may be granted by the Borough Council upon adequate evidence of an equitable hardship imposed through adherence to the provisions of the plan.

¹Editor's Note: Said plan is on file in the Borough offices.

§ 26-206. Authority of Mayor. [Ord. 326 (91-3), 10/2/1991, § 6]

The Mayor of Glen Rock, upon notification from the Glen Rock Water Authority, shall have the authority to declare a drought/water shortage emergency and shall be empowered to impose the mandatory restrictions set forth in the drought contingency and water shortage plan.

§ 26-207. Violation and Penalty. [Ord. 326 (91-3), 10/2/1991, § 7; as amended by A.O.]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$10 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

CHAPTER 27
ZONING

PART 1

**SHORT TITLE, PURPOSE AND COMMUNITY DEVELOPMENT
OBJECTIVES**

- § 27-101. Short Title.
- § 27-102. Purpose.
- § 27-103. Community Development Objectives.

PART 2

DEFINITIONS

- § 27-201. Intent.
- § 27-202. General Interpretation.
- § 27-203. Specific Words and Phrases.

PART 3

ZONE REGULATIONS

- § 27-301. Zones and Boundaries.
- § 27-302. Use Regulations.
- § 27-303. Residential-Suburban Zone (R-1).
- § 27-304. Residential-Urban Zone (R-2).
- § 27-305. Village Center Zone (VC).
- § 27-306. Commercial-Industrial Zone (C-I).

PART 4

GENERAL PROVISIONS

- § 27-401. Accessory Uses and Structures.
- § 27-402. Setback Modifications.
- § 27-403. Height Modifications.
- § 27-404. Minimum Habitable Floor Area.
- § 27-405. Outdoor Signs.
- § 27-406. Storage of Recreational Vehicles, Trailers and Trucks.
- § 27-407. Sale of Agricultural Products.

- § 27-408. **Parking.**
- § 27-409. **Loading.**
- § 27-410. **Driveways.**
- § 27-411. **Screens and Buffers.**
- § 27-412. **Drainage.**
- § 27-413. **Floodplain Regulations.**
- § 27-414. **Illumination.**
- § 27-415. **Demolition.**
- § 27-416. **Outdoor Swimming Pool Requirements.**
- § 27-417. **Solar and Wind Energy Facilities.**
- § 27-418. **Buildings Under Construction.**
- § 27-419. **Division of Built On Lots.**
- § 27-420. **Lots of Record.**
- § 27-421. **Nonconformities.**

PART 5

ZONING HEARING BOARD

- § 27-501. **Powers and Duties; General.**
- § 27-502. **Public Hearings.**
- § 27-503. **Variances.**
- § 27-504. **Special Exceptions.**
- § 27-505. **Challenge to Validity of Chapter on Substantive Grounds.**
- § 27-506. **Time Limitation; Appeals.**

PART 6

STANDARDS FOR SPECIAL EXCEPTION USES

- § 27-601. **Requirement of Specific Standards.**
- § 27-602. **Bed-and-Breakfast Establishment.**
- § 27-603. **Cemetery.**
- § 27-604. **Chemical Manufacturing, Processing and Storage Operations.**
- § 27-605. **Club Room, Club Grounds, Meeting Hall.**
- § 27-606. **Commercial Recreational Establishment (Outdoor or Indoor).**
- § 27-607. **Commercial School.**
- § 27-608. **Convalescent or Nursing Home.**
- § 27-609. **Dwelling Group.**
- § 27-610. **Expansion or Alteration of a Nonconformity.**
- § 27-611. **Group Quarters.**

- § 27-612. Heavy Storage Services.
- § 27-613. Helistop, Heliport.
- § 27-614. Home Occupation and Profession.
- § 27-615. Hospital.
- § 27-616. House of Worship.
- § 27-617. Industrial Park.
- § 27-618. Junkyard, Automobile Dismantling Plant.
- § 27-619. Kennel, Animal Hospital.
- § 27-620. Laundry, Dry Cleaning Establishment.
- § 27-621. Medical Clinic.
- § 27-622. Mobile Home Park.
- § 27-623. Multifamily or Two-Family Conversion.
- § 27-624. Multifamily Dwelling(s).
- § 27-625. Multifamily Residential in Combination With Commercial Uses.
- § 27-626. Park and Other Recreation Areas of a Nonprofit Nature.
- § 27-627. Private Day-Care Center or Nursery School.
- § 27-628. Professional Office.
- § 27-629. Public Buildings and Facilities.
- § 27-630. Public Utility Building.
- § 27-631. Research Laboratory.
- § 27-632. Rooming House.
- § 27-633. Sawmill Operation.
- § 27-634. Service Station.
- § 27-635. Shopping Center or Mall.
- § 27-636. Transportation (Passenger) Terminal.
- § 27-637. Truck or Motor Freight Terminal.
- § 27-638. Wholesale Establishment.
- § 27-639. Wholesale Vehicle Sales Terminal or Auction.
- § 27-640. Vehicle Sales, Service and/or Repair.

PART 7

ADMINISTRATION AND ENACTMENT

- § 27-701. Permits.
- § 27-702. Erroneous Permit.
- § 27-703. Enforcement; Zoning Officer.
- § 27-704. Appeals.
- § 27-705. Violations; Enforcement.
- § 27-706. Causes of Action.

§ 27-707. Enforcement Remedies.
§ 27-708. Amendments.
§ 27-709. Landowner Curative Amendments.
§ 27-710. Borough Curative Amendments.
§ 27-711. Fees.
Sketch Plans
Appendix 27-8-A Shadow Patterns
Appendix 27-8-B Solar Access Easements

PART 1

**SHORT TITLE, PURPOSE AND COMMUNITY DEVELOPMENT
OBJECTIVES****§ 27-101. Short Title. [Ord. 284 (86-2), 8/14/1986, § 101]**

This chapter shall be known and may be cited as the "Glen Rock Borough Zoning Ordinance."

§ 27-102. Purpose. [Ord. 284 (86-2), 8/14/1986, § 102]

The purpose of these regulations is to provide for the harmonious development of the Borough by facilitating:

1. The orderly and efficient integration of land development within the Borough.
2. Proper density of population.
3. Adequate water and sewerage.
4. Adequate police protection, schools, parks and other public grounds and buildings.
5. The protection of water resources and drainageways.
6. Adequate light and air.
7. Adequate transportation, parking and loading space.
8. The greater health, safety and welfare of the citizens of the Borough.
9. Protection of the agricultural resources of the Borough.
10. Adequate sites for recreation, conservation, scenic and other open space purposes.
11. The prevention of blight and overcrowding of land.

§ 27-103. Community Development Objectives. [Ord. 284 (86-2), 8/14/1986, § 103]

This chapter is enacted as part of the overall plan for the orderly growth and development of Glen Rock Borough. As such, this chapter is based upon the expressed or implied community development objectives as contained in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.

PART 2
DEFINITIONS

§ 27-201. Intent. [Ord. 284 (86-2), 8/14/1986, § 201]

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this Part.

§ 27-202. General Interpretation. [Ord. 284 (86-2), 8/14/1986, § 202]

1. Unless otherwise expressly stated the following shall, for the purpose of this Part, be interpreted in the following manner:
 - A. Words used in the present tense imply the future tense.
 - B. Words used in the singular imply the plural.
 - C. The word "person" includes a partnership or corporation as well as an individual.
 - D. The word "shall" or "must" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.
 - E. The word "lot" includes the word "plot" or "parcel," "tract" and any other term referring to a portion of land.

§ 27-203. Specific Words and Phrases. [Ord. 284 (86-2), 8/14/1986, § 203; as amended by Ord. 336 (92-3), 5/6/1992, § 1; by Ord. 365 (95-4), 1/2/1996, § 1; and by A.O.]

For the purposes of this Part, the following words and phrases have the meaning given herein:

ACTIVE SOLAR ENERGY SYSTEM — A solar energy system that requires external mechanical power to move the collected heat.

AGENT — Any person who, with authority in form required by the Borough Council, takes action in any manner under this chapter for the owner or developer.

ALTERATIONS — As applied to a building or structure, any change or rearrangement in the total floor area, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

ALTERATIONS, STRUCTURAL — Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

ALTITUDE — The angular distance from the horizon to the sun (solar energy definition).

ANIMAL HOSPITAL — A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits, and birds or fowl.

AZIMUTH — The angular distance between true south and the point on the horizon directly below the sun (solar energy definitions). Sometimes referred to as "bearing."

BASEMENT — A story having part but not more than 1/2 of its height below the average level of the adjoining ground.

BED-AND-BREAKFAST ESTABLISHMENT — A single-family residence or portion thereof containing not more than three guest rooms which are used by not more than 12 guests where rent is paid in money, goods, labor or otherwise.

BLOCK — An area bounded by streets.

BUILDING — Any structure or edifice designed or intended for use as an enclosure, a shelter, or for protection of person, animals or property.

DETACHED — A building which has no party wall.

SEMI-DETACHED — A building which has only one party wall in common.

ATTACHED — A building which has two or more party walls in common.

BUILDING AREA — The total area of outside dimensions on a horizontal plane at ground level of the principal building and all accessory buildings.

BUILDING HEIGHT — The total overall height of a building measured from the basement floor or grade level (if no basement exists) to the highest point of the roof.

CELLAR — A story partly underground and having more than 1/2 of its clear height below the average level of the adjoining ground.

CLEAR SIGHT TRIANGLE — An area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the center lines of both streets.

CLUSTER DEVELOPMENT — An area of land in single ownership to be developed as a residential community in which the dimensions of individual lots may be reduced, but in which common areas are provided so that the

overall density required in that zoning district is maintained. A type of planned residential development (PRD).

COMMON OPEN SPACE — A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.

COMPREHENSIVE PLAN — The plan, or parts thereof, as may be adopted by the Glen Rock Borough Planning Commission as the municipal or regional comprehensive plan, showing its recommendations for such systems as land use, parks and recreation facilities, water supply, sewerage and sewage disposal, garbage disposal, transportation, highways, civic centers and other public improvements which affect the development of the Borough.

CONVALESCENT OR NURSING HOME — Any structure containing sleeping rooms where persons are housed or lodged and furnished with meals and nursing care.

CONVENIENCE STORE — A retail store which primarily offers food and related items but which may also dispense fuel.

CONVENTIONAL ENERGY SYSTEM — Any energy system, including supply elements, furnaces, burners, tanks, boilers, related controls, and energy-distribution components, which uses any source(s) of energy other than solar energy. These sources include, but are not limited to, gas, oil, coal, and nuclear materials but exclude windmills.

DAY-CARE CENTER — Any premises in which supervised care is provided in lieu of parental care for seven or more persons under 16 years of age away from their own homes. Day care may include an education/motivation curriculum or may simply provide a supervisory care facility to house and provide meals for the children of parents in need of such a facility.

DEVELOPMENT PLAN — The provisions for development of a planned residential development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities.

DRIVE-IN BUSINESS — A commercial establishment, including a drive-in eating establishment, offering articles or services which are either purchased or consumed on the premises and which has a greater area devoted to the purchase and consumption of such articles and services on the outside than on the inside of the building.

DRIVEWAY — A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

DWELLING — A building or structure designed for living quarters for one or more families, including mobile homes, but not including rooming houses, convalescent homes, motels, hotels, and tourist homes or other accommodations used for transient occupancy.

SINGLE-FAMILY — A building designed and occupied exclusively as a residence for one family.

TWO-FAMILY — A building designed and occupied exclusively as a residence for two families.

MULTIPLE-FAMILY — A building designed and occupied as a residence for three or more families living independently of each other and doing their own cooking; including apartment houses, row houses, or townhouses.

DWELLING GROUP — A group of two or more single-family, two-family, or multifamily dwellings occupying a lot in one ownership.

DWELLING UNIT — Any structure, or part thereof, designed for occupancy by not more than one family for living purposes and having complete housekeeping facilities.

EASEMENT — A limited right of use granted on private land for public or quasi-public purpose.

EATING ESTABLISHMENT — Any public eating place where food is prepared and sold for consumption either on or off the premises.

ENERGY STORAGE FACILITY — Equipment consisting of containers, exchangers, piping, and other transfer mechanisms (including fluids, gases, or solids), controls, and related structural support for transporting and storing collected energy (from solar energy system), including structural elements designed for use in passive solar energy systems.

FAMILY — One or more persons who live in one dwelling unit and maintain a common household. May consist of a single person or two or more persons, whether or not related by blood, marriage, or adoption. May also include domestic servants and gratuitous guests, but not occupants of a club, fraternal lodging, or rooming house.

FARM — Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry or dairy products, including necessary farm structures and the storage of equipment customarily incidental to the primary use.

FLOOD-PRONE AREA — A relatively flat or low land area adjoining a stream, river, or watercourse which is subject to partial or complete

inundation; or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOR AREA, HABITABLE — The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, bathroom, closets, hallways, stairways, but not including cellars or attics, or service rooms or areas such as utility rooms, nor unheated areas such as enclosed porches. Earth-sheltered dwellings, designed as such, shall include the aggregate of area used for habitation as defined above whether or not all or a portion is below ground level.

FUTURE RIGHT-OF-WAY — (1) the right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (2) a right-of-way established to provide future access to or through undeveloped land.

GREENHOUSE, NURSERY — A use primarily involved in horticulture, which may include the sale of plants grown on the premises and goods and materials used in their production.

GROUP QUARTERS — Any dwelling or portion thereof which is designed or used for three or more persons unrelated to each other or to any family occupying the dwelling unit and having common eating facilities. Group quarters shall include, but not be limited to, fraternity and sorority houses, dormitories and other quarters of an institutional nature. Such quarters must be associated with a parent religious, educational, charitable or philanthropic institution.

GUEST ROOM — A room which is intended, arranged or designed to be occupied or which is occupied by one or more guests but in which no provision is made for cooking and not including dormitories for sleeping purposes. Residential noncommercial guest rooms shall be within or attached to the principal residence and shall be part of the residential utility (sewer, electric, etc.) service line.

HOME OCCUPATION OR PROFESSION — A special type of accessory use. It is an occupation or profession which:

- (1) Is carried on only in a dwelling unit or accessory structure.
- (2) Is carried on by a member of the family residing in the dwelling unit.
- (3) Is clearly incidental and secondary to the use of the dwelling unit for residential purposes.
- (4) Is limited to items produced on site or items incidental to the home occupation.

HOSPITAL — A place for the diagnosis, treatment, or other care of humans and having facilities for in-patient care.

INDUSTRIAL PARK — An industrial park is an industrial area:

- (1) Organized and laid out in accordance with an overall plan for a community of industries including the servicing of these industries.
- (2) Designed to insure compatibility between the industrial operations in the park and the surrounding area through such devices as landscaping, architectural control, setbacks, and use requirements.

INSOLATION — The total amount of solar radiation (direct, diffuse, and reflected) striking a surface exposed to the sky.

JUNKYARD — A lot, land or structure, or part thereof, used primarily for the collecting, storing and selling of wastepaper, rags, scrap metal or discarded material, or for the abandoning, collecting, dismantling, demolishing, storing and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

KENNEL — Any building or buildings and/or land used for the Boarding, breeding or training of four or more dogs, cats, fowl or other small domestic animals at least four months of age and kept for purposes of profit, show, hunting or as pets but not to include riding stables or cases involving animals raised for agricultural purposes.

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

LANDSCAPING — Includes, but not be limited to, grass and other live plantings such as trees, shrubs and bushes.

LOADING SPACE — An off-street space suitable for the loading or unloading of goods and having direct usable access to a street or alley.

LOCATION MAP — A map showing the site with relation to adjoining areas.

LOT — A designated parcel, tract or area of land established by a plot or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA — The area contained within the property lines of the individual parcels of land as shown on a land development plan, excluding any area within a street right-of-way, but including the area of any easement.

LOT COVERAGE — A percentage which when multiplied by the lot area will determine the permitted building coverage area.

LOT WIDTH — The required distance between the side property lines measured along the building setback line.

MARGINAL ACCESS STREET — Minor streets, parallel and adjacent to major traffic streets providing access to abutting properties and control of intersections with the major traffic street.

MEDICAL CLINIC — Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to people on an outpatient basis.

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

MOBILE HOME LOT — A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK — A parcel or contiguous parcels of land which has been so designed and improved that it contains two or more mobile home lots for the placement thereof of mobile homes.

MULTIFAMILY OR TWO-FAMILY CONVERSION — A multifamily or two-family dwelling constructed by converting an existing building into apartments for more than one family, without substantially altering the exterior of the building.

NONCONFORMITY — A use, structure, lot or dimension in conflict with the regulations of this chapter, (1) existing on the effective date of this chapter, or (2) existing at any subsequent amendment of this chapter, or (3) created by variance. Specifically, the following types of nonconformities are distinguished:

NONCONFORMING LOT — A lot, the area or dimension of which was lawful prior to the adoption or amendment of this Part, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

NONCONFORMING STRUCTURE — A structure or part of a structure manifestly not designed to comply with the applicable use provisions of this chapter or any amendment thereto, where such structure lawfully existed prior to the enactment of this chapter or amendment or prior to the application of this chapter or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

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

OPEN AREA — A percentage which when multiplied by the lot area will determine the required unbuildable area of the lot. However, paved area is to be considered as part of the required open area.

OUTDOOR COMMERCIAL RECREATIONAL ESTABLISHMENT — A use of open land for leisure time activities, such as a beach, swimming pool, tennis court, riding stable, golf course or drive-in theater.

OWNER — The owner of record of a parcel of land.

PARCEL — A unit of land which meets all of the following criteria:

- (1) Owned by the same owner or owners on August 14, 1986.
- (2) Obtained by its owner or owners at the same time and by the same instrument (deed, will, etc.).
- (3) Is contiguous — land shall be considered contiguous even though separated by public or private roads.

PARKING GARAGE — A building where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

PARKING LOT — An open lot where motor vehicles, which have current registration and are in operational condition, may be stored for short-term, daily or overnight off-street parking. Short-term shall be defined as not exceeding 24 hours.

PARKING SPACE — An off-street space available for the parking of one motor vehicle, which has current registration and is operational and having direct usable access to a street or alley.

PASSIVE SOLAR ENERGY SYSTEM — A solar energy system that uses natural properties of materials and architectural components to collect and store solar energy without using any external mechanical power.

PAVED AREA — A percentage which when multiplied by the lot area will determine the permitted open area which may be paved with an impervious surface (ex.: driveways, parking areas).

PERSONAL SERVICE BUSINESS — Personal service business shall include barber and beauty-shops, self-service laundry and dry cleaning establishments, laundromats, radio and television repair, repair shops for

home appliances, tools, bicycles, guns, locks, shoes and watches, tailor and dressmaking shops or any other establishment of similar nature providing personalized service to customers.

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

PROFESSIONAL OR BUSINESS OFFICES — An office which generally operates on an appointment basis. Business offices shall include advertising agencies, opticians' offices, personnel agencies, and travel and ticket agencies. Professional offices shall include offices of accountants, actuaries, architects, attorneys, clergy, dentists, designers, engineers, insurance and bonding agents, manufacturing representatives, physicians, real estate agents, teachers, and miscellaneous consulting services. Also included are offices of a governmental agency, social service organization, magisterial district judge, notary, public or private utility or political organization; or an office of a bank, savings and loan association, credit or loan company, collection agency, or stock and bond broker.

PUBLIC — Owned, operated or controlled by a government agency (federal, state or local — including a corporation created by law for the performance of certain specialized governmental functions and the Board of Education).

PUBLIC SEWER — A municipal sanitary sewer system or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection.

PUBLIC WATER — A municipal water supply system, or a comparable public water facility approved and permitted by the Pennsylvania Department of Environmental Protection.

RETAIL STORE OR SHOP — Any shop or store whose primary activities involve the sale or lease of amusements and games, antiques, art, books, beverages, carpets and rugs, ceramics and glass, confections, drugs, dry goods, flowers, food, furniture, gifts, garden supplies, hobbies, hardware, household appliances, household pets and supplies, leather goods, musical supplies and equipment, notions, paint, periodicals, photographs and photographic equipment, radio, television and sound equipment, sporting and camping goods, stationery, tobacco, toys and wearing apparel. The wholesale distribution or manufacture of the foregoing products are not included herein and are permitted only as provided in other appropriate sections of this chapter. Among the uses not to be interpreted as retail stores or businesses are uses specifically provided for elsewhere in this chapter, including, but not limited to, gasoline and motor vehicle service stations, vehicular sales and rental, restaurants, taverns, nightclubs, hotels and motels, business services, mortuaries, contractors' offices, mills and lumber yards.

ROADWAY — The portion of a street right-of-way which is paved, improved, designated or intended for vehicular traffic.

ROOMING HOUSE — A building where, for compensation, provisions are made for lodging and meals for at least three but not more than 15%.

SATELLITE DISH ANTENNA — Any accessory structure capable of receiving radio or television signals from a transmitter or transmitter relay located in planetary orbit.

SCHOOL — A place of instruction, either public or private, other than a commercial school.

SCHOOL, COMMERCIAL — A school conducted for profit for such special instruction as business, art, music, trades, handicraft, dancing or riding.

SCREEN PLANTING — An evergreen vegetative material of sufficient height and density to conceal from the view of property owners in adjoining zones the structures and uses on the premises on which the screen planting is located.

SERVICE STATION — Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sales of motor vehicle accessories at retail only, but not including major repairing, body and fender work, painting, vehicular sales or rental or automatic car washes.

SETBACK — The required horizontal distance between a setback line and a property or street line.

SETBACK, FRONT — The distance between the street right-of-way line and the front setback line projected the full width of the lot. Commonly called "front yard."

SETBACK, REAR — The distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "rear yard." Corner lots will not have rear setback but will only have front and side setbacks.

SETBACK, SIDE — The distance between the side lot line and the side setback line projected from the front yard to the rear yard. Commonly called "side yard."

SETBACK LINE — A line within a property and parallel to a property or street line which delineates the required minimum distance that must be provided between a structure or building and an adjacent street line and/or property line.

SHOPPING CENTER — A group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking provided on the property as an integral part of the unit.

SIGN — A device for visual communication that is used to bring the subject to the attention of the public.

SIGN, ADVERTISING — A sign whose major purpose is for directing attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot, such as billboards.

SIGN, BUSINESS — A sign directing attention to a business or profession conducted on the same lot or, as incidental to a business, to products sold upon the same lot.

SIGN, DIRECTIONAL — A sign which directs people to: a community; an event of public interest; public uses and buildings; uses and buildings of service and charitable organizations; and uses and buildings of commercial nature provided that no advertising matter other than identifying name or symbol shall be contained on signs of this type.

SIGN, FREE-STANDING — A sign supported by uprights or braces placed upon or in the ground and not attached to a building.

SIGN, PROJECTING — A sign which is attached to a building or other structure and extends beyond the line of a building or structure or beyond the surface of that portion of the building or structure to which it is attached.

SOLAR COLLECTOR — Any device, absorbent surface, structure or window (double glazing or greater) which is oriented in such a fashion that it can be utilized for the collection of solar energy and conversion of such energy into thermal, chemical or electrical energy to supply a significant fraction of the energy needed for space heating or for domestic hot water.

SOLAR ENERGY — Radiant energy (direct, diffuse, and reflected) received from the sun.

SOLAR ENERGY SYSTEM — Any system, design, assembly or device which is used to collect, store, and distribute energy derived from the sun for the purpose of heating or cooling the interior spaces of buildings or for heating domestic hot water. Solar energy systems may include, but are not limited to, solar collectors, solar reflectors, heat storage tanks, south facing double glazed window walls, attached south facing greenhouses utilizing double glazing, and architectural overhangs for blocking sunlight on south facing windows.

SOLAR SKYSPACE — The space between a solar energy collector and the sun which must be free of significant obstructions to ensure enough incident sunlight to permit the cost effective operation of the system at least between the hours of 9:00 a.m. and 3:00 p.m. on the winter solstice (December 21) of each year.

SOLAR SKYSPACE EASEMENT — A right, expressed as an easement, covenant, condition, or other property interest in any deed or other instrument executed by or on behalf of any landowner, which protects the solar skyspace of an actual, proposed, or designated solar energy collector at a described

location by forbidding or limiting activities or land uses that interfere with access to solar energy. The solar skyspace must be described as the three-dimensional space in which obstruction is prohibited or limited, as well as the times of day during which direct sunlight to the solar energy collector may not be obstructed.

SOUTH — The orientation of any building or structure shall be considered as facing south if its longest axis has a maximum deviation of 20° north of due east to 20° south of due east.

SPECIAL EXCEPTION — The granting of the right-to-use land or the right to deviate from stated requirements which the Zoning Hearing Board is permitted to authorize in specific instances listed in this chapter under the terms, procedures and conditions prescribed herein.

STORY — That portion of a building, excluding cellars, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

STORY, HALF — A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor.

STREET — A public or private way, excluding driveways, which affords the principal means of access to abutting properties, intended to be used by vehicular traffic or pedestrians. Includes street, avenue, boulevard, road, highway, freeway, lane, alley, viaduct and any other dedicated and accepted public right-of-way or private right-of-way.

STREET GRADE — The officially established grade of the street upon which a lot fronts, or in its absence, the established grade of other streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE — A line defining the edge of a street right-of-way and separating the street from abutting property or lots. Commonly known as the street "right-of-way line."

STRUCTURE — Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, but excluding patios, driveways, walkways and parking areas.

ACCESSORY — A subordinate structure or a portion of the principal structure on a lot, the use of which is customarily incidental to that of the principal structure.

PERMANENT — A structure which cannot readily be removed.

TEMPORARY — A structure which can readily be removed.

SWIMMING POOL — Any pool or open tank containing, or normally capable of containing, water to a depth at any point greater than 1 1/2 feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

USE — The specific purpose for which land or a structure is designed, arranged, intended, occupied or maintained.

ACCESSORY USE — A use customarily incidental and subordinate to the principal use or building and located on the same lot with this principal use or building.

PRINCIPAL USE — The main or primary use of property or structures, measured in terms of net floor area, or where no net floor area exists, measured in terms of net land area.

UTILITY SHED — A small building designed primarily for storage of yard and garden equipment, bicycles and miscellaneous household items incidental to a dwelling and of the type customarily made of prefabricated materials, purchased, assembled and erected by the property owner.

VARIANCE — The permission, granted by the Zoning Hearing Board, following a public hearing that has been properly advertised, for a particular modification to some regulation or provision of the zoning provisions of this chapter which, if strictly adhered to, would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest, and would maintain the spirit and intent of this chapter.

WHOLESALE ESTABLISHMENT — A business devoted to the sale of commodities in quantity chiefly to retailers, other merchants, or industrial, institutional and commercial users mainly for resale or business use. Such commodities shall be limited to durable goods, sundries, dry goods and non-perishable items.

WIND ENERGY SYSTEM (WINDMILL) — A device which converts wind energy to mechanical or electrical energy.

YARD — A prescribed open area on a lot, unobstructed from the ground upward except as modified in § 27-401 of this chapter.

FRONT — An area bounded by the street line, front setback line and side property line.

REAR — An area bounded by the rear property line, rear setback line and side property lines.

SIDE — Areas bounded by side property lines, and side, front and rear setback lines.

PART 3
ZONE REGULATIONS

§ 27-301. Zones and Boundaries. [Ord. 284 (86-2), 8/14/1986, § 301]

1. Establishment of Zones. The Borough of Glen Rock is divided into zones enumerated below and shown on the map entitled "Zoning Map of Glen Rock Borough," which map is part of this chapter.
 - A. R-1 — Residential-Suburban.
 - B. R-2 — Residential-Urban.
 - C. V-C — Village Center.
 - D. C-I — Commercial-Industrial.
2. Boundaries of Zones. Where uncertainty exists as to the boundaries of the zones as shown on the Zoning Map, the following rules shall apply:
 - A. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.
 - B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - C. Boundaries indicated as approximately following Borough limits shall be construed as following Borough limits.
 - D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 - E. Boundaries indicated as approximately following the center lines of streams, rivers or other bodies of water shall be construed to follow such center lines.
 - F. Boundaries indicated as parallel to or extensions of features indicated in Subsections 2A through E shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
 - G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in circumstances not covered by Subsections 2A through F, the Zoning Hearing Board shall interpret the district boundaries.

§ 27-302. Use Regulations. [Ord. 284 (86-2), 8/14/1986, § 302]

1. Uses Permitted. The uses permitted in the zones established by this Part and the permitted extent of these uses, are as shown in §§ 27-303 through 27-306. The uses shown as permitted in each zone are the only uses permitted in that zone. Unless otherwise noted, the use or dimensional standards are the requirements for each use. However:
 - A. Additional general provisions are set forth in Part 4.
 - B. Modifications to the use or dimensional requirements are set forth in Part 4.
 - C. Standards for special exception uses are set forth in Part 6.
2. All Other Uses. Any use not specifically allowed elsewhere in this chapter shall be allowed by special exception in the zone or zones where, and to the extent that, similar uses are permitted or allowed by special exception provided that said use meets the requirements for a special exception and does not constitute a public or private nuisance.
3. Accessory Uses and Structures. Accessory uses and structures shall be permitted in conjunction with the principal uses permitted by this chapter and shall be further subject to the requirements for accessory uses and structures as set forth in § 27-401.
4. Uses With Nuisance Effect. In no case is a use permitted which by reason of noise, dust, odor, appearance, or other objectionable factor creates a nuisance, hazard, or other substantial adverse effect upon the reasonable enjoyment of the surrounding property.

§ 27-303. Residential-Suburban Zone (R-1). [Ord. 284 (86-2), 8/14/1986, § 303; as amended by Ord. 291 (87-4), 7/9/1987, § 1; and by Ord. 460 (2009-02), 9/16/2009, § 1]

1. Purpose. The Residential-Suburban Zone provides space for day to day living activities. The purpose of this residential zone is to provide for the orderly expansion of suburban-type residential development; to provide for the public health and to prevent the overcrowding of land through the application of moderate housing densities, to provide standards which will encourage the installation of public facilities and the preservation of open space; to exclude any activities not compatible with residential development; to provide for the public convenience and avoid undue congestion on the roads; and to otherwise create conditions conducive to carrying out the purposes of this Part.
2. Uses by Right. The following principal uses are permitted by right in the R-1 zone:

- A. Single-family dwelling.
 - B. Two-family dwelling.
 - C. Crops, farm buildings and pasture.
3. Uses by Special Exception. The following principal uses shall be permitted as special exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in Part 6 of this chapter:
- A. House of worship.
 - B. Cemetery.
 - C. Park or other recreation area of a nonprofit nature.
 - D. Home occupation.
 - E. Public utility building.
 - F. Private day-care center or nursery school.
 - G. Multifamily or two-family conversion.
 - H. Mobile home park.
 - I. Public building and facilities.
 - J. Convalescent or nursing home.
 - K. Multifamily dwelling.
 - L. Dwelling group.
 - M. Bed-and-breakfast establishment.
 - N. Group quarters.
 - O. Commercial school.
 - P. Hospital.
4. Lot Area and Width. Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in this zone:

Use	Public Water and Public Sewer	
	Lot Area	Lot Width
All uses except two-family dwellings	15,000 square feet	75 feet

Public Water and Public Sewer		
Use	Lot Area	Lot Width
Two-family dwellings	20,000 square feet	90 feet

5. Setbacks. Each lot shall provide front, side and rear setbacks not less than the following:
 - A. Front setback: 30 feet.
 - B. Each side setback: 10 feet. Two-family dwellings shall be considered as one building for this purpose.
 - C. Rear setback: 25 feet.
6. Building Height. The height limit for a main building shall be 2 1/2 stories, but not over 35 feet; however, the maximum height limit may be increased to 3 1/2 stories but not over 45 feet provided that each maximum yard area is increased one foot for each additional one foot of building height over 35 feet. The height limit for accessory buildings shall be two stories, but not over 25 feet. No building or structure shall be constructed which will cast a shadow on the south facing wall of any dwelling measured at the first floor between the hours of 9:00 a.m. and 3:00 p.m. on any winter solstice day, December 21.
7. Lot Coverage. Not more than 30% of the lot area may be covered by buildings or structures including accessory buildings.
8. Open Area. Not less than 70% of the lot area shall be devoted to open area as defined in this Part.
9. Paved Area. Not more than 15% of the lot area may be paved with an impervious surface (ex.: driveways, parking areas, walkways).

§ 27-304. Residential-Urban Zone (R-2). [Ord. 284 (86-2), 8/14/1986, § 304; as amended by Ord. 460 (2009-02), § 2]

1. Purpose. The purpose of the R-2 Residential-Urban Zone is to encourage orderly development and preservation of a variety of housing types compatible with existing dwellings in established, medium density residential areas of the community by providing public facilities necessary for the health, welfare and general convenience of the population; to prevent overcrowding of the land through application of maximum housing densities; to preserve public open space; and to exclude any activities not compatible with the residential environment.
2. Uses by Right. The following principal uses are permitted by right in the R-2 Zone:

- A. Single-family dwelling.
 - B. Two-family dwelling.
3. Uses by Special Exception. The following principal uses shall be permitted as special exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in Part 6 of this chapter:
- A. Multifamily dwelling.
 - B. Dwelling group.
 - C. House of worship.
 - D. Club room, club grounds, meeting hall.
 - E. Professional office.
 - F. Private day-care center or nursery school.
 - G. Park or other recreation area of a nonprofit nature.
 - H. Public utility building.
 - I. Commercial school.
 - J. Public buildings and facilities.
 - K. Home occupation.
 - L. Rooming house.
 - M. Multifamily or two-family conversion.
 - N. Group quarters.
 - O. Bed-and-breakfast establishment.
4. Lot Area and Width. Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in this zone:

Use	Public Water and Public Sewer	
	Lot Area	Lot Width
All uses except two-family dwellings	9,000 square feet	60 feet
Two-family dwellings	12,000 square feet	70 feet

5. Setbacks. Each lot shall provide front, side and rear setbacks not less than the following:
 - A. Front setback: 30 feet.
 - B. Each side setback: 10 feet. Two-family dwellings shall be considered as one building for this purpose.
 - C. Rear setback: 25 feet.
6. Building Height. The height limit for a main building shall be 2 1/2 stories, but not over 35 feet; however, the maximum height limit may be increased to 3 1/2 stories but not over 45 feet provided that each maximum yard area is increased in size one foot for each additional one foot of building height over 35 feet. The height limit for accessory buildings shall be two stories, but not over 25 feet. No building or structure shall be constructed which will cast a shadow on the south facing wall of any dwelling measured at the first floor between the hours of 9:00 a.m. and 3:00 p.m. on any winter solstice day, December 21.
7. Lot Coverage. Not more than 40% of the lot area may be covered by buildings or structures including accessory buildings.
8. Open Area. Not less than 60% of the lot area shall be devoted to open area as defined in this chapter.
9. Paved Area. No more than 20% of the lot area may be paved with an impervious surface (ex.: driveways, parking areas, walkways).

§ 27-305. Village Center Zone (VC). [Ord. 284 (86-2), 8/14/1986, § 305; as amended by Ord. 365 (95-4), 1/2/1996, § 2]

1. Purpose. The purpose of the Village Center Zone is to provide reasonable standards for the orderly development and the preservation of residential uses and local commercial services where a nucleus of such uses already exists, and where, due to the character of the area such a mixture of uses is appropriate and compatible. The standards of this zone are designed to prevent the overcrowding of land by restricting maximum housing densities; to exclude any activities not compatible with the Village Center environment; to provide for the public convenience; to minimize traffic congestion and to otherwise fulfill the purposes and objectives of this chapter.
2. Uses by Right. The following principal uses are permitted by right in the VC Zone:
 - A. Single-family dwelling.
 - B. Two-family dwelling.

- C. Multifamily dwelling.
 - D. Retail store or shop.
 - E. Personal service business.
 - F. Professions or business offices.
 - G. Eating establishment.
 - H. Parking lot or parking garage.
 - I. Caretaker or watchman dwelling.
 - J. Motel, hotel.
 - K. Tavern.
 - L. Funeral home.
 - M. Private day-care center or nursery school.
 - N. Public buildings and facilities.
 - O. Apartment in conjunction with commercial establishment.
 - P. Commercial school.
 - Q. Home occupation.
3. Uses by Special Exception. The following principal uses shall be permitted as special exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in Part 6 of this chapter:
- A. Transportation (passenger) terminal.
 - B. Medical clinic, laboratories.
 - C. Convalescent or nursing home.
 - D. Service station.
 - E. House of worship.
 - F. Public utility building.
 - G. Shopping center or mall.
 - H. Laundry and dry cleaning establishment.
 - I. Rooming house.

- J. Group quarters.
 - K. Outdoor commercial recreation establishments.
 - L. Research laboratory.
 - M. Wholesale vehicle sales terminal or auction.
 - N. Heavy storage service; e.g., warehouse, building material yard.
 - O. Multifamily or two-family conversion.
 - P. Club room, club grounds, meeting hall.
 - Q. Indoor commercial recreational establishment; e.g., bowling alley, skating rink, theater, etc.
 - R. Bed-and-breakfast establishment.
4. Lot Area and Width. Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in this zone:
- | Public Water and Public Sewer | |
|--------------------------------------|-------------------|
| Minimum Lot Area | 8,000 square feet |
| Minimum Lot Width | 60 feet |
5. Setbacks. Each lot shall provide front, side and rear setbacks not less than the following:
- A. Front setback: 30 feet.
 - B. Each side setback: 10 feet.
 - C. Rear setback: 25 feet.
6. Building Height. The building height limit shall be three stories, but not more than 35 feet; however, the maximum height limit may be increased to 50 feet provided that each maximum yard area is increased in size one foot for each additional one foot of building height over 35 feet. The height limit for an accessory building shall be two stories, but not over 25 feet.
7. Lot Coverage. Not more than 60% of the lot area shall be devoted to buildings and structures including accessory buildings. At least 15% of the lot shall be landscaped.
8. Open Area. Not less than 40% of the lot area shall be devoted to open area as defined in this chapter.

9. Paved Area. Not more than 25% of the lot area shall be paved with an imperious surface (ex.: driveways, parking areas, walkways).

§ 27-306. Commercial-Industrial Zone (C-I). [Ord. 284 (86-2), 8/14/1986, § 306; as amended by Ord. 365 (95-4), 1/2/1996, §§ 3 and 4]

1. Purpose. The purpose of this zone is to permit and encourage commercial and industrial development that will be so located and designed as to constitute a harmonious and appropriate development, contribute to the soundness of the economic base of the Borough and otherwise further the purposes of this chapter. In promoting these and the general purposes of this chapter, the specific intent of this zone is:
 - A. To encourage the development of the continued use of land for commercial and industrial purposes.
 - B. To prohibit any use which would substantially interfere with the development, continuation or expansion of commercial and industrial uses in the district.
 - C. To establish reasonable standards for buildings and other structures, the areas and dimensions of yards and other open spaces, and the provision of facilities and operation of industries to minimize air pollution, noise, glare, heat, vibration and fire and safety hazards.
2. Uses by Right. The following principal uses are permitted by right in the C-I Zone:
 - A. Retail store or shop.
 - B. Personal service business.
 - C. Professional or business office.
 - D. Funeral home.
 - E. Motel, hotel.
 - F. Indoor commercial recreational establishment; e.g., bowling alley, skating rink, theater, etc.
 - G. Public building and facilities.
 - H. Public utility building.
 - I. Parking lot or parking garage.
 - J. Enclosed processing establishment; e.g., laundry, large appliance or equipment repair shop.

- K. Research laboratory.
- L. Light Manufacturing. Manufacturing and storage use that does not cause dust, smoke, fumes, gas or offensive odors to be disseminated beyond the boundaries of the lot; does not cause vibration beyond the boundaries of the lot; does not cause noise exceeding that of street traffic at the front, side and rear lot lines; and does not cause glare observable from beyond the boundaries of the lot. Such uses include, but are not limited to:
 - (1) Printing and publishing.
 - (2) Soft drink bottling.
 - (3) Packaging products in the form of powder or other dry state.
 - (4) Lace manufacture.
 - (5) Sewing apparel.
 - (6) Assembly of electronic apparatus.
 - (7) Instrument making.
 - (8) Tool and die making.
 - (9) Cabinet making.
 - (10) Electroplating metals.
 - (11) Molding plastics.
- M. General Manufacturing. Manufacturing use which does not constitute an unusual fire or explosion hazard and does not create a nuisance by reason of smoke, odor, dust, noise or glare. Such uses include, but are not limited to:
 - (1) Food, except meat packing.
 - (2) Furniture.
 - (3) Textiles.
 - (4) Leather.
 - (5) Rubber.
 - (6) Paper.
 - (7) Fabricated metals.
 - (8) Machinery.

- (9) Stone, clay and glass.
- N. Caretaker or watchman dwelling.
- 3. Uses by Special Exception. The following principal uses shall be permitted as special exceptions when authorized by the Zoning Hearing Board. The Zoning Hearing Board shall hear and decide requests for such uses according to criteria established in Part 6 of this chapter:
 - A. Animal hospital, kennel.
 - B. Service station.
 - C. Shopping center or mall.
 - D. Truck or motor freight terminal.
 - E. Sawmill operation.
 - F. Junkyard, automobile dismantling plant.
 - G. Industrial park.
 - H. Chemical manufacturing, processing and storage operations.
 - I. Wholesale vehicle sales terminal or auction.
 - J. Heavy storage service; e.g., warehouse, building material yard.
 - K. Wholesale establishment.
 - L. Helistop, heliport.
 - M. Multifamily residential in combination with commercial uses.
 - N. Parks and other recreation areas of a nonprofit nature.
 - O. Vehicle sales, service and/or repair.
- 4. Lot Area and Width. Lot area and lot width not less than the following dimensions shall be provided for each principal use hereafter established in this zone:

Public Water and Public Sewer

Minimum Lot Area	10,000 square feet
Minimum Lot Width	80 feet

- 5. Setbacks. Each lot shall provide front, side and rear setbacks not less than the following:
 - A. Front setback: 30 feet.

- B. Each side setback: 20 feet.
 - C. Rear setback: 30 feet.
- 6. Building Height. The building height limit shall be three stories, but not more than 35 feet; however, the maximum height limit may be increased to 50 feet provided that each maximum yard area is increased in size one foot for each additional one foot of building height over 35 feet. The height limit for an accessory building shall be two stories, but not over 25 feet. No building or structure shall be constructed which will cast a shadow on the south facing wall of any dwelling measured at the first floor between the hours of 9:00 a.m. and 3:00 p.m. on any winter solstice day, December 21.
 - 7. Lot Coverage. Not more than 60% of the lot area may be covered by buildings or structures including accessory buildings.
 - 8. Open Area. Not less than 40% of the lot area shall be devoted to open area as defined in this chapter.
 - 9. Paved Area. Not more than 25% of the lot area may be paved with an impervious surface (ex.: driveways, parking areas, walkways).

PART 4

GENERAL PROVISIONS

§ 27-401. Accessory Uses and Structures. [Ord. 284 (86-2), 8/14/1986, § 401; as amended by Ord. 411 (2001-2), 11/4/2001, § 1; and by Ord. 429 (2004-4), 8/11/2004, § 1]

1. Attached Structures. A permanent-roofed accessory structure, attached to the principal building, is considered a part of the principal building for all regulatory purposes.
2. Non-attached Structures. A permanent-roofed accessory structure, standing apart from the principal structure, is permitted in rear yards but must be at least 10 feet from the principal structure. In no case shall such accessory structure be less than five feet from any lot line. For all other requirements, a non-attached accessory structure is considered a part of the principal building. Any non-attached structure larger than 160 square feet must meet the setback requirements of the particular zone where it is proposed to be located and must have frost-line footers. Any non-attached structure with utilities attached requires a zoning permit.
3. Fences and Walls. No fence or wall (except a retaining wall or a wall of a building permitted under the terms of this chapter) shall be erected to a height of more than three feet in a front yard area and more than eight feet in any other yard area in a residential zone or upon any lot used for residential purpose in any other zone. For all other uses in all other zones no fence may exceed eight feet in height in any yard area. Fences may be located up to but not on the lot line.
4. Solar and Wind Energy Facilities. Solar or wind energy systems either as part of a structure or as an independent structure providing a significant fraction of the electricity, space heating, space cooling or domestic hot water heating for a permitted use in any zone shall be permitted as accessory uses subject to the following constraints:
 - A. No solar energy system located on the ground shall exceed a height of eight feet.
 - B. The maximum ground coverage of a structure supporting a solar collector shall not exceed 25% of the area of the ground floor of the principal building.
 - C. Solar energy systems must be reasonably installed and sited in the most aesthetic and architecturally compatible method possible, whether as a part of a structure or incidental to a structure or group of structures nearby.
5. Home Occupations and Professions. Subject to the requirements below, the following home occupations and professions may be authorized only in a

dwelling unit or an accessory structure in the Village Center Zone: physician, dentist, clergyman, lawyer, engineer, accountant, architect, teacher, artist, licensed insurance or real estate agent, seamstress, barber, beautician, watch/clock repair, gunsmith and similar service occupations and professions.

6. Regulations for Permitted Home Occupations and Professions.

- A. Employees. No person other than a resident of the dwelling unit may practice the occupation or profession. No more than two persons outside the family may be employed to provide secretarial, clerical or other assistance.
- B. Coverage. Only the ground floor of a dwelling unit and not more than 30% thereof may be devoted to a home occupation or profession.
- C. Appearance. The character or external appearance of the dwelling unit or accessory structure must be that of a dwelling or its accessory structure. No display or products may be shown so as to be visible from outside the dwelling. A name plate not larger than two square feet in area is permitted. It must be illuminated only by indirect lighting.
- D. Parking. Besides the required parking for the dwelling unit, additional parking located in the rear yard is required as follows:
 - (1) One space for the home occupation and one space for each nonresident employee.
 - (2) Two additional spaces for a physician, dentist, barber or beauty shop.

In order to prevent vehicles from backing into the flow of traffic, each space shall not have direct access to the street.

7. Satellite Dish Antenna. Any accessory structure capable of receiving, for the sole benefit of the principal use, radio or television signals from a transmitter or transmitter relay located in planetary orbit shall be subject to the following constraints:
- A. Such devices shall not be placed within any required setback area only.
 - B. Satellite dish antenna must be located in a side or rear yard.
 - C. No ground-mounted dish antenna on any residential lot can exceed an overall diameter of 12 feet or an overall height of 15 feet.
 - D. Only one antenna is permitted per building lot.

§ 27-402. Setback Modifications. [Ord. 284 (86-2), 8/14/1986, § 402; as amended by Ord. 336 (92-3), 5/6/1992, § 2; and by A.O.]

1. Front Setbacks from Major Thoroughfares. For the purpose of protecting residential use from adverse influences of traffic and for the purpose of protecting major thoroughfares for their traffic functions, building (including residential and nonresidential building) along these thoroughfares must be set back at least 50 feet from the right-of-way line of the thoroughfare. Major thoroughfares are or will be any arterial streets and collector streets specified in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan as designated by Borough Council.
2. Front Setback of Buildings on Built-up Streets. Where at least two adjacent buildings within 100 feet of a property are set back a lesser distance than required, the average of the lesser distances becomes the required minimum front setback for the property.
3. Sight Distance. Proper sight lines must be maintained at all street intersections. Measured along the center line of the street, there must be a clear sight triangle with sides as follows:

Street	Clear Sight Triangle Side
Major Thoroughfares	150 feet
Minor Streets	75 feet

No building or construction is permitted in this area except as follows:

- A. Obstructions or plantings less than three feet in height.
- B. If not obstructing view of traffic, post columns and trees not exceeding one foot in diameter.
4. Setback on Corner Lots. In the case of corner lots, two front yards shall be provided (the second of which will exist in lieu of one side yard).
5. Accessory or Appurtenant Structures. The setback regulations do not apply to:
 - A. School bus shelters; telephone booths; and cornices, eaves, chimneys, steps, canopies, patios and exist landings which are not over eight inches above grade, and similar extensions of a structure, but not including porches and decks, whether covered or uncovered.
 - B. Open fire escapes.
 - C. Minor utility structures, articles of ornamentation or decoration.
 - D. Fences, retaining walls.

§ 27-403. Height Modifications. [Ord. 284 (86-2), 8/14/1986, § 403]

1. The height regulations do not apply to the following projections; provided, that the height of any such projection above its base shall not be greater than the shortest distance measured along a horizontal plane from such base to any lot line:
 - A. Structures such as chimneys, standpipes, flagpoles, television antennas or radio towers.
 - B. Structures on buildings such as clock towers, cupolas, water tanks, and other mechanical appurtenances, if such structures, at any level, do not cover more than 25% of the roof on which they are located.
 - C. Parapet walls or cornices solely for ornamental purposes if not in excess of five feet in height.

§ 27-404. Minimum Habitable Floor Area. [Ord. 284 (86-2), 8/14/1986, § 404]

1. All dwelling units must conform to the minimum habitable floor area following:
 - A. Single-family, two-family, townhouse: 700 square feet per dwelling unit.
 - B. Other multifamily apartment or multifamily conversion: 400 square feet per dwelling unit.
 - C. Bachelor apartment (one person): 200 square feet.

§ 27-405. Outdoor Signs. [Ord. 284 (86-2), 8/14/1986, § 405; as amended by Ord. 336 (92-3), 5/7/1992, § 3]

1. Signs Permitted and Extent-of-Use.
 - A. Drive-in Business. For a drive-in business, business signs are permitted as long as their number does not exceed two per street frontage and their combined area does not exceed 50 square feet per street frontage.
 - B. Other Uses. For other uses, one sign is permitted on each street frontage of a lot for each occupancy or purpose and an additional sign for each occupancy or purpose is permitted for every 100 feet of street frontage or major fraction thereof all in accordance with Subsection 5. However, for business signs, any number of signs are permitted as long as their total area does not exceed the maximum under Subsection 5.

- C. All Uses. For all uses, an advertising and a business sign must be at least 60 feet apart, and no sign exceeding 30 square feet in area may be located within 75 feet of a residential zone.
- D. Determination of Size. The size of the sign shall refer to the area of the sign facing, including any border framing or decorative attachments. In the case of open signs made up of letters, figures and designs the space between such letters, figures and designs shall be included.
- E. Type, Location and Size of Sign.

Type of Sign	Where Permitted	Maximum Size
Advertising	VC or CI zone	300 square feet
Apartment development, subdivision	Where use is permitted	20 square feet
Business	Where use is permitted	50 square feet
Directional	Any zone	6 square feet
For sale, for rent, sold and rented	R-1 or R-2 zone VC or CI zone	6 square feet 30 square feet
Home occupation or home profession	Where use is permitted	2 square feet
Identification and information of churches, schools, and other nonprofit institutions	Any zone	20 square feet
Industrial park, shopping center	Where use is permitted	300 square feet
Temporary sign for sale of agricultural and horticulture products and for construction projects	Any zone	12 square feet
Traffic	Any zone	—
Trespassing	Any zone	2 square feet
Utility	Any zone	2 square feet
Work signs of builders, painters and other artisans performing work on the premises	Any zone	6 square feet

2. Setback of Signs.

- A. Attached Signs. No portion of an attached sign may extend beyond the building setback line.

- B. Free-Standing Signs. No portion of a free-standing sign may be closer to a street right-of-way line than 15 feet.
- C. All signs shall conform to the sight distance requirements of § 27-402, Subsection 3, of this chapter.
- 3. Buntings and Pennants. Buntings and pennants are permitted only to announce the opening of a new business or industry, or in connection with a civic event, and must be removed 15 days after the event.
- 4. Projection of Signs. No sign may project:
 - A. Over a public sidewalk area.
 - B. Over a public highway or street unless specifically authorized by other Borough or state regulations.
 - C. More than 25 feet above the ground except for an attached sign which may project 10 feet above the roof of a building providing the sign so placed does not project more than 35 feet above the ground.
- 5. Illumination of Signs.
 - A. Flashing and intermittent lights are permitted only in VC and CI Zones within the Borough.
 - B. A sign may be illuminated only if the lighting is so screened that it is not directed or reflected toward any adjacent residence, or so it does not obstruct the vision of motorists.
 - C. Signs which are illuminated in the colors red, green, or amber, either by colored bulbs or tubing, or in high reflection by the use of special preparations such as fluorescent paint or glass, may not be located within a radius of 200 feet of a highway traffic light or similar safety device or from the center.
- 6. Temporary Signs.
 - A. A temporary sign for the sale of agricultural and horticultural products may be erected for a period not exceeding 60 days.
 - B. A temporary sign for a construction project may be erected and maintained for as long as the project is under construction.
 - C. A temporary sign such as those advertising activities of churches and nonprofit organizations may be erected for a period not exceeding 60 days.
- 7. Construction and Maintenance. Signs must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.

8. Termination of Enterprise. Upon termination or abandonment of a commercial or industrial use, all signs pertaining to the enterprise must be removed.

§ 27-406. Storage of Recreational Vehicles, Trailers and Trucks. [Ord. 284 (86-2), 8/14/1986, § 406; as amended by A.O.]

In a residential zone, unregistered vehicles, recreational vehicles and trailers, and trucks with a vehicle rating over 3/4 ton shall not be stored for a period in excess of three days in the area between the street line and the line formed by the front wall of the principal building extended the full width of the lot. On-street parking of recreational vehicles and trailers is prohibited and when parking in the side or rear yards, must be at least three feet from all property lines.

§ 27-407. Sale of Agricultural Products. [Ord. 284 (86-2), 8/14/1986, § 407]

The sale at retail of agricultural products is permitted in any zone on the property where they were produced.

§ 27-408. Parking. [Ord. 284 (86-2), 8/14/1986, § 408; as amended by Ord. 336 (92-3), 5/6/1992, § 4]

1. Size of Parking Spaces. Each parking space shall have an area of at least nine feet by 18 feet or 162 square feet, exclusive of passageways and driveways appurtenant to the space and giving access to it. Where five or more parking spaces are required, the total parking area including passageways and driveways must average 262 square feet per required parking spaces.
2. Spaces Required. Off-street parking spaces must be provided for each building erected, enlarged or converted to a multifamily or two-family dwelling in accordance with the following schedule:

Type of Use	Minimum of One Parking Space for Each
Auditorium, church, theater and other such places of public assembly	3 seats
Automobile repair, service station	400 square feet of gross floor area and ground area devoted to repair and service facilities
Bowling alley	one-half lane (i.e., 2 spaces per lane)
Clubs, lodges and other similar places	100 square feet of gross floor area
Drive-in business	as required by Zoning Hearing Board
Eating establishments	4 seats
Funeral home	100 square feet of gross floor area

Type of Use	Minimum of One Parking Space for Each
Hospital, sanitarium	one-half bed (i.e., 2 spaces per bed)
Hotel, motel	guest sleeping room
Industrial and heavy commercial establishments	1 1/2 employees on major shift but at least 1 space for each 5,000 square feet of gross floor area
Office building	300 square feet of gross floor area
Other commercial buildings	400 square feet of gross floor area
Other recreational establishments	100 square feet of gross floor area
Residential dwelling	1/2 dwelling unit (i.e., 2 spaces per dwelling unit)
Retail store or shop	100 square feet of gross floor area
Rooming house	bedroom

3. Location. The parking area must be on the same or nearby premises. If on nearby premises:
 - A. The nearest point of the parking lot shall be not further than the following distances to the nearest point of the property served: 100 feet in the case of a commercial use, 200 feet in the case of a residential use, and 300 feet in the case of an industrial use.
 - B. The parking area must remain under control of the owner or operator of the use to which the parking area is appurtenant.
4. Layout. Parking area must be arranged so there will be no need for motorists to back over:
 - A. Local streets, except in the case of residential uses.
 - B. Major thoroughfares.
5. Parking Area Adjacent to Street. For multifamily and nonresidential uses where a parking area or other area open to movement of vehicles abuts the right-of-way of a public street, a pipe railing, post and chain barricade, raised curbs or equally effective devices satisfactory to the Borough must line the public right-of-way except at access points so that parked vehicles will not extend into the street right-of-way.
6. Paving. For commercial, industrial and multifamily residential uses, all required parking areas shall be paved with concrete or bituminous paving material.

§ 27-409. Loading. [Ord. 284 (86-2), 8/14/1986, § 409]

1. Size; Surfacing. The loading space must be not less than 12 feet wide and 50 feet long. It must be surfaced with a bituminous or concrete paving material.
2. Spaces Required. Off-street loading spaces must be provided for each building erected or enlarged in accordance with the following schedule:

Type of Use	Number of Loading Spaces
Manufacturing, storage, display or sale of goods, hospitals and sanitararia	1 space for a gross floor area of 5,000 to 25,000 square feet and 1 additional space for each 10,000 square feet of gross floor area in excess of 25,000 square feet
Offices, hotels, theaters or similar uses	1 space for a gross floor area of from 20,000 to 100,000 square feet and 1 additional space for each 40,000 square feet of gross floor area in excess of 100,000 square feet

3. Layout. The loading area must be arranged so that there will be no need for motorists to back over public rights-of-way and must not be located in the front yard area.

§ 27-410. Driveways. [Ord. 284 (86-2), 8/14/1986, § 410]

1. Width. Within 10 feet of the street right-of-way, driveways, may not exceed 35 feet in width.
2. Number. The number of driveways may not exceed two per lot on any one street frontage. The Zoning Hearing Board may grant permission by special exception for additional driveways where required to meet exceptional circumstances and where frontage of unusual length exists.
3. Location. Driveways may not enter a public street:
 - A. Within 40 feet of the street right-of-way line of an intersecting street.
 - B. Within five feet of a fire hydrant.
 - C. Within 25 feet of another access drive on the same property.
4. Sight Distances; Slope, Cuts. A driveway must be located in safe relationship to sight distance and barriers to vision. The drive may not exceed a slope of 10% within 25 feet of the street right-of-way line. Where a drive enters a bank through a cut, unless a retaining wall is used, the shoulders of the cut may not exceed 50% in slope within 25 feet of the point at which the drive intersects the street right-of-way. The height of the bank must not exceed three feet within 10 feet of the street right-of-way line.

5. Paving. An access drive's approach to a paved street shall be paved with a concrete or bituminous paving material to prevent gravel or other loose material from being carried onto the street. Beginning at the edge of the street roadway, the access drive shall be paved for a minimum distance of 35 feet measured along its center line. The Borough may require a longer paved area if conditions so warrant.

§ 27-411. Screens and Buffers. [Ord. 284 (86-2), 8/14/1986, § 411]

1. Where an industrial or commercial use is proposed in an IC or VC Zone and it abuts a residential zone, except for street or alley frontage:
 - A. A fence, screen or buffer planting acceptable to the Borough is required to be erected in the Industrial or Village Center Zone to screen from view (in the residential zone) the industrial or commercial use.
 - B. The space along the side lot line in the Village Center, and Industrial Zones abutting a residential zone for 20 feet in depth may not be used for commercial or industrial operations. This area must be suitably landscaped and maintained.

§ 27-412. Drainage. [Ord. 284 (86-2), 8/14/1986, § 412]

1. Adequate Drainage Required. No principal building may be erected, structurally altered, or relocated on land:
 - A. Which is not adequately drained at all times.
 - B. Which is subject to periodic flooding.
2. Building Restricted Adjacent to Drainage Channels and Watercourses. No building may be erected, structurally altered or relocated:
 - A. Within 20 feet of the ordinary high water line of any surface water drainage channel or natural watercourse.
 - B. So that its lowest floor is less than three feet above the high water line.
3. Drainage Upon Street. In order to prevent improper surface water drainage upon streets, each building erected, structurally altered, or relocated, and its driveways, must be at a grade in satisfactory relationship:
 - A. With the established street grade.
 - B. With the existing street grade where none is established.

4. Drainage Upon Adjoining Properties; Slopes. In order to protect adjoining property owners, and to aid in preserving and protecting the natural beauty and character of the landscape, no change in the existing topography of any land may be made which would:
 - A. Result in a slope of more than 70% within 20 feet of a property line.
 - B. Alter the existing drainage or topography in any way so as to adversely affect adjoining properties.

In no case may any slope exceed the normal angle of slippage of the material involved. All slopes must be protected against erosion.

5. Obstruction to Drainage Prohibited. The damming, filling, or otherwise interfering with the natural flow of a surface watercourse is not permitted without approval of the Borough.

§ 27-413. Floodplain Regulations. [Ord. 284 (86-2), 8/14/1986, § 413]

Any use, activity or development which is proposed in a flood prone area must comply with this chapter and the provisions established in the Floodplain Management Ordinance [Chapter 8].

§ 27-414. Illumination. [Ord. 284 (86-2), 8/14/1986, § 414]

Where a use involves exterior lighting, the lighting must be so located and shielded that no objectionable illumination or glare is cast upon adjoining properties.

§ 27-415. Demolition. [Ord. 284 (86-2), 8/14/1986, § 415]

Demolition of any structure must be completed within three months of the issuance of a permit. Completion consists of tearing the structure down to grade, filling any resulting cavity to grade and removing all resulting materials from the lot. A structure may be partly demolished only if a building remains and the demolition of the part is completed as required in the previous sentence. All evidence of the structure which was demolished must be removed from the exterior surfaces of the remaining building.

§ 27-416. Outdoor Swimming Pool Requirements. [Ord. 284 (86-2), 8/14/1986, § 416; as amended by Ord. 336 (92-3), 5/6/1992, § 5]

Every outdoor swimming pool must conform to all applicable requirements of state law and in addition must be completely surrounded by a fence or wall not less than four feet in height, which shall be so constructed as not to have openings, holes or gaps larger than six inches in any dimension. An above-ground pool with a wall measuring at least four feet in height above ground on all sides is not required to have separate fencing. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. Farm ponds

shall be excluded from the requirements of this section. Non-farm ponds shall meet all fencing requirements. In addition, an outdoor swimming pool must be set back at least 10 feet from all lot lines, and may not be constructed in any yard area in front of the front line of the principal building on the lot.

§ 27-417. Solar and Wind Energy Facilities. [Ord. 284 (86-2), 8/14/1986, § 417]

1. Solar Energy Systems. Solar energy systems shall be permitted relief from previously stated limitations to the following extent:

- A. Setbacks.

- (1) Architectural features needed for the operation of active or passive solar energy systems, including but not limited to canopies, eaves, overhangs, detached solar collectors, reflectors, piping and movable insulation may be permitted to extend up to 10 feet into required yard areas when these devices are a functional component of the space heating or domestic hot water system of the principal building lot.
- (2) The rear or side yard setbacks required may be reduced to zero in order to allow the siting of solar energy systems; provided, that:
 - (a) No portion of the structure or architectural features project over the property lines.
 - (b) Exposure protection between structures is provided according to the specifications of all applicable fire and safety regulations guaranteeing emergency access, light and ventilation.
 - (c) The placement of all structures, building materials, and finished wall construction along the lot line does not interfere with traffic along adjacent or intersecting rights-of-way or with the site distance at intersections.
 - (d) No other design can be shown to meet the requirements of this chapter and provide the same solar energy utilization.
 - (e) Existing solar energy systems will not be substantially impaired by shadowing more than 10% of the collector area between 9:00 a.m. and 3:00 p.m. on a clear winter solstice (December 21) day.

- B. Building Height.

- (1) Solar energy collection equipment, solar energy reflectors, or solar energy storage tanks extending no more than 10 feet above the highest point of the roof.
 - C. Lot Coverage.
 - (1) Solar collectors and/or solar energy systems shall not be included in the lot coverage calculations provided their installation will not create adverse stormwater problems and will not significantly detract from the groundwater recharge potential of the immediate vicinity.
2. Wind Energy Systems. Wind energy systems shall be permitted relief from previously stated limitation to the following extent:
 - A. Setbacks.
 - (1) The setbacks from any lot line must be equal to the height of the tower, plus the length of the longest extension of the rotor plus 10 feet.
 - B. Building Height.
 - (1) The height is not restricted unless there is an adverse affect upon the character of the neighborhood or television interference or significant amounts of noise are generated by the unit.
 - C. Access.
 - (1) Climbing access to the tower is secured from use by unauthorized persons.

§ 27-418. Buildings Under Construction. [Ord. 284 (86-2), 8/14/1986, § 418]

If the construction is completed by one year after the effective date of this chapter, a building, the foundation of which was completed before the effective date, may be constructed without being bound by the requirements of this chapter. In like manner, a building, the foundation of which was completed before an amendment, may be constructed if the construction is completed within one year after the amendment.

§ 27-419. Division of Built On Lots. [Ord. 284 (86-2), 8/14/1986, § 419]

No lot may be formed from part of a lot occupied by a building unless each newly-created lot will meet all the applicable provisions of this chapter.

§ 27-420. Lots of Record. [Ord. 284 (86-2), 8/14/1986, § 420]

On a lot held in single and separate ownership on the effective date of this chapter or any amendment thereto, which does not fulfill the regulations for the minimum lot area and/or lot width for the zone in which it is located, a building may be erected, altered and used and the lot may be used for a conforming (permitted) use providing the setback requirements are not less than the minimum specified herein for the zone in which the lot is located.

§ 27-421. Nonconformities. [Ord. 284 (86-2), 8/14/1986, § 421; as amended by Ord. 336 (92-3), 5/6/1992, § 6]

1. Continuance.
 - A. Except as otherwise provided in § 27-610, the lawful use of land or buildings existing at the date of the adoption of this chapter may be continued, although such use of land or building does not conform to the use regulations specified by this chapter for the zone in which such land or building is located.
 - B. Except as otherwise provided in § 27-610, any dimensional nonconformities existing at the date of the adoption of this chapter may be continued.
2. Zone Changes. Whenever the boundaries of a zone shall be changed so as to transfer an area from one zone to another zone of a different classification, the foregoing provisions shall also apply to any nonconforming uses or dimensional nonconformities existing therein or created thereby.
3. Identification and Registration. Nonconforming uses, lots and structures may be identified and registered by the Zoning Officer, together with the reasons why the Zoning Officer identified them as nonconformities.

PART 5

ZONING HEARING BOARD

§ 27-501. Powers and Duties; General. [Ord. 284 (86-2), 8/14/1986, § 501; as amended by Ord. 336 (92-3), 5/6/1992, §§ 7 — 10]

1. Membership of Board. The membership of the Board shall consist of three residents of the Borough appointed by resolution of the Borough Council. Their terms of office shall be three years and shall be so fixed that the term of one member shall expire each year. The Board shall promptly notify Borough Council of any vacancies in its membership that occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Borough. Borough Council may appoint by resolution at least one, but not more than three, residents of the Borough to serve as alternate members of the Board. The term of office of an alternate member shall be three years. When seated pursuant to the provisions of Subsection 2 of this Part, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties as set forth in this chapter and as otherwise provided by law. Alternates shall hold no other office in the Borough, including members on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board unless designated as a voting member pursuant to the provisions of Subsection 2 of this Part.
2. Organization of Board.
 - A. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all of the members of the Board. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in § 27-502 of this chapter.
 - B. If, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Board shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this provision shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

- C. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Borough and laws of the commonwealth. The Board shall keep full public records of its business, with records shall be the property of the Borough, and shall submit a report of its activities to Borough Council as requested by Borough Council.
3. Jurisdiction of Board. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudication in the following matters:
- A. Substantive challenges to the validity of any land use ordinance, except challenges brought before the Borough Council pursuant to the provisions of §§ 609.1 and 916.1(a)(2) of the Municipalities Planning Code, Act 170 of 1988, 53 P.S. §§ 10609.1, 10916.1(a)(2).
 - B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.
 - C. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
 - D. Appeals from a determination by the Borough Engineer or the Zoning Officer with reference to the administration of any floodplain ordinance or flood hazard ordinance or any such provisions within a land use ordinance.
 - E. Applications for variances from the terms of this Part or floodplain or flood hazard ordinance as provided in § 27-503 of this chapter.
 - F. Applications for special exceptions under this chapter or floodplain or flood hazard ordinance as provided in § 27-504 of this chapter.
 - G. Appeals from the Zoning Officer's determination when a preliminary opinion pursuant to § 27-703, Subsection 6, is sought.
 - H. Appeals from the determination of the Zoning Officer or Borough Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management other than the Subdivision and Land Development Ordinance [Chapter 22] or the planned residential development provisions of Part 8 of this chapter.

In exercising its jurisdiction, the Board shall have the power to reverse, affirm or modify any order, requirement, decision or determination from which an appeal is made and may make any order, requirement, decision or determination that may be required.

4. Board Calendar. Each application filed with the Board in proper form with the required data shall be numbered serially and be placed upon the calendar of the Board by the Secretary. Applications shall be assigned for hearing in the order in which they appear on the calendar. The hearing shall be held within 60 days from the date of the application, unless the applicant has agreed in writing to an extension of time.

§ 27-502. Public Hearings. [Ord. 284 (86-2), 8/14/1986, § 501; as amended by Ord. 336 (92-3), 5/6/1992, § 11; and by Ord. 365 (95-4), 1/2/1996, § 5]

1. Notice; Conduct of Meeting.
 - A. Public notice of the hearing shall be given and written notice shall be given to the applicant, the Zoning Officer, to all property owners within 200 feet of the lot which is the subject of the hearing and to any person who has made timely request for same. Written notices shall be given at least 15 days prior to the hearing. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
 - B. Borough Council may by resolution prescribe reasonable fees with respect to hearings before the Board. Said fees may include compensation for the secretary and members of the Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs shall not include legal expenses of the Board, expenses for engineering, architectural or other technical consultants or expert witness costs.
 - C. The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board; however, appellant or the applicant as the case may be, in addition the Board, may prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.
 - D. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
 - E. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties

to participate, shall not take notice of any communication, reports, staff memoranda or other materials, except advice from their Solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.

2. Representation; Statements.

- A. Parties to the hearings shall be the Borough, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- B. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- C. Statements shall be made in the following order or as the Chairman may direct:
 - (1) Opening statement by Zoning Officer to clarify reasons for the application.
 - (2) Statements of the applicant or appellant.
 - (3) Statements of Zoning Officer or other officials.
 - (4) Statements of any private citizen.
- D. The applicant or appellant shall be given an opportunity for rebuttal.

3. Witnesses. The Chairman or acting Chairman of the Board or the hearing officer presiding shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

4. Decision Procedure.

- A. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this chapter or of any

ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings and the Board's decision shall be entered no later than 30 days after the decision of the hearing officer. Where the Board fails to render the decision within the period required by this subsection, or fails to hold the required hearing within 60 days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in this section. If the Board fails to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the applicant to appeal the decision to a court of competent jurisdiction.

- B. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.
 - C. Whenever the Board imposes a condition or conditions with respect to the granting of an application or appeal, this condition must be stated in the order of the Board and in the permit issued pursuant to the order by the Zoning Officer. This permit remains valid only as long as the condition or conditions upon which it was granted or the conditions imposed by this chapter are adhered to.
5. Records. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

§ 27-503. Variances. [Ord. 284 (86-2), 8/14/1986, § 503]

1. Filing of Variance.
 - A. An application may be made to the Zoning Hearing Board for a variance where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant. The application must be on a form provided for that purpose by the Zoning Officer. It must be filed with the Board and copies given to the Zoning Officer and Borough Planning Commission. The applicant must provide all the information requested on the form, together with any other information and data that may be required to advise the Board of the variance, whether such information is called for by the official form or not.
 - B. Unless otherwise specified or extended by the Board, a variance authorized by it expires if the applicant fails to obtain a building permit or use certificate within six months from the date of authorization of the variance.
2. Referral to Planning Commission. All applications for a type-of-use variance shall be referred to the Planning Commission for a report. Such report shall be advisory to the Board, and, if it is not provided before the date of the hearing upon the application, the Board may proceed in its absence.
3. Standards for Variance. Where there is unnecessary hardship, the Board may grant a variance in the application of the provisions of this chapter; provided, that the following findings are made where relevant in a given case:
 - A. There are unique physical circumstances or conditions, including (1) irregularity, narrowness, or shallowness of lot size or shape; or, (2) exceptional topographical or other physical conditions peculiar to the particular property, and is not due to circumstances or conditions generally created by the provisions of this chapter in the neighborhood or zone in which the property is located.
 - B. Because of these physical circumstances or conditions, the property cannot reasonably be used in strict conformity with the provisions of this chapter.
 - C. The unnecessary hardship is not financial in nature and has not been created by the appellant.
 - D. The variance, if authorized, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- 4. Conditions. In granting any variance, the Board may attach such reasonable conditions and safeguards as it considers necessary to implement the purposes of this chapter.

§ 27-504. Special Exceptions. [Ord. 284 (86-2), 8/14/1986, § 504]

- 1. Filing of Special Exception. For any use permitted by special exception, a special exception must be obtained from the Zoning Hearing Board. In addition to the information required on the building permit application, the special exception application must show:
 - A. Ground floor plans and elevations of proposed structures.
 - B. Names and addresses of adjoining owners.

Unless otherwise specified or extended by the Zoning Hearing Board a special exception authorized by the Board expires if the applicant fails to obtain, where required to do so, a building permit or use certificate within six months of the date of the authorization of the special exception.

- 2. Temporary Special Exception. A temporary special exception must be obtained from the Zoning Hearing Board for any nonconformity which is or will be seasonal or is or will be in the public interest. The Zoning Hearing Board may grant a temporary special exception for a nonconforming use or structure, existing or new, which:
 - A. Is beneficial to the public health or general welfare.
 - B. Is necessary to promote the proper development of the community.
 - C. Is seasonal in nature.

The temporary special exception may be issued for a period not exceeding one year, and may be renewed for an aggregate period not exceeding three years. The nonconforming structure or use must be completely removed upon the expiration of the special exception without cost to the Borough.

- 3. Referral to Planning Commission. All applications for a special exception shall be referred to the Borough Planning Commission for a report. Such report shall be advisory to the Board, and, if it is not provided before the date of the hearing upon the application, the Board may proceed in its absence.
- 4. Conditions. The Zoning Hearing Board in passing upon special exception applications, may attach conditions considered necessary to protect the

public welfare and the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect, including conditions which are more restrictive than those established for other uses in the same zone.

5. Application of Use and Lot Area Requirements. The use and lot requirements as set forth in this chapter must be followed by the Zoning Hearing Board. Where no use or lot requirements are set forth for the particular use, the Board must impose extent-of-use requirements as necessary to protect the public welfare and the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
6. General Standards. A special exception may be granted when the Zoning Hearing Board finds from a preponderance of the evidence produced at the hearing that:
 - A. The proposed use, including its nature, intensity and location, is in harmony with the orderly and appropriate development of the zone.
 - B. Adequate water supply, sewage disposal, storm drainage and fire and police protection are or can be provided for the use.
 - C. The use of adjacent land and buildings will not be discouraged and the value of adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences.
 - D. The use will have proper location with respect to existing or future streets giving access to it, and will not create traffic congestion or cause industrial or commercial traffic to use residential streets.
 - E. The specific standards set forth for each particular use for which a special exception may be granted have been met.

The applicant for a special exception shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Zoning Hearing Board.

7. Special Standards. In addition to the general standards for all special exceptions as contained in § 27-504, Subsection 6, the specific standards for particular uses as listed in Part 6 must be met prior to the granting of a special exception.

§ 27-505. Challenge to Validity of Chapter on Substantive Grounds. [Ord. 284 (86-2), 8/14/1986; as added by Ord. 336 (92-3), 5/6/1992, § 12]

1. Request. A person challenging the validity of an ordinance or map or any provision thereof on substantive grounds before the Board shall make a

- written request to the Board that it hold a hearing on the challenge. The request shall contain the reasons for the challenge. Nothing herein shall preclude a person from first seeking a final approval before submitting his challenge.
2. Determination. Based upon the testimony presented at the hearing or hearings, the Board shall determine whether the challenged ordinance or map is defective, as alleged by the landowner. If the challenge is found to have merit, the decision of the Board shall include recommended amendments to the challenged ordinance which will cure the defects found. In reaching its decision the Board shall consider the amendments, plans and explanatory material submitted by the person making the challenge and shall also consider:
 - A. The impact of the applicant's proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.
 - B. If the applicant's proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing needs of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map.
 - C. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features.
 - D. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.
 - E. The impact of the applicant's proposal on the preservation of agriculture and other land uses that are essential to public health and welfare.
 3. Hearing; Decision. The Board shall commence its hearings pursuant to the provisions of § 27-501 of this chapter within 60 days after the request is filed unless the landowner request or consents to an extension of time. The Board shall render its decision within 45 days after the conclusion of the last hearing. If the Board fails to act on the request within that time, unless the time for decision is extended by natural consent of the landowner and Board, denial of the request is deemed to have occurred on the forty-sixth-day after the close of the last hearing. The challenge shall also be deemed denied if the Board fails to commence the hearing within 60 days after the request unless the landowner requests or consents to an extension of time.

§ 27-506. Time Limitation; Appeals. [Ord. 284 (86-2), 8/14/1986; as added by Ord. 336 (92-3), 5/6/1992, § 13]

1. No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final, has been approved by the Zoning Officer or Borough Council if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval and been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision by the Zoning Officer on a challenge to the validity of an ordinance or map pursuant to the provisions of § 27-505 of this chapter shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative plan.
2. All appeals from determinations adverse to a landowner shall be filed by the landowner within 30 days after notice of the determination is issued.

PART 6

STANDARDS FOR SPECIAL EXCEPTION USES

§ 27-601. Requirement of Specific Standards. [Ord. 284 (86-2), 8/14/1986, § 601]

In addition to general standards for all special exceptions as contained in § 27-504, Subsection 6, the specific standards for the particular uses allowed by special exception are set forth in this Part. These standards must be met prior to the granting by the Zoning Hearing Board of a special exception for such uses in applicable zones.

§ 27-602. Bed-and-Breakfast Establishment. [Ord. 284 (86-2), 8/14/1986, § 602]

1. In the R-1, R-2 and VC zones and subject to the requirements of the zones in which located, except as herein modified and provided:
 - A. Maximum guest stays shall be limited to seven days.
 - B. Maximum of three guest rooms.
 - C. Maximum of 12 guests.
 - D. Breakfast shall be the only meal served to overnight lodgers.
2. A minimum of one off-street parking space per guestroom shall be provided in addition to the required parking for the dwelling unit.
3. One sign may be erected on the property. The maximum size shall be two square feet and it may be illuminated only by indirect lighting.
4. The establishment must comply with local regulations regarding applicable permits, including but not limited to fire, health and building codes.
5. Bed-and-breakfast operations shall be conducted so as to be clearly incidental and accessory to the primary use of the site as a single-family dwelling.

§ 27-603. Cemetery. [Ord. 284 (86-2), 8/14/1986, § 603]

1. In an R-1 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. All burial plots or facilities shall be located at least 50 feet from all property or street lines.
 - B. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.

- C. No burial plots or facilities are permitted on floodplain land.
- D. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, planting and open spaces.
- E. Pet cemeteries must meet all of the above applicable requirements.

§ 27-604. Chemical Manufacturing, Processing and Storage Operations. [Ord. 284 (86-2), 8/14/1986, § 604]

- 1. In a C-I Zone and subject to the requirements of that district except as herein modified and provided:
 - A. Lot area: two acres minimum.
 - B. Lot width: 175 feet minimum.
 - C. Setbacks: all buildings must be set back at least 75 feet from a street line.
 - D. Access must be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect. Traffic entrances and exits shall be far enough from residential dwellings so that truck noise and vibration will be minimized.
 - E. A buffer yard 50 feet wide must be located on the site in all instances where the site adjoins a residential use. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage.
 - F. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial wastes). Chemical materials may only be stored in a manner that will not create a public health hazard or a public nuisance and may only be stored or disposed of according to federal and state regulations.

§ 27-605. Club Room, Club Grounds, Meeting Hall. [Ord. 284 (86-2), 8/14/1986, § 605]

- 1. In an R-2 or VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Access must be on an arterial or collector street as designated in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.

- B. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, planting and open spaces.
- C. The use shall not constitute a public or private nuisance.

§ 27-606. Commercial Recreational Establishment (Outdoor or Indoor). [Ord. 284 (86-2), 8/14/1986, § 606]

- 1. In the VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - B. Where an outdoor recreational use, other than a golf course, adjoins a residential use, trees or shrubs must be planted on the site of this use so as to form an effective visual barrier between the outdoor recreational use and adjoining residential properties.

§ 27-607. Commercial School. [Ord. 284 (86-2), 8/14/1986, § 607]

- 1. In an R-1 or R-2 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot area: one acre minimum.
 - B. Lot width: 150 feet minimum.
 - C. Access shall be via an arterial or collector street as designated in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.

§ 27-608. Convalescent or Nursing Home. [Ord. 284 (86-2), 8/14/1986, § 608]

- 1. In an R-1 or VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. For convalescent or nursing home, a lot area of not less than 1,000 square feet per bed shall be provided, but in no case shall the lot area be reduced below that required for the zone in which such convalescent or nursing home is to be constructed.
 - B. No building shall be located closer than 50 feet to any lot line.
 - C. Direct access to an arterial or collector road as designated in the Southern York County (SYC) Region Comprehensive Plan or any

other municipal or regional Comprehensive Plan in effect shall be available.

- D. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to fences, walls, planting and open space.

§ 27-609. Dwelling Group. [Ord. 284 (86-2), 8/14/1986, § 609; as amended by Ord. 291 (87-4), 7/9/1987, § 1]

1. In an R-1 or R-2 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot area: two acres minimum.
 - B. Lot width: 175 feet minimum.
 - C. For single-family and two-family dwellings, density shall not exceed that permitted for the district in which located. For multifamily dwellings, density shall not exceed four dwelling units per acre in the R-1 Zone or seven dwelling units per acre in the R-2 Zone.
 - D. Minimum distance between each principal building shall be 40 feet.
 - E. Minimum side setbacks of 20 feet each shall be provided.
 - F. Off-street parking shall be provided in accordance with § 27-408 of this chapter.
 - G. All streets including internal drives shall be constructed to Borough standards.
 - H. Public water and public sewer must be utilized.

§ 27-610. Expansion or Alteration of a Nonconformity. [Ord. 284 (86-2), 8/14/1986, § 610]

1. In any zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Expansion of the nonconformity shall be confined to the lot on which it is located on the effective date of this chapter or any amendment thereto creating the nonconformity.
 - B. The total of all such expansions or alterations of use shall not exceed an additional 35% of the area of those buildings or structures devoted to the nonconforming use as they existed on the date on which such building or structures first became nonconformities.

- C. Provision for access drives, off-street parking and off-street loading shall be consistent with standards required by this chapter.
- D. Provision for yards, building height and building area shall be consistent with the standards required for permitted uses in the zone in which the nonconformity in question is located.
- E. Appearance should be harmonious with surrounding properties. This feature includes, but is not limited to, landscaping, enclosure of principal and accessory uses, height control, sign control, architectural control and maintenance in good condition of all improvements and open space.
- F. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.
- G. The expansion shall not create new dimensional nonconformities or further increase existing dimensional nonconformities.
- H. A nonconforming use shall be adjudged as abandoned when there occurs a cessation of any such use or activity by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within a period of one year from date of cessation or discontinuance. Such use shall not thereafter be reinstated and the structure shall not be reoccupied except in conformance with this chapter.

§ 27-611. Group Quarters. [Ord. 284 (86-2), 8/14/1986, § 611]

- 1. In an R-1, R-2 or VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Group quarters shall be permitted as an accessory or principal use but must be directly affiliated with a parent religious, educational, charitable or philanthropic institution.
 - B. Any group quarters shall have a minimum of 250 square feet of habitable floor area provided for each occupant.
 - C. No facilities for cooking shall be provided in individual rooms or suites.
 - D. All group quarters must comply with applicable federal, state and local rules and regulations including, but not limited to, fire, health, safety and building codes.

§ 27-612. Heavy Storage Services. [Ord. 284 (86-2), 8/14/1986, § 612]

1. In a VC or C-1 Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Lot area: 20,000 square feet minimum.
 - B. Lot width: 100 feet minimum.
 - C. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect. Traffic routes and exits shall be far enough from houses so that truck noise and vibration will be minimized.
 - D. A buffer yard 25 feet wide must be located on the site in all instances where the site adjoins a residential use. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for buildings, parking, loading or storage.
 - E. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke). Chemical materials may only be stored in a manner that will not create a public health hazard or a public nuisance and may only be stored or disposed of according to federal and state regulations.

§ 27-613. Helistop, Heliport. [Ord. 284 (86-2), 8/14/1986, § 613]

1. In a C-1 Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. This use can be considered as an accessory use on the same lot as another permitted use in this zone provided all other provisions are complied with.
 - B. Lot area: one acre minimum.
 - C. There shall be no existing flight obstructions such as towers, chimneys or other tall structures or natural obstructions located within the proposed approach zones. The approach zone to any of the proposed landing pads shall be in accordance with the regulations of applicable federal and/or state agencies.
 - D. Any building, hangar or structure will be located a sufficient distance away from the landing pad in accordance with the recommendations of applicable federal and/or state agencies.

§ 27-614. Home Occupation and Profession. [Ord. 284 (86-2), 8/14/1986, § 614]

1. Subject to the requirements below, the following home occupations and professions may be authorized only in dwelling unit or an accessory structure in R-1 or R-2 Zones: physician, dentist, clergyman, lawyer, engineer, accountant, architect, teacher, artist, licensed insurance or real estate agent, seamstress, barber, beautician, watch/clock repair, gunsmith, and similar service occupations and professions.

A. Regulations for Permitted Home Occupations and Professions.

- (1) Employees. No person other than members of the immediate family residing in the dwelling unit may practice the occupation or profession. No more than two persons outside the family may be employed to provide secretarial, clerical or other assistance.
- (2) Coverage. Not more than 30% of the ground floor area of a dwelling unit may be devoted to a home occupation or profession.
- (3) Appearance. The character or external appearance of the dwelling unit must be that of a dwelling. No display of products may be shown so as to be visible from outside the dwelling. A name plate not larger than two square feet in area is permitted. It must be illuminated only by indirect lighting.
- (4) Parking. Besides the required parking for the dwelling unit, additional parking located in the rear yard is required as follows:
 - (a) One space for the home occupation and one space for each nonresident employee.
 - (b) Two additional spaces for a physician, dentist, barber or beauty shop.
 - (c) Each space shall not have direct access to the street to avoid vehicles backing into the flow of traffic.

§ 27-615. Hospital. [Ord. 284 (86-2), 8/14/1986, § 615]

1. In an R-1 Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Lot area: two acres minimum.
 - B. Lot width: 200 feet minimum.

- C. All parking areas shall be located at least 20 feet from any street or property line.
- D. Access shall be via an arterial or collector street as designated in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
- E. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, planting and open spaces.
- F. Public water and public sewer must be utilized.
- G. A hospital must comply with all applicable state and federal laws and regulations.

§ 27-616. House of Worship. [Ord. 284 (86-2), 8/14/1986, § 616]

- 1. In an R-1, R-2 or VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot area: 15,000 square feet minimum.
 - B. Lot width: 80 feet minimum.
 - C. Side setback: minimum side setbacks of 20 feet (each) must be provided.
 - D. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.

§ 27-617. Industrial Park. [Ord. 284 (86-2), 8/14/1986, § 617]

- 1. In a C-I Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot area: 10 acres minimum.
 - B. Streets and Highways. The industrial park site must have access to a major thoroughfare. Traffic going to and from the industrial park will be permitted on nonresidential streets only; traffic routes and exits will be far enough away from houses so that truck noise and vibration will be minimized.
 - C. No Harmful Effects. Satisfactory provision will be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke, vapors, and gases, electrical emissions, and industrial wastes). Every effort must be made to prevent the above by:

- (1) Control of lighting.
 - (2) Design and maintenance of structures.
 - (3) Use of planting screens or attractive fences.
 - (4) Placement of structures on the site.
 - (5) Appropriate control of use.
 - (6) Prompt removal of solid waste material in conformance with existing state and federal regulations.
- D. Appearance Is Harmonious. This feature includes, but is not limited to, landscaping, enclosure of principal and accessory uses, height control, sign control, low structural density, and architectural controls.
- E. Buffers. The distance separating all park uses and buildings from surrounding properties will be great enough to constitute in fact a buffer: e.g., loading docks and truck maneuvering areas and terminals must be further from residential areas than buildings. In addition to the extent-of-use requirements in the use regulations, the Board must require that from an R-1 or R-2 Zone boundary:
- (1) A truck terminal or motor freight depot be at least 500 feet distant.
 - (2) A shipping or receiving dock be at least 300 feet distant.

In any case, a buffer yard of not less than 150 feet must be along any residential zone boundary line.

§ 27-618. Junkyard, Automobile Dismantling Plant. [Ord. 284 (86-2), 8/14/1986, § 618; as amended by Ord. 365 (95-4), 1/2/1996, § 6; and by A.O.]

- 1. In a C-I Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Lot area: three acre minimum.
 - B. Lot width: 150 feet minimum.
 - C. Setbacks: any area used for this purpose must be at least 50 feet from any property line and 50 feet from any street line.
 - D. The area to be used must be completely enclosed with a six-foot high fence so constructed as not to have openings greater than six inches in any direction and should include appropriate screening.

- E. Must comply with all applicable Borough ordinances and all other applicable state regulations.

§ 27-619. Kennel, Animal Hospital. [Ord. 284 (86-2), 8/14/1986, § 619]

1. In a C-I Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot area: two acres minimum.
 - B. Setbacks: all buildings, dog runs, fenced enclosures and similar structures shall be located at least 100 feet from all property or street lines.
 - C. Satisfactory evidence must be presented to show that adequate disposal of animal waste will be provided in a manner that will not be a public health hazard or a public nuisance.
 - D. All animals must be housed within a structure.

§ 27-620. Laundry, Dry Cleaning Establishment. [Ord. 284 (86-2), 8/14/1986, § 620; as amended by A.O.]

1. In a VC Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - B. Public sewer and public water approved by the Pennsylvania Department of Environmental Resources Protection must be utilized.
 - C. Satisfactory evidence must be presented to show that adequate disposal of toxic materials will be provided in a manner that will not be a public health hazard or a public nuisance.

§ 27-621. Medical Clinic. [Ord. 284 (86-2), 8/14/1986, § 621; as amended by A.O.]

1. In a VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot area: 12,000 square feet minimum.
 - B. Lot width: 70 feet minimum.
 - C. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized.

- D. Appearance should be harmonious with adjoining properties. This feature includes, but is not limited to, landscaping, height control, sign control, building coverage, and architectural controls.
- E. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, planting and open spaces.
- F. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may be permitted as part of the clinic facility, subject to the following specific conditions:
 - (1) All entrances to parts of the building in which these accessory services are provided shall be from within the building and any direct access from the street is prohibited.
 - (2) The hours during which these services are provided shall be the same as those during which medical practitioners are receiving patients.
 - (3) Signs or other evidence advertising or indicating the provision of these services visible from outside the building are prohibited; except that there may be erected one sign not exceeding two square feet in area attached to the building, any illumination thereof being white, nonflashing, not limited to an enclosed lamp design.

§ 27-622. Mobile Home Park. [Ord. 284 (86-2), 8/14/1986, § 622; as amended by A.O.]

- 1. In an R-1 Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. The minimum tract area shall be five acres.
 - B. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized, and each mobile home lot (not including street right-of-way) must be not less than 7,500 square feet in area and not less than 75 feet wide at the building setback line.
 - C. Regardless of lot size, the side yard distances measured from outside each mobile home to the lot line shall not be less than 30 feet in total and no one side yard distance less than 12 feet. Front yards shall not be less than 20 feet and rear yards shall not be less than 10 feet and in no case, shall the distance between any two mobile homes be less than 30 feet. The total number of mobile homes shall not exceed an average density of five per acre.

- D. The Zoning Hearing Board may require additional suitable screen planting, or may further restrict the proximity of mobile homes or other improvements to adjoining properties, or may attach such other conditions or safeguards to the use of land for a mobile home park as the Board may deem necessary to protect the general welfare.
- E. A mobile home park, and extension thereof, shall also comply with all applicable state and/or Borough regulations now in effect or hereafter enacted.

§ 27-623. Multifamily or Two-Family Conversion. [Ord. 284 (86-2), 8/14/1986, § 623; as amended by Ord. 291 (87-4), 7/9/1977, § 1]

- 1. In an R-1, R-2 or VC Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. There shall be a minimum of 10,000 square feet of lot area per dwelling unit in the R-1 Zone or 6,000 square feet of lot area per dwelling unit in the R-2 and VC Zones.

§ 27-624. Multifamily Dwelling(s). [Ord. 284 (86-2), 8/14/1986, § 624; as amended by Ord. 291 (87-4), 7/9/1987, § 1; and by Ord. 299 (88-5), § 1]

- 1. In an R-1 or R-2 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. In the case of a multifamily dwelling where the dwelling units are located on a single lot and share with other units a common yard area (e.g., garden apartments), the following requirements shall apply:
 - (1) Lot area: 30,000 square feet minimum.
 - (2) Lot width: 100 feet minimum.
 - (3) Side setbacks: minimum side setbacks of 20 feet each shall be provided.
 - (4) Density: the maximum density shall be four dwelling units per acre of lot area in the R-1 Zone or seven dwelling units per acre of lot area in the R-2 Zone.
 - (5) Public sewer and public water must be utilized.
 - (6) Distance between buildings: where two or more multifamily dwellings are located on a single lot or parcel, the minimum distance between principal buildings shall be 40 feet.
 - (7) All parking areas shall be located at least 10 feet from any property line or street line.

- (8) Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, planting and open spaces.
- B. In the case of a multifamily dwelling where individual dwelling units are located on separate lots (e.g., townhouses or row houses), the following requirements shall apply:
 - (1) Lot area: each lot shall have a minimum area of 3,000 square feet.
 - (2) Lot width: each lot shall have a minimum width of 20 feet.
 - (3) There shall not be more than 10 dwelling units in any one row.
 - (4) Dwelling units at the end of a row shall have a minimum side setback of 20 feet.
 - (5) Public sewer and public water must be utilized.
 - (6) Density: the maximum density shall be four dwelling units per acre of lot area in the R-1 Zone or seven dwelling units per acre of lot area in the R-2 Zone.
- C. Provisions for the future maintenance of all common areas including, but not limited to, parking and recreation shall be explicitly provided with the proposed project. The provisions and any agreements, such as by-laws for a property owners association, shall be subject to the approval of the Borough Council.

§ 27-625. Multifamily Residential in Combination With Commercial Uses.
[Ord. 284 (86-2), 8/14/1986, § 625]

- 1. In the C-I Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Dwellings are permitted as an accessory use above the first floor of a commercial use.
 - B. A separate entrance must be provided for the residential use.
 - C. The minimum area of living space for each dwelling unit shall be not less than 400 square feet.
 - D. All parking and other applicable requirements of this chapter shall be satisfied, in addition to those required for the commercial use.
 - E. The structure must comply with applicable federal, state and local rules and regulations including, but not limited to, fire, health, safety and building codes.

§ 27-626. Park and Other Recreation Areas of a Nonprofit Nature. [Ord. 284 (86-2), 8/14/1986, § 626]

1. In an R-1, R-2 or C-I Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Consideration shall be given to traffic problems. If the nature of the park or open space area is such that it will generate a high volume of vehicular traffic then access should be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - B. The Zoning Hearing Board shall decide the appropriateness of the design of parking, lighting, and similar features of the proposed use to minimize adverse impacts on adjacent properties.

§ 27-627. Private Day-Care Center or Nursery School. [Ord. 284 (86-2), 8/14/1986, § 627]

1. In an R-1 or R-2 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. The use shall meet all requirements for certification by the State of Pennsylvania where required.
 - B. Outdoor play areas shall be sufficiently screened so as to protect the neighborhood from inappropriate noise and other disturbances.
 - C. At least one parking space for each person employed plus one space for each four children to be served by the facility shall be provided.

§ 27-628. Professional Office. [Ord. 284 (86-2), 8/14/1986, § 628]

1. In an R-2 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Lot width: 70 feet minimum.
 - B. Professional offices permitted shall be limited to offices of certified public accountants, actuaries, clergy, physicians, surgeons, dentists, lawyers, architects, artists, engineers, real estate brokers or salesmen, insurance brokers or agents, miscellaneous consulting services, governmental agencies, social service organizations and teachers. A professional office shall not include the office of any person professionally engaged in the purchase or sale of economic goods.
 - C. Coverage. The activity shall be limited to the entire ground floor area of the building.

D. Parking shall be required as follows:

- (1) One space for the professional office plus one space for each employee. Additional spaces shall also be provided for patrons.
- (2) Each space shall not have direct access to the street to avoid vehicles backing into the flow of traffic.

§ 27-629. Public Buildings and Facilities. [Ord. 284 (86-2), 8/14/1986, § 629]

1. In an R-1 or R-2 Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. Consideration shall be given to traffic problems. If the nature of the public building or facility is such that it will generate a high volume of vehicular traffic then access should be via an arterial or collector street as designated in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.

§ 27-630. Public Utility Building. [Ord. 284 (86-2), 8/14/1986, § 630]

1. In an R-1, R-2 or VC Zone and subject to the requirements of the zone in which located except as herein modified and provided:
 - A. In an R-1 or R-2 Zone, the permitted building shall not include the storage of vehicles or equipment used in the maintenance of any utility and no equipment causing unreasonable noise, vibration, smoke, odor, or hazardous effect shall be installed.
 - B. Unhoused equipment shall be enclosed with a fence or wall not less than six feet in height which shall be so constructed as not to have openings, holes or gaps larger than six inches in any dimension. Such fence must be surrounded by evergreen plantings.
 - C. Housed Equipment. When the equipment is totally enclosed within a building, no fence or screen planting shall be required and the yard shall be maintained in conformity with the zone in which the building is located.

§ 27-631. Research Laboratory. [Ord. 284 (86-2), 8/14/1986, § 631]

1. In a VC Zone and subject to the requirements of that district except as herein modified and provided:
 - A. Lot area: 15,000 square feet minimum.
 - B. Lot width: 80 feet minimum.

- C. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
- D. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, planting and open spaces.
- E. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke). All hazardous materials may only be stored or disposed of according to federal and state regulations.

§ 27-632. Rooming House. [Ord. 284 (86-2), 8/14/1986, § 632]

- 1. In an R-2 or VC Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Lot width: 70 feet minimum.
 - B. Any building proposed for use as a rooming house shall have a floor area, in addition to the floor area required for the principal use, of 300 square feet for each roomer.
 - C. No facilities for cooking shall be provided in individual rooms or suites.
 - D. All rooming houses must comply with applicable laws and regulations including, but not limited to, fire, health, safety and building codes.

§ 27-633. Sawmill Operation. [Ord. 284 (86-2), 8/14/1986, § 633]

- 1. In a C-I Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. No saw or other machinery shall be less than 50 feet from any property or street line.
 - B. All power saws and machinery will be secured against tampering and locked when not in use.
 - C. All machinery used in the sawmill operation shall be located at least 100 feet from any existing adjoining residence or residential zone.

§ 27-634. Service Station. [Ord. 284 (86-2), 8/14/1986, § 634]

- 1. In a VC or CI Zone and subject to the requirements of that zone except as herein modified and provided:

- A. Buildings must be set back at least 40 feet from the street right-of-way line.
- B. Pumps must be set back at least 15 feet from the street right-of-way line.
- C. Access drives must be located as follows:
 - (1) Minimum offset from intersection of street right-of-way lines: 40 feet.
 - (2) Side lot line offset: 10 feet.
 - (3) Minimum width: 12 feet.
 - (4) Maximum width: 35 feet.
 - (5) Minimum separation of drives on same lot: 25 feet.
- D. Except along access drives, a concrete curb eight inches in height must be placed along all street right-of-way lines or established curblines.
- E. All lights must be diverted toward the service station or downward on the lot.
- F. No outdoor stockpiling of tires or outdoor storage of trash is permitted. An area enclosed by a wall, fence or vegetative material and screened from view of adjoining properties, shall be provided whenever outdoor storage is required. No materials may be stored so as to create a fire hazard.
- G. At least 10% of the lot on which the service station is situated must be devoted to natural landscaping.

§ 27-635. Shopping Center or Mall. [Ord. 284 (86-2), 8/14/1986, § 635]

- 1. In a VC or C-I Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Lot area: one acre minimum.
 - B. Lot width: 150 feet minimum.
 - C. All buildings must be set back at least 25 feet from any property line and 50 feet from a street line.
 - D. Parking must be provided at the minimum ratio of parking space to gross leaseable area of building of 5 1/2 to 1,000 square feet.

- E. Access must be via an arterial street or collector street as designated in the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
- F. A buffer yard at least 20 feet wide must be provided on the site in all instances where the site adjoin an R-1 or R-2 Zone. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes.

§ 27-636. Transportation (Passenger) Terminal. [Ord. 284 (86-2), 8/14/1986, § 636]

- 1. In a VC Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - B. A buffer yard at least 25 feet wide must be provided on the site in all instances where the site adjoins an R-1 or R-2 Zone. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes.
 - C. Storage of all materials shall conform to all state and federal regulations.

§ 27-637. Truck or Motor Freight Terminal. [Ord. 284 (86-2), 8/14/1986, § 637]

- 1. In the C-I Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - B. A buffer yard at least 50 feet wide must be located on the terminal site in all situations where the site adjoins an R-1 or R-2 Zone. This yard shall be naturally landscaped, have no impervious cover, and shall not be used for parking, building, loading or storage purposes.
 - C. Storage of all materials should conform to all state and federal regulations.

§ 27-638. Wholesale Establishment. [Ord. 284 (86-2), 8/14/1986, § 638]

- 1. In a C-I Zone and subject to the requirements of that zone except as herein modified and provided:

- A. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
- B. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, planting and open spaces.

§ 27-639. Wholesale Vehicle Sales Terminal or Auction. [Ord. 284 (86-2), 8/14/1986, § 639]

- 1. In a VC or C-I Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Access shall be via an arterial or collector street as designated by the Southern York County (SYC) Region Comprehensive Plan or any other municipal or regional Comprehensive Plan in effect.
 - B. A buffer yard at least 50 feet wide must be located on the terminal site in all situations where the site adjoins an R-1 or R-2 Zone. This yard shall be naturally landscaped, have no impervious cover, and shall not be used for parking, building, loading or storage purposes.
 - C. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke).
 - D. Vehicle loading and unloading is prohibited between 11:00 p.m. and 6:00 a.m.
 - E. Unsold vehicles must be contained within a properly fenced area.

§ 27-640. Vehicle Sales, Service and/or Repair. [Ord. 284 (86-2), 8/14/1986; as added by Ord. 365 (95-4), 1/2/1996, § 7]

- 1. In a C-I Zone and subject to the requirements of that zone except as herein modified and provided:
 - A. Lot area: one acre minimum.
 - B. Lot width: 150 feet minimum.
 - C. Setbacks: any area used for this purpose must be at least 50 feet from any property line and 50 feet from any street line.
 - D. For vehicles sales, the lot must be improved with the building containing an office, display room and appurtenant facilities.
 - E. All service and/or repair activity shall be conducted within a wholly enclosed building, which shall be serviced by public water, sewer and electricity.

- F. No outdoor storage of parts, equipment, lubricants, fuels or other materials used or discarded as parts of the service repair operation shall be permitted.
- G. Screen planting shall be established between all exterior vehicle storage areas and adjoining residentially-zoned properties or residential uses.
- H. The demolition and/or junking of vehicles is prohibited.
- I. All vehicles shall be repaired and removed from the premises within a cumulative six-week period.
- J. This use must comply with any additional or applicable Borough ordinances and all applicable state and federal regulations.

PART 7

ADMINISTRATION AND ENACTMENT

§ 27-701. Permits. [Ord. 284 (86-2), 8/14/1986, § 701; as amended by Ord. 429 (2004-4), 8/11/2004, §§ 2, 3]

1. Zoning Permits.

- A. When Required. A zoning permit, which must be obtained from the Zoning Officer, shall be required prior to any new construction, repair, modification to or demolition of an existing structure.
- B. Duration of Permit. The zoning permit shall continue in effect so long as the work to be performed complies with the original plans as submitted to the Zoning Officer.
- C. Application. The zoning permit application must be accompanied by a site plan showing as necessary to demonstrate conformity to this chapter:
 - (1) Lot. The location and dimensions of the lot.
 - (2) Streets. Names and widths of abutting streets.
 - (3) Structures and Yards. Locations, dimensions and uses of existing and proposed structures and yards on the lot, and, as practical, of any existing structures within 100 feet of the proposed structure but off the lot.
 - (4) Improvements. Proposed off-street parking and loading areas, access drives and walks and proposed sewage disposal system.

For lots less than 1/2 acre in size, the site plan must be on the scale of one inch equals 20 feet; for larger lots, the site plan must be at a scale of one inch equals 40 feet. The north point must be shown on all site plans.

2. Use Certificates. A use certificate, certifying compliance with this chapter, must be obtained from the Zoning Officer for any new structure as below or for any change of use of a structure or land as set forth below before such new structure or use or change of use is occupied or established:
- A. Use of a structure erected, structurally altered or extended, or moved after the effective date.
 - B. Use of vacant land except for agricultural purposes.
 - C. Any change in conforming use of a structure or land.

- D. Any change from a nonconforming use of a structure or land to a conforming use.
- E. Any change in the use of a structure or land from that permitted by any variance of the Zoning Hearing Board.

The application for a use certificate must include a statement of the intended use and any existing use of the structure or land. The certificate continues in effect as long as the use of the structure or land for which it is granted conforms with this chapter.

- 3. Driveway Permits. A driveway permit shall be required for any new driveway, not including resurfacing of an existing driveway, unless said resurfacing includes the complete removal of the existing surface or a change in the type of surface material (e.g., concrete to blacktop).

§ 27-702. Erroneous Permit. [Ord. 284 (86-2), 8/14/1986, § 702]

A building permit or other permit or authorization issued or approved in violation of the provisions of this chapter, is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such a permit or other authorization is unlawful. No action may be taken by a board, agency, or employee of the Borough purporting to validate such a violation.

§ 27-703. Enforcement; Zoning Officer. [Ord. 284 (86-2), 8/14/1986, § 703; as amended by Ord. 336 (92-3), 5/6/1992, §§ 14, 15; and by Ord. 429 (2004-4), 8/11/2004, §§ 4 — 9]

- 1. Appointment and Powers. For the administration of this chapter, a Zoning Officer, who may not hold any elective office within the Borough, shall be appointed by the Borough Council. The Zoning Officer shall meet qualifications established by the Borough and shall be able to demonstrate to the satisfaction of the Borough a working knowledge of municipal zoning. The Zoning Officer shall administer this chapter in accordance with its literal terms and shall not have the power to permit any construction or any change of use which does not conform to this chapter. The Zoning Officer is the enforcement officer for this chapter. The Zoning Officer shall issue all zoning permits, driveway permits and use certificates, and at the direction of the Zoning Hearing Board, special exceptions and variances. The Zoning Officer may identify and register nonconforming uses and nonconforming structures together with the reasons why they were identified as nonconformities. The Zoning Officer may conduct inspections and surveys to determine compliance or noncompliance with the terms of this chapter with the consent of the owner.
- 2. Forms. The Zoning Officer must provide a form(s) for:
 - A. Zoning permits.

- B. Special exceptions.
 - C. Use certificates.
 - D. Appeals.
 - E. Variances.
 - F. Registration of nonconforming uses and nonconforming structures.
 - G. Driveway permits.
- 3. Transmittal of Papers. Upon receipt of an application for a special exception, variance or a notice of appeal, the Zoning Officer must transmit to the Secretary of the Zoning Hearing Board and to the Borough Planning Commission, copies of all papers constituting the record upon the special exception, variance, or appeal.
 - 4. Action on Zoning Permits. Within 15 days, except for legal holidays, after receipt of an application for a zoning permit, the Zoning Officer shall grant or refuse the permit. If the application conforms to the applicable requirements of this chapter, the Zoning Officer shall grant a permit. If the permit is not granted, the Zoning Officer shall state, in writing, the grounds for his refusal.
 - 5. Action on Use Certificates. Within 15 days, except for holidays, after receipt of an application for a use certificate, the Zoning Officer must grant or refuse the certificate. If the specifications and intended use conform in all respects with the provisions of this chapter, he must issue a certificate to that effect. Otherwise, he must state in writing the grounds of his refusal.
 - 6. Preliminary Opinion. In order not to unreasonably delay the time when a landowner may secure assurance that the ordinance or map under which he proposes to build is free from challenge, and recognizing that the procedure for preliminary approval of his development may be too cumbersome or may be unavailable, the landowner may advance the date from which time for any challenge to the ordinance or map will run pursuant to § 27-506 of this chapter by the following procedure:
 - A. The landowner may submit plans and other materials describing his proposed use or development to the Zoning Officer for a preliminary opinion as to their compliance with the applicable ordinances and maps. Such plans and other materials shall not be required to meet the standards prescribed for preliminary, tentative or final approval or of the issuance of a building permit so long as they provide reasonable notice of the proposed use or development and a sufficient basis for a preliminary opinion as to its compliance.
 - B. If the Zoning Officer's preliminary opinion is that the use or development complies with the ordinance or map, notice thereof shall

be published once each week for two successive weeks in a newspaper of general circulation in the Borough. Such notice shall include a general description of the proposed use or development and its location, by some readily identifiable directive, and the place and times where the plans and other materials may be examined by the public. The favorable preliminary approval under § 27-506 of this chapter and the time specified therein for commencing a proceeding with the Zoning Hearing Board shall run from the time when the second notice thereof has been published.

7. Records. The Zoning Officer must keep record of:
 - A. All applications for zoning permits, certificates of use and occupancy, driveway permits, special exceptions and variances and all actions taken on them, together with any conditions imposed by the Zoning Hearing Board.
 - B. All complaints of violations of provisions of this chapter and the action taken on them.
 - C. All plans submitted.
 - D. Nonconforming uses and nonconforming structures.
8. Reports.
 - A. The number of zoning permit, certificates of use and occupancy, and driveway permits issued.

All such records and plans shall be available for public inspection.

§ 27-704. Appeals. [Ord. 284 (86-2), 8/14/1986, § 704; as amended by Ord. 336 (92-3), 5/6/1992, § 16]

Any person aggrieved or affected by the provisions of this chapter or a decision of the Zoning Hearing Board may appeal in the manner provided in this chapter and as provided in Articles IX and X-A of the Municipalities Planning code, Act 170 of 1988, as amended, 53 P.S. §§ 10901 et seq., 11001-A et seq.

§ 27-705. Violations; Enforcement. [Ord. 284 (86-2), 8/14/1986, § 705; as amended by Ord. 336 (92-3), 5/6/1992, § 17]

1. Violations. If it appears that a violation of this chapter has occurred, the Borough shall initiate enforcement proceedings by having the Zoning Officer send an enforcement notice as provided in this section.
2. Enforcement Notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

3. Content of Notice. The enforcement notice shall contain the following information:
 - A. The name of the owner or record and any other person against whom the Borough intends to take action.
 - B. The location of the property in violation.
 - C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.
 - D. The date before which steps for compliance must be commenced and the date before which the steps must be completed.
 - E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with the procedures set forth in this chapter.
 - F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation with possible sanctions clearly described.

§ 27-706. Causes of Action. [Ord. 284 (86-2), 8/14/1986, as added by Ord. 336 (92-3), 5/6/1992, § 18]

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this chapter, the Borough Council or the Zoning Officer, with the approval of the Borough Council, or any aggrieved owner or tenant of real property or person who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, to prevent, in or about such premises any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Borough at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Borough Council. No such action may be maintained until such notice has been given.

§ 27-707. Enforcement Remedies. [Ord. 284 (86-2), 8/14/1986; as added by Ord. 336 (92-3), 5/6/1992, § 19; and amended by A.O.]

Any person, partnership or corporation who or which has violated the provisions of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by Glen Rock Borough before a magisterial district judge, pay a judgment of \$500 plus all court costs, including reasonable attorney fees incurred by Glen Rock Borough as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, Glen Rock Borough may enforce the judgment pursuant to the applicable

rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the magisterial district judge determines that there was a good faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in which case there shall be deemed to have been only one such violation until the fifth day following the determination of a violation by the magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this chapter shall be paid over to Glen Rock Borough. The Court of Common Pleas of York County, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than Glen Rock Borough the right to commence any action for enforcement pursuant to this section.

§ 27-708. Amendments. [Ord. 284 (86-2), 8/14/1986; as amended by Ord. 336 (92-3), 5/6/1992, § 20]

1. The Borough Council may from time to time amend, supplement or repeal any of the regulations and provisions of this chapter. Before voting on the enactment of an amendment, the Borough Council shall hold a public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the Borough at points deemed sufficient by the Borough along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.
2. In the case of an amendment other than that proposed by the Planning Commission, Borough Council shall submit each such amendment to the Planning Commission at least 30 days prior to the hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations. In addition, Borough Council shall submit the proposed amendment to the York County Planning Commission for recommendations at least 30 days prior to the hearing on the amendment.
3. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised to include land previously not affected by it, Borough Council shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

§ 27-709. Landowner Curative Amendments. [Ord. 284 (86-2), 8/14/1986; as amended by Ord. 336 (92-3), 5/6/1992, § 21]

1. Submission. A landowner who desires to challenge on substantive grounds the validity of this chapter or Zoning Map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to Borough Council with a written request that his challenge and proposed amendment be heard and

decided. Borough Council shall commence a hearing thereon within 60 days of the request. The curative amendment and challenge shall be referred to the Planning Commission and the York County Planning Commission for review as provided in § 27-708 of this chapter.

2. Hearing. Notices of the hearing shall be given as provided in § 27-502, Subsection 1, of this chapter and of the proposed amendment as provided in § 610 of the Municipalities Planning Code, Act 170 of 1988, 53 P.S. § 10610. The hearing shall be conducted in accordance with § 27-502 of this chapter and all references therein to the Zoning Hearing Board shall, for the purposes of this section, be references to the Borough Council.
3. Determination. If Borough Council has determined that a validity challenge has merit, it may accept the landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged defects. Borough Council, in making its determination, shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider the factors enumerated in § 27-505, Subsection 2, of this chapter.

§ 27-710. Borough Curative Amendments. [Ord. 284 (86-2), 8/14/1986; as amended by Ord. 336 (92-3), 5/6/1992, § 22]

1. If Borough Council determines that this chapter, or any portion thereof, is substantially invalid, it shall take the following steps:
 - A. Borough Council shall declare by formal action this chapter or portions thereof to be substantially invalid and propose to prepare a curative amendment to overcome such invalidity. Within 30 days following such declaration and proposal, Borough Council shall:
 - (1) By resolution, make specific findings setting forth the declared invalidity of this chapter which may include:
 - (a) References to specific uses which are either not permitted or not permitted in sufficient quantity.
 - (b) Reference to a class of use or uses which require revisions.
 - (c) Reference to the entire chapter which requires revisions.
 - (2) Begin to prepare and consider a curative amendment to this chapter to correct the declared invalidity.
 - B. Within 180 days from the date of the declaration and proposal, Borough Council shall enact a curative amendment to validate, or reaffirm the validity of, this chapter pursuant to the provisions of

§ 27-708 of this chapter and § 609 of the Municipalities Planning code, Act 170 of 1988, 53 P.S. § 10609.

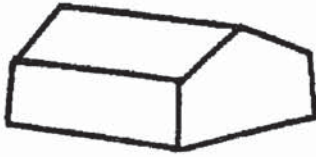
- C. Upon initiation of the procedures as set forth in this section, Borough Council shall not entertain or consider any landowner's curative amendment filed pursuant to § 27-709 of this chapter nor shall the Zoning Hearing Board be required to hear a challenge pursuant to § 27-505 of this chapter subsequent to the declaration and proposal based upon the grounds identical to or substantially similar to those specified by the resolution of Borough Council. Upon completion of the procedures set forth in Subsections 1A and B of this section, no right to a cure pursuant to the provisions of this chapter or the Municipalities Planning Code, Act 170 of 1988, as amended, 53 P.S. § 10101 et seq., shall, from the date of declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended zoning ordinance for which there has been a curative amendment pursuant to this section.
- D. Borough Council having utilized the procedure set forth in this section may not again utilize said procedure for a thirty-six-month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of this chapter pursuant to this section; provided, however, if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the Borough by virtue of a change in statute or by virtue of a Pennsylvania appellate court decision, the Borough may utilize the provisions of this section to prepare a curative amendment to this chapter to fulfill said duty or obligation.

§ 27-711. Fees. [Ord. 284 (86-2), 8/14/1986, § 706]

The Borough Council must set fees for all applications, permits, or appeals provided for by this chapter to defray the costs of advertising, mailing notices, processing, inspecting, and copying applications, permits, and use certificates. The fee schedule shall be available office for inspection.

ZONING

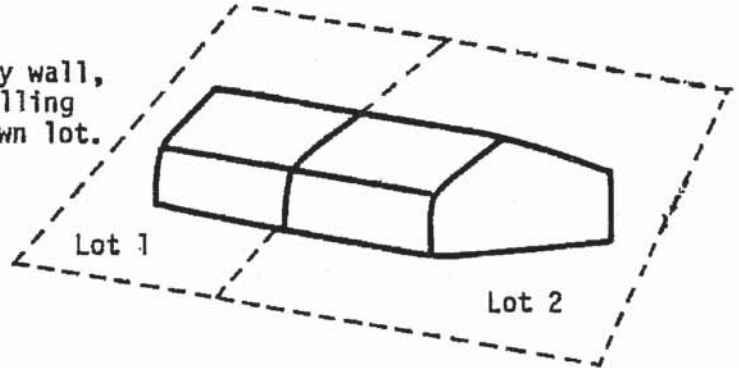
SINGLE-FAMILY DETACHED



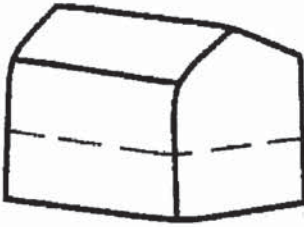
No party wall,
one family

SINGLE-FAMILY SEMI-DETACHED

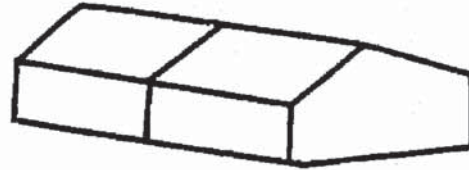
One party wall,
each dwelling
on its own lot.



TWO FAMILY



Two families, one unit per floor

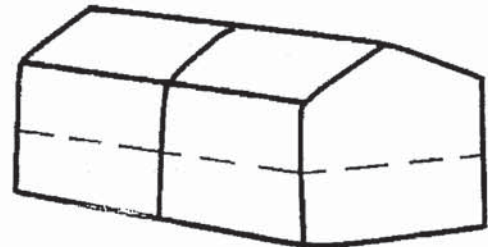


One party wall, two families,
both units on same lot

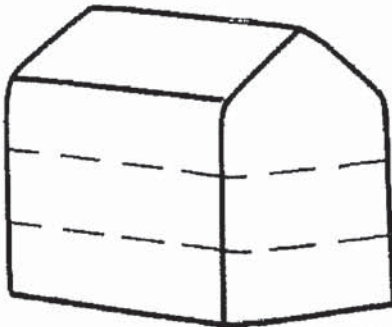
MULTI-FAMILY



Two or more party walls,
three or more families,
all units on one lot

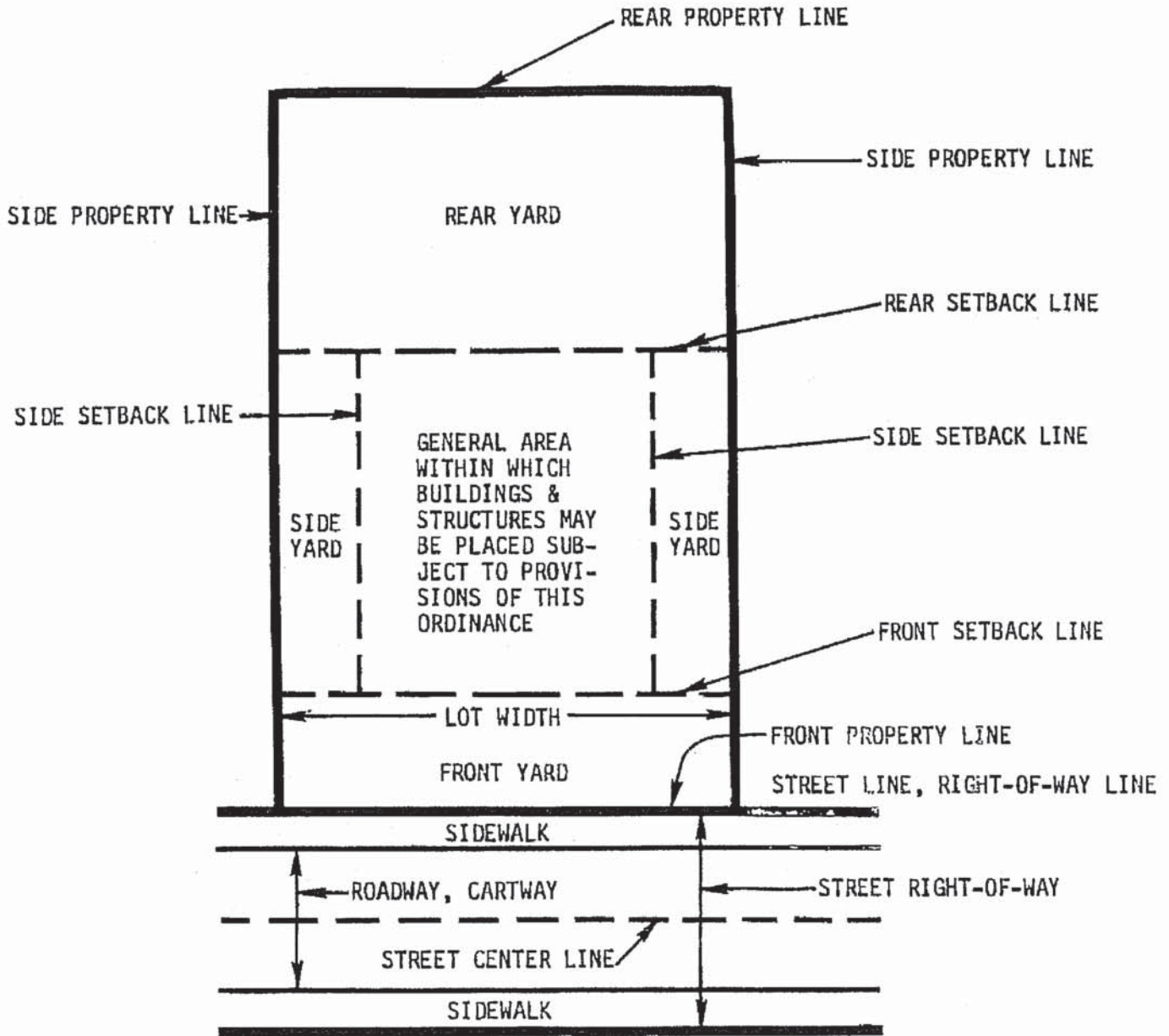


One or more party walls,
four or more families,
all units on one lot



Three or more stories,
three or more families

TYPES OF
DWELLINGS



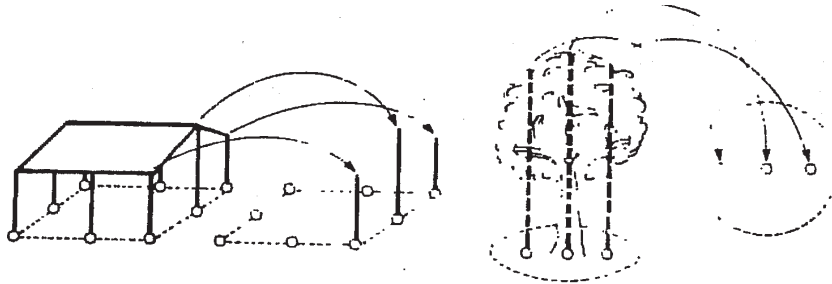
SKETCH PLAN DEPICTING SELECTED ZONING TERMS

Part 8

Appendices

**Appendix 27-8-A
Determining Shadow Pattern**

The shadow pattern for a building (or tree) can be determined by treating the building as a number of poles:



The shadow lengths for each pole are laid out for the critical times of day. The composite of all shadows for all poles yields the pattern for the building.

For York County (40° North Latitude) the shadow lengths are laid out for 9 a.m., noon and 3 p.m. On short winter days this is when the most solar energy is available. For instance, on December 21, the shortest day of the year, 90 percent of the day's sunlight would fall during these 6 hours.

Use the following steps to determine the shadow length for December 21. An example is given as an illustration.

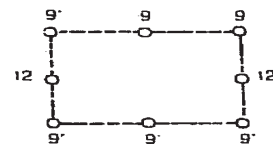
Determining Shadow Pattern

Step 1. Determining building height at the corners and the roof ridge.

Proposed building is 9 feet high at eaves and 12 feet at peak

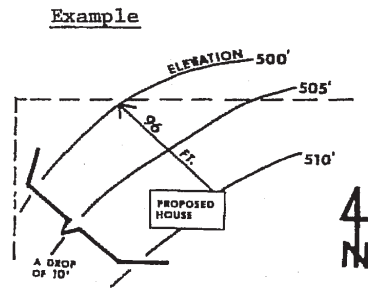


Step 2. Draw an overhead plan of the building using a series of poles.



Step 3. Figure the downhill slope of the yard on the north side of the proposed building.

Slope is the vertical distance divided by the horizontal distance ("rise over run").



Yard slopes downhill to the northwest. The topographical map shows that 96 feet away from the proposed house the land has dropped 10 feet.

$$\text{Slope} = \frac{\text{Vertical distance}}{\text{Horizontal distance}}$$

$$\text{Slope} = \frac{10'}{96'} = .104$$

$$\text{Slope} = \text{about } 10\%$$

Step 4. From the Shadow Length Table find the shadow length values for a.m., noon, and p.m. Multiply these ratios times the height of the poles.

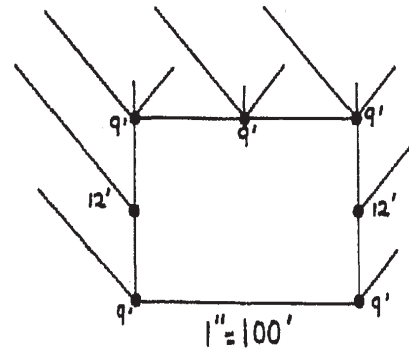
For 10% slope to the northwest:

SHADOW LENGTH			
	a.m. (9.1)	noon (2.3)	p.m. (4.8)
9' pole	81.9'	20.7'	43.2'
12' pole	109.2'	27.6'	57.6

Shadow Length Table																								
LATITUDE 40° North																								
	N			NE			E			SE			S			SW			W			NW		
SLOPE	AM	NOON	PM	AM	NOON	PM	AM	NOON	PM	AM	NOON	PM	AM	NOON	PM	AM	NOON	PM	AM	NOON	PM	AM	NOON	PM
0%	4.8	2.0	4.8	4.8	2.0	4.8	4.8	2.0	4.8	4.8	2.0	4.8	4.8	2.0	4.8	4.8	2.0	4.8	4.8	2.0	4.8	4.8	2.0	4.8
5%	5.7	2.2	5.7	4.8	2.2	6.2	4.1	2.0	5.7	3.8	1.9	4.8	4.1	1.8	4.1	4.8	1.9	3.8	5.7	2.0	4.1	6.2	2.2	4.8
10%	7.2	2.5	7.2	4.8	2.3	9.1	3.6	2.0	7.2	3.2	1.8	4.8	3.6	1.7	3.6	4.8	1.8	3.2	7.2	2.0	3.6	9.1	2.3	4.8
15%	9.6	2.9	9.6	4.8	2.6	16.6	3.2	2.0	9.1	2.8	1.7	4.8	3.2	1.6	3.2	4.8	1.7	2.8	9.6	2.0	3.2	16.6	2.6	4.8
20%	14.5	3.4	14.5	4.8	2.8	97.5	2.8	2.0	14.5	2.4	1.6	4.8	2.8	1.5	2.8	4.8	1.6	2.4	14.5	2.0	2.8	97.5	2.8	4.8

Example

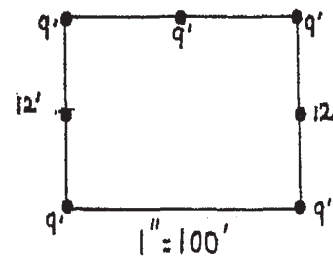
Shadow lines



Step 5. Draw the shadow lengths to scale on the overhead view of the building.

- Draw a.m. shadows 45 degrees west of north.
- P.M. shadows should be laid out 45 degrees east of north.
- Draw noon shadows due north.

Building shadow pattern



Step 6. Connect the end points of the shadow lines. This shows the approximate area of ground shaded by the building between 9 a.m. the 3 p.m. on December 21.

If the diagram was accurately drawn to scale, it will now be easy to tell whether the proposed building will shade the south-facing wall of any nearby buildings.

Appendix 27-8-B

Solar Access Easements

Introduction

In order to operate effectively, a solar energy system should receive direct sunlight for most of the day. The more the collector area is shaded, the less energy the system will supply.

This Chapter includes provisions that protect solar collectors and south-facing walls from shading (see Sections 238.0, 239.0 and 307.1.b.5). However, a solar skyspace easement can provide additional protection from shading and offers the individual a greater degree of control over factors that affect his or her property. The purpose of this Appendix is to explain in more detail (1) what a solar skyspace is, and (2) what should be included in a solar skyspace easement.

Solar Skyspace: What is it?

A solar skyspace is the portion of the sky that a collector (solar panel, south-facing glass area, etc.) must “see” to perform effectively. It is this skyspace, which is based on the sun's position in the sky, that must be protected from shading by trees, buildings or other obstructions.

Because of the earth's movement in relationship to the sun, the sun's position in the sky varies throughout the year. On December 21, the shortest day of the year, the sun rises several degrees south of true east, and reaches a height of 27 degrees above the horizon. By the longest day of the year, June 21, the sun's path has shifted considerably: it rises several degrees north of true east, and reaches the highest altitude above the horizon, 73 degrees. (These figures are for 40 degrees north latitude, which is York County's approximate location.) (See Figure 27-8-1).

An object casts its longest shadow when the sun is lowest in the sky. Thus, if a collector is protected from shading on December 21, when the sun is lowest in the sky, it should be protected the year round.

The critical hours for protection on December 21 are from about 9 a.m. to about 3 p.m. Standard Time. During these hours, most (90 percent) of the sun's radiation for that day falls on the earth. It is not necessary to protect solar collectors from sunrise to sunset: when the sun is low in the sky, its rays are very indirect, and most of the solar radiation is absorbed or blocked by the atmosphere, clouds or smog.

Another way to express the 9 a.m. to 3 p.m. time period is to refer to the sun's position at those times. On December 21 at about 9 a.m., the sun is 45 degrees east of south. (At true solar noon, which is the time halfway between sunrise and sunset, the sun is directly to the south.) Figures 27-8-2 and 27-8-3 are two ways of drawing a solar skyspace using the 45 degree position (azimuth). Figure 27-8-4 shows more simplified drawings that could be used to describe skyspace in a solar easement.

Exactly how much protection a solar system owner wishes to have will vary. First, the collector height above ground level must be considered. Solar panels on the roof, south-facing windows on the first floor, and a solar greenhouse with glazing that extends down to ground level will each need a different skyspace.

Figure 27-8-1
Paths of the Sun at Winter and Summer Solstices at 40° North Latitude

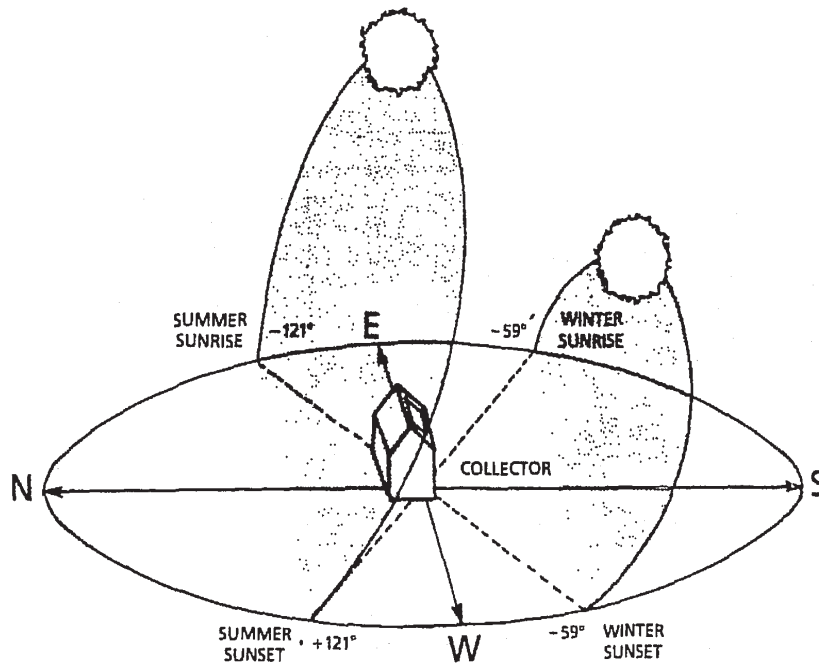


Figure 27-8-2
Solar Skyspace (Plan View)

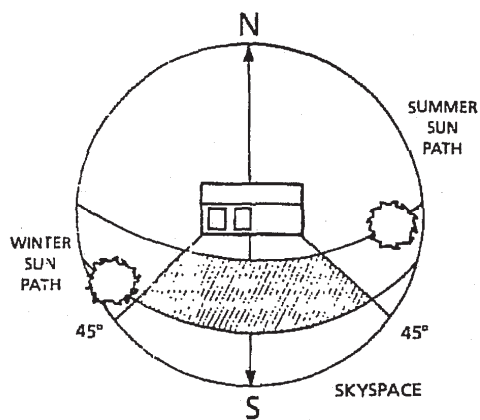
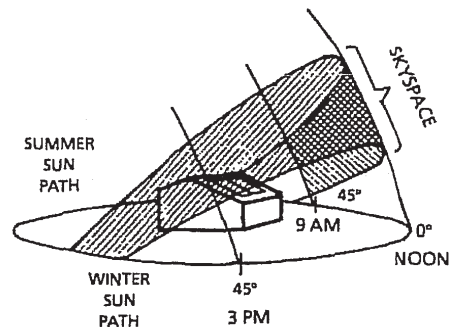


Figure 27-8-3
Solar Skyspace (Isometric View)



Secondly, the owner may recognize that providing full protection from shading may unfairly limit the development of the neighboring property. This problem could occur in an area where lots are small and houses are built close together. Also, it may be difficult to avoid shading when the property to the south is uphill from the solar collectors (see Figure 27-8-5). In these instances, the owner seeking solar access protection may settle for fewer hours of sunlight, such as 10 a.m. to 2 p.m.

Solar Skyspace Easement

A solar skyspace easement is a private agreement between two adjoining property owners. It should be drawn up, conveyed and recorded in the same manner as other types of easements. A skyspace easement should run with the land being protected and with the land being burdened with the easement. To properly and accurately draw up an easement, it may be helpful to consult a lawyer, surveyor and/or a solar consultant.

The easement could include the following:

1. The location of the solar collector(s) on the owner's property.
2. The boundaries of the solar skyspace that is being protected; that is, the area of sky over the neighboring property that the neighboring property owner agrees not to use. There are several ways of defining this area, such as:

A. *Using a Height Restriction.* "All space over the neighboring property (or over a certain portion of the neighboring property) at a height greater than ____ feet." In other words, the neighbor granting the easement will not build a structure or allow vegetation to grow higher than the height stated in the easement.

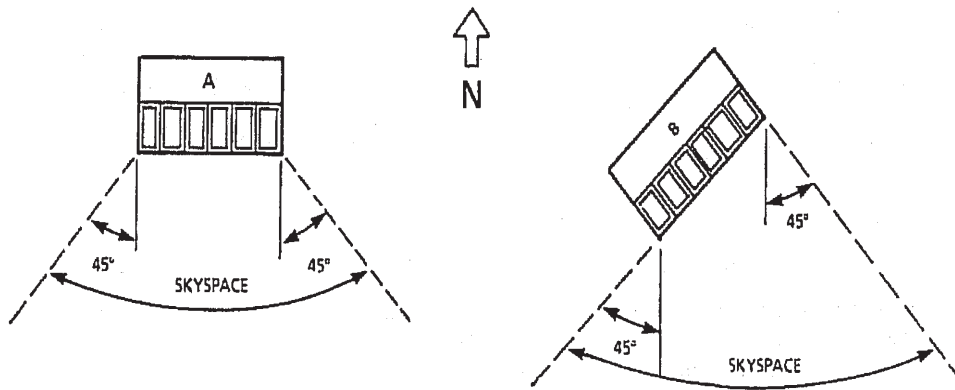
B. *Using a Variable Height Restriction.* The closer an object is to your property, the farther its shadow will fall across your property. Therefore, an easement could define a "stair step" skyspace, by increasing the maximum height for areas of the neighboring property that are farther from the solar collector.

C. *Using Times of Day.* This method of describing a skyspace may be used along or in combination with paragraphs .A or .B above. For example, "No shadow shall be cast from 3 hours before noon to 3 hours after noon from September 22 through March 21"—which would protect the collectors during the heating season. If year-round protection is needed for a domestic hot water system, add to that ". . . and from 4 hours before noon to 4 hours after noon from March 22 through September 21." Or, simply state that no shadows shall be cast ". . . from 3 hours before noon to 3 hours after noon on December 21," since protection from shadows on the shortest day of the year will probably insure protection for the whole year.

Another type of solar skyspace easement is called a "solar plane easement." It is similar to the stairstep technique in that it allows a building or tree on the neighboring property to be higher if it is farther away from the area that needs protection.

Figures 27-8-A and 27-8-B are drawings of one homeowner's solar plane easement. The owner planned to build a Trombe wall (a type of passive solar system) on the wall that faced 20 degrees east of true south. He obtained an easement in which the neighboring owner agreed that no structures or vegetation would be allowed above a 21 degree plane that began at the base of the Trombe wall area (4 1/2 feet above the ground) From side to side, this plane extended from the edges of the Trombe wall (which covered the whole side of the house) 43 degrees east and west of true south.

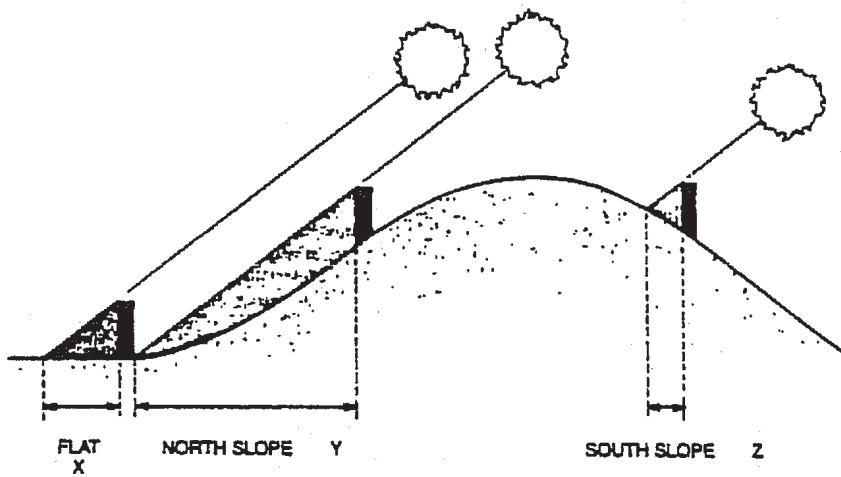
Figure 27-8-4
Solar Skyspace (Plan View)



The 45° angles represent the angles off due south.

Figure 27-8-5

Shadow Lengths Are Shorter and Higher Densities
Easier on South Slopes



DISTANCE "X" ON A FLAT SLOPE IS LESS THAN DISTANCE "Y" ON A NORTH SLOPE, FOR IDENTICAL POLES. DISTANCE "Z" ON A SOUTH SLOPE IS THE LEAST.

This easement did not give the solar system the maximum protection from shading that would have been obtained from a 12 or 15 degree plane extending 45 degrees east and west of south (protection from 9 a.m. to 3 p.m. on December 21). However, it was the best that could be obtained from the adjoining owner and the permitted amount of shading would not substantially impair the effectiveness of the system.

The owner in this case used the following mode easement. It is included as an example of how to prepare an easement.

Note that the base point used in this easement should be a point at the bottom corner of the solar collector area. In other words, it is the highest point above the ground that shadows could fall without shading the collector.

Model Solar Plane Easement

Explanation.

The model solar easement is intended as a proposal for easement drafting. Since the substantive law in each state may vary, no representation or legal opinion is made as to enforceability of this proposal. Use of the form without further legal research or competent legal advice tailored to the specific circumstances is not recommended.

The model solar easement attaches to the land. Therefore, it may be created without the existence of actual solar energy systems. Since easements run with the land, are transferable as interests in land, and should be permanently identifiable, this is the preferred approach. Some efforts have been made to describe solar easements from collector locations. Although the model solar easement could be easily adaptable to such an approach, the solar collector itself must then be defined and permanent.

Property owners securing solar easements should first determine over which neighboring properties easements are desirable, considering property lines, topography, and future use. The dominant property to which the solar easement attaches and confers benefits shall be called the "solar lot." The description of the solar easement granted the solar lot generally will not change. Only the names of the grantors and legal descriptions of the grantor's servient property will vary.

Review the model solar easement and accompanying figures before beginning preparation of a solar easement. Decide approximately what area of the solar lot (including airspace) is to be provided direct solar access. Rough sketching is helpful. As the collector is elevated from ground level, the solar easement burdens on grantor's servient properties decrease. Most solar easements will be designed for rooftop collectors with an elevated base line running due east or west coincident with the base of the solar collectors, and side planes projecting from the base line at angles that provide designed protection.

DRAWINGS OF A SOLAR PLANE EASEMENT

FIGURE 27-8-A
Top View

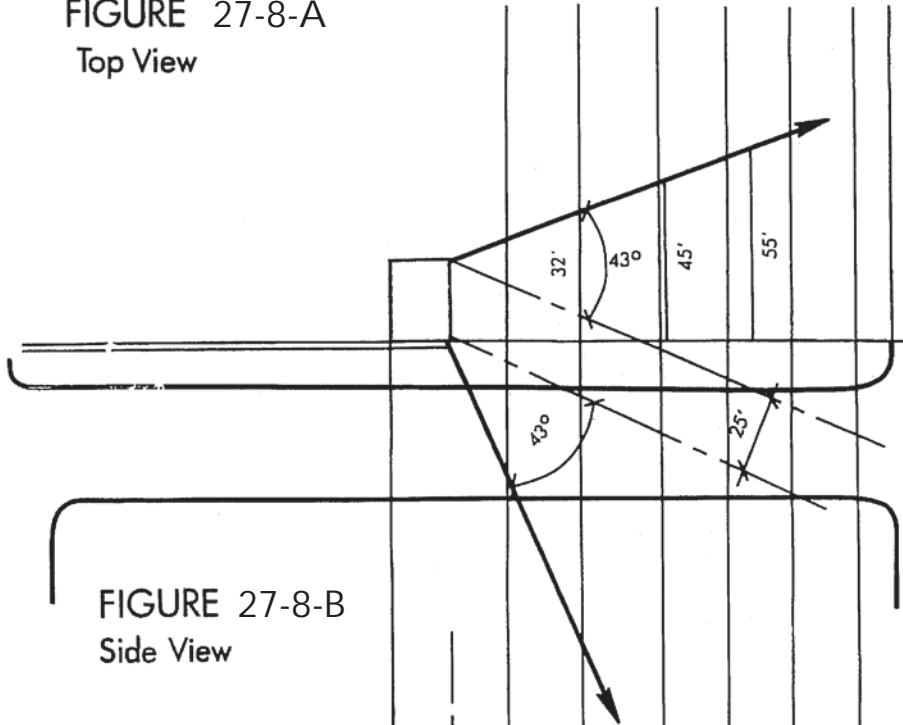
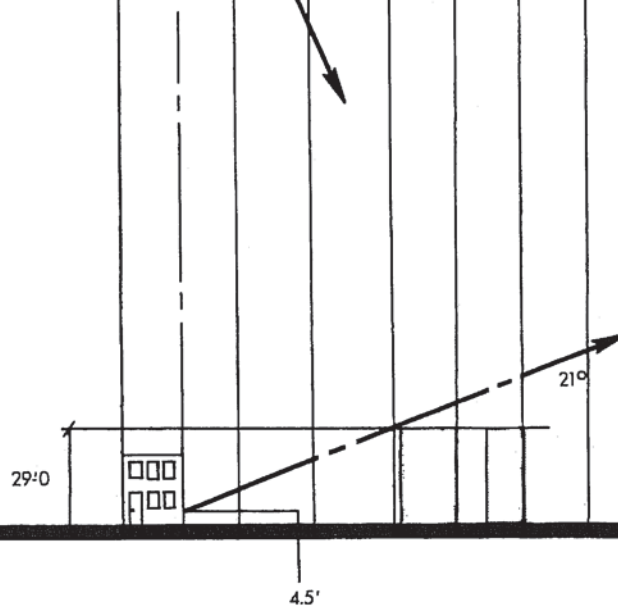


FIGURE 27-8-B
Side View



Proposed Form.

The following directions refer to the model solar easement in the pages following. Complete the blanks in the model solar easement proposal as follows:

1. Insert names of owners of property over which solar easement will pass (grantors).
2. Set out legal description of grantor's property over which solar easement will pass.
3. Insert names of owners of solar lot (grantees).
4. Set out legal description of solar lot.
5. Select a solar easement location point. It is important that the vertical distance be measured from a permanent, identifiable point of reference, since development or construction could change ground level elevation on some portions of the lot, thus changing the elevation of the solar easement. The United States Coast and Geodetic Survey (commonly referred to as USGS) has established benchmarks throughout the United States maintained by the Department of Interior. They are brass caps set in concrete with identified sea level elevation and location, generally at every section corner in cities, making such a pin within one-half mile of any lot. Any governmental entity maintaining a public works function has established benchmarks of latitude, longitude and elevation at locations creating identifiable elevation points within several hundred feet of any lot. Such permanently established benchmarks may be used as a solar easement location points. An alternative is to establish a relative elevation of zero on the property itself by permanently placing a benchmark in concrete at grade surface level, or identified on a building foundation or other permanent location so that it will not be disturbed in the future. Such a benchmark may easily be made by pouring concrete in a hole and placing a nail, pin, or other such identifiable permanent mark in the top surface. All elevations may then be taken from this permanent point without involving complex calculations or costly surveying. If a relative benchmark is used, tie back into an identifiable elevation if possible.
6. The beginning point is best located in the southwesterly (or southeasterly) corner of the solar lot. From this point, describe a path to a point on the solar lot vertically under the westerly (or easterly) most point of the base line. Then project vertically a fixed distance to a point which shall be the base point.
7. Describe a horizontal line extending east (or west) from the base point. The line generally needs to be no longer than the horizontal length of the proposed solar collectors. It will generally be within the lot setback requirements.
8. Describe an angle (or angles) which generally will be the horizontal angle the sun travels (azimuth) from the time you wish protection to begin, until 12 noon. The same angle would then protect for the same time period after 12 noon. If different morning and afternoon protection times are desirable, two different angles (azimuths) must be used.
9. Describe an angle which generally will be some average of the vertical sun angle (altitude) on December 21 (winter solstice) at the latitude of the solar lot during the protected hours. The farthest time from noon will be the smallest angle.

Figure 27-8-C

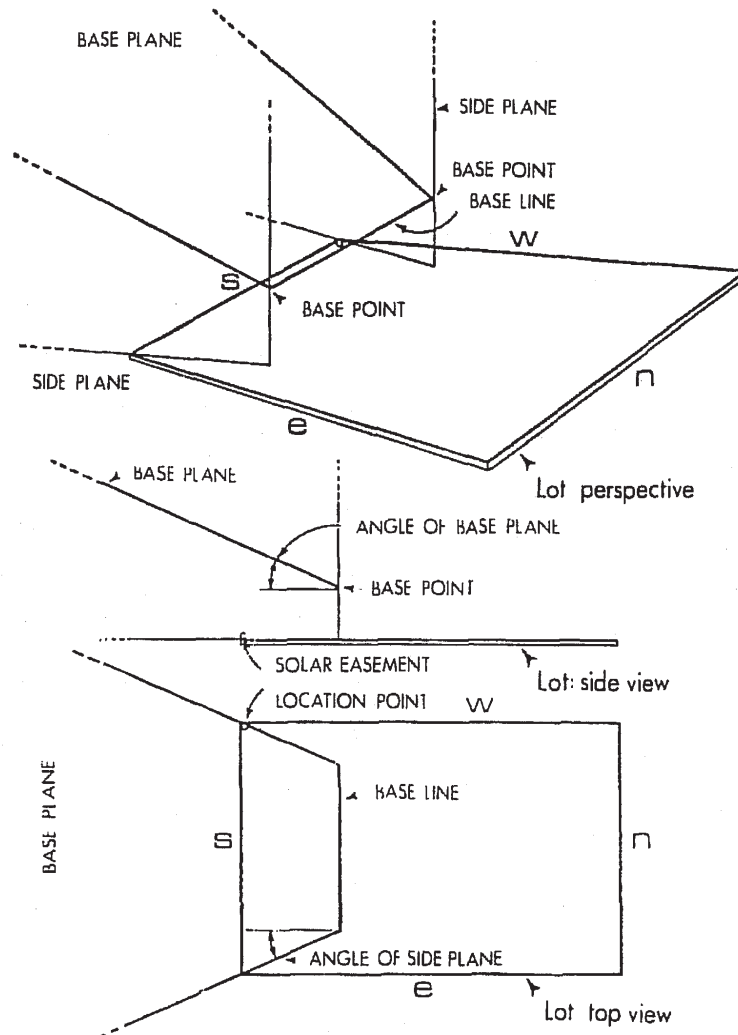


FIGURE C SOLAR PLANE EASEMENT: PERSPECTIVE (UPPER FIGURE), SIDE VIEW (MIDDLE FIGURE), AND TOP VIEW (LOWER FIGURE)

Illustrates solar easement location point, base point, base line, base plane, angle of base plane, side plane, and angle of side plane.

SOLAR EASEMENT

PROPOSED FORM

(1) A Good Neighbor , hereinafter called Grantor, is the owner of the following described property:

(2) (Legal Description of Grantors's Property)

Now therefore, in consideration of \$1 and other good and valuable considerations, the receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto

(3) Sonny Sunright , hereinafter called the Grantee, an easement and right-of-way for access to direct sunlight in the airspace above the surface of Grantor's property extending to an infinite height and described as follows.

Definitions used in this Solar Easement:

Solar lot—the lot benefitted and owned by the Grantee. In this solar easement the solar lot benefitted is:

(4) Lot 1, Block 1, Sunnyside Estates

Solar easement location point—a permanent, identifiable point of reference. In this solar easement, the solar easement location point shall be:

(5) The concrete benchmark located at the southwesterly corner of the solar lot, which is three feet higher in elevation than the U.S.G.S. Benchmark at the SW corner of Section X, Township Y, Range Z.

Base point—a point in space above the Solar Lot. In this solar easement, base point shall be located as follows:

(6) Beginning at the southwesterly corner of the solar lot, thence easterly along the southerly lot line eight feet, thence angle north 20 feet, then angle 90 degrees vertically ten feet above the solar easement location point to the base point.

Base line—the horizontal line created by extending the base point east or west. In this solar easement the base line shall be:

(7) A horizontal line extending east from the base point 30 feet.

Side planes—be the planes created from each end of the base line by the vertical projection of a horizontal line from:

(8) the east end of the base line extending south (8) 30 degrees east, and from the west end of the base line extending south (8) 30 degrees west.

GLEN ROCK CODE

Base plane—the lowest boundary plane of the solar lot. In this solar easement, base plane shall be a plane extending:

(9) upward and southerly from the base line at an angle of (9) 22 degrees from the horizontal.

Solar easement—the solar easement shall be that airspace above that portion of the base plane lying between the two side planes.

No tree, building or other obstruction of any kind or nature shall be allowed to encroach within the airspace described. This solar easement is an interest in land, shall run with the land benefitted and burdened and shall terminate only on the conditions stated herein or as provided by law. This solar easement may be enforced by an action for injunctive relief, damages, or both, plus reasonable attorney's fees and costs for enforcement. This easement shall be binding on the heirs, successors and assigns of all parties.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal
this _____ day of _____, 20__.

By: _____
Grantor

STATE OF _____)

_____) ss

COUNTY OF _____)

On this the ____ day of _____, 20__, before me personally appeared _____, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

Witness my hand and official seal.

Notary Public

My commission expires:

Appendix

The following ordinances and resolutions are no longer of general interest, primarily because their provisions were carried out directly after their enactment. Since they are mainly of historical or administrative interest, it has not been considered necessary to include their entire text. Instead, they are arranged in groups, according to subject matter, and within each group listed by title in chronological order. The annual budget and tax ordinances have been listed only in the "Table to Disposition of Ordinances." Any person who desires to read the full text of any of the ordinances or resolutions may do so by consulting the original Ordinance Books on file in the Borough Offices.

The enactments included in this Appendix are grouped under the following headings:

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

APPENDIX A
ANNEXATION OF TERRITORY

§ A-101. Annexation of Territory.

§ A-101. Annexation of Territory.

Ord./Res	Date	Subject
Ord. 58	7/16/1946	To annex territory to the Borough of Glen Rock, York County, Pennsylvania, which now lies in the Township of Shrewsbury, York County, Pennsylvania
Ord. 90	7/19/1957	Approving the petition for annexation to the Borough of Glen Rock, York County, Pennsylvania, a section of the Township of Shrewsbury, York County, Pennsylvania, which lies adjacent to the northern boundary line of said Borough and is hereinafter fully described, and providing that the said described section shall be annexed to and become a part of said Borough, the annexation thereof shall be approved by the Court of Quarter Sessions of said County
Ord. 160 (66-8)	8/11/1966	Annexing territory in Shrewsbury Township to the Borough of Glen Rock
Ord. 211 (73-1)	3/8/1973	Annexing territory in Shrewsbury Township to the Borough of Glen Rock

APPENDIX B
BOND ISSUES AND LOANS

§ B-101. Bond Issues and Loans.

§ B-101. Bond Issues and Loans.

Ord./Res	Date	Subject
Ord. 11/5/1895	11/5/1895	Authorizing a loan of \$1,000 by the Borough of Glen Rock, and the issuing of bonds therefore
Res. 1/4/1901	1/4/1901	Providing for the erection of suitable water works for the supply of water to the inhabitants of said Borough and for that purpose to borrow the sum of \$18,000
Res. 6/7/1901	6/7/1901	Authorizing an increase of indebtedness of the Borough of Glen Rock in the sum of \$18,000, for the purpose of erecting and constructing a system of water works for the supply of water to the inhabitants of said Borough of Glen Rock, in the County of York and State of Pennsylvania
Res. 7/7/1901	7/7/1901	Untitled resolution authorizing an increase of indebtedness of the Borough of Glen Rock in the sum of \$18,000, for the purpose of erecting and constructing a system of water works for the supply of water to the inhabitants of said Borough of Glen Rock, in the County of York and State of Pennsylvania
Ord. 1/7/1902	1/7/1902	Authorizing that an election be held on February 8, 1902, for the purpose of obtaining the assent of the electors of the Borough to increase the bonded indebtedness of the Borough in the sum of \$20,000 for the purpose of providing a supply of water for the use of the public within the Borough by erecting water works
Res. 3/14/1902	3/14/1902	Authorizing the issue of \$20,000 "Water Bonds" for the purpose of providing a supply water for use of the public within Borough by erecting water works and providing for the collection of an annual tax for the liquidation of the principal and payment of the interest of said bonds
Ord. 2/7/1911	2/7/1911	Expressing the desire of the Town Council of the Borough of Glen Rock, York County, Pennsylvania, to increase the indebtedness of said Borough, for the purpose of procuring an additional supply of water for the water system now owned and operated by said Borough

Ord./Res	Date	Subject
Ord. 2/22/1911	2/22/1911	Submitting to the electors of the Borough of Glen Rock, York County, Pennsylvania, a proposition to increase the indebtedness of said Borough in the sum of \$8,000 for the purpose of procuring an additional supply of water for the water system now owned and operated by said Borough and setting a day for the election
Ord. 5/8/1911	5/8/1911	Authorizing the issue of \$8,000 of bonds for the purpose of providing an additional supply of water, and levying an annual tax for the payment of principal and interest of said bonds
Ord. 50	9/12/1934	Signifying a desire to increase the indebtedness of said Borough in the sum of \$18,500 for the purpose of providing funds for and towards the purchase of a building and grounds adjacent thereto to be used as a community building or center, and authorizing the holding of an election to obtain the consent of the electors to said increase of indebtedness
Ord. 51	12/6/1934	Increasing the indebtedness of the Borough by an issue of bonds to the amount of \$18,500 for the purpose of providing funds for and towards the purchase of a building, and the grounds adjacent thereto, to be used as a community building or center, said bonds to have semi-annual coupons attached, fixing the form, number, date, rate of interest, maturity, etc. thereof authorizing the sale thereof levying a tax and tax rescinding ordinances in conflict therewith
Res. 10/25/1979	10/25/1979	Authorizing indebtedness of Glen Rock Borough by the issue of a general obligation note in the amount of \$17,050; fixing the form, interest and maturity thereof; making a covenant for the payment of the debt service on the note; and authorizing execution, sale and delivery thereof
Res. 5/25/1988	5/25/1988	Authorizing indebtedness of Glen Rock Borough by the issue of a General Obligation Note in the amount of \$11,152 fixing rate form, interest and maturity thereof; making a covenant for the payment of the debt service on the note; and authorizing execution, sale and delivery thereof
Ord. 346 (93-01)	4/21/1993	Authorizing the Borough to increase its indebtedness by the issuance of a General Obligation Note in the amount of \$250,000 for the purchase of and improvements to Neuhaus property at 26-32 Main Street
Ord. 396 (99-2)	7/14/1999	Incurring a debt in a maximum aggregate principal amount of \$2,800 in connection with the refunding by Glen Rock Sewer Authority of certain debt

APPENDIX C
FRANCHISES AND SERVICES

§ C-101. Franchises and Services.

§ C-101. Franchises and Services.

Ord./Res	Date	Subject
Ord. 8/5/1898	8/5/1898	Permitting the Pennsylvania Telephone Company to occupy the streets and highways of the Borough with poles and wire as may be necessary for conducting its business and to maintain the same in good, safe and serviceable condition
Ord. 10/10/1899	10/10/1899	Permitting the York Telephone Company of the City of York, Pennsylvania, its successors and assigns, to construct, operate and maintain a telephone line, including poles, wires, and fixtures, upon, along and over the highways of the Borough as its public use may require in such manner as not to obstruct the public use of the highways, providing that the poles shall be reasonably straight and neat in appearance and of sufficient height to carry the wire 25 feet above the ground, and shall be located under the supervision of the Street Committee of the Borough
Ord. 38	5/5/1924	Permitting the Glen Rock Electric Light and Power Company, its successors and assigns, to construct, operate and maintain its lines, including the necessary poles, wires and fixtures, upon, along and over any of the public ways of this Borough as its business may require; subject to the supervision of the Borough officers and subject to the condition and stipulation that the Glen Rock Electric Light and Power Company shall at all times hereafter indemnify and save harmless the said Borough from any and all damages and costs resulting directly from the construction, maintenance and operation of said poles, wires, fixtures and lines in furnishing electric current to the residents in this Borough
Ord. 47	6/26/1931	Granting consent to the Interborough Gas Company, its successors and assigns, to enter upon the streets, lanes, alleys and sidewalks of the Borough, and on or under the same to lay, construct, operate and maintain pipes for the supply of gas for light, heat and fuel to the public, together with all such valves, connections and appliances as to said Company may seem necessary or proper, and the same to inspect, alter and repair whenever necessary

Ord./Res	Date	Subject
Ord. 159 (66-7)	7/20/1966	Granting to the Authority, its successors and assigns, all easements, rights-of-way and other rights necessary and desirable in, along, over and under roads, streets, lanes, courts, public squares, alleys and other properties of this Borough, together with free ingress, egress and regress therein and thereto, along with other persons having interests or rights therein, for use in connection with constructing, replacing, repairing, altering, maintaining and operating the Authority's sewer system, as the same shall exist, from time to time

APPENDIX D

GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS

§ D-101. Governmental and Intergovernmental Affairs.

§ D-101. Governmental and Intergovernmental Affairs.

Ord./Res.	Date	Subject
Res. 10/10/1892	10/10/1892	Untitled resolution authorizing a referendum on October 17, 1892, on the question of accepting or rejecting the provisions of the Act of April 16, 1875, and its supplement of June 16, 1891, on the levy of a tax for streetlighting
Ord. 3/14/1902	3/14/1902	Authorizing the issue of \$20,000 "Water Bonds" for the purpose of providing a supply water for use of the public within Borough by erecting water works and providing for the collection of an annual tax for the liquidation of the principal and payment of the interest of said bonds
Ord. 10/14/1907	10/14/1907	Authorizing the execution by the Borough of a contract with the Glen Rock Electric Light and Power Company for the furnishing of electric light to the said Borough and to residents therein from November 5, 1907, to November 5, 1918, and fixing the prices and terms thereof and granting to the said Company the exclusive right for said purposes during said term
Ord. 36	2/15/1919	Authorizing the Borough to enter into a contract with the Glen Rock Electric Light and Power Company for the furnishing of electric lighting to said Borough for the term of 10 years from March 1, 1919, fixing the price thereof, and giving the conditions under which the same is to be furnished and granting to said Glen Rock Electric Light and Power Company the exclusive right during said term to furnish electric light in said Borough
Ord. 59	11/7/1946	Providing for the furnishing of electric streetlighting service to the Borough

Ord./Res.	Date	Subject
Ord. 73	4/7/1950	Signifying the intention and desire of the municipalities of the Borough of Glen Rock, York County, Pennsylvania, to organize jointly with the Borough of Shrewsbury, the Borough of Railroad, the Borough of New Freedom, the Township of Codorus and the Township of Shrewsbury, an Authority under the Municipality Authorities Act of 1945, as amended, to be known as Southern York County Joint School Authority; appointing 1 member of the Board of said Authority and specifying his term of office; specifying the project to be undertaken; and authorizing other necessary actions
Ord. 157	7/20/1966	Authorizing and approving an agreement to be dated as of July 20, 1966, between this Borough and Glen Rock Sewer Authority, whereby said Glen Rock Sewer Authority covenants to acquire and construct a sanitary sewage collection and treatment system, including all related and necessary facilities for rendering sewage service in and for this Borough and whereby this Borough makes certain covenants and agreements with respect to the proposed sewer system to be acquired and constructed by Glen Rock Sewer Authority, including the enforcement of fitted, improved and accommodated by any sanitary sewer constituting a part of the aforesaid sewer system, to connect therewith, the granting of certain easements and rights-of-way to said Glen Rock Sewer Authority and other allied matters; authorizing and directing execution, acknowledgment and delivery of said agreement in behalf of this Borough; and authorizing and directing other necessary and proper action
Ord. 161 (66-9)	10/20/1966	Providing for the furnishing of electric streetlighting service. (Contract with the Metropolitan Edison Company.)
Ord. 174 (68-4)	12/12/1968	Obtaining services in the analysis, modernization and codification of ordinances of Glen Rock Borough. This agreement was with Penns Valley Publishers, Inc.
Ord. 180 (70-1)	2/12/1970	Entering into contract for planning assistance and subcontract for codification of ordinances
Ord. 212 (73-2)	3/14/1973	Expressing the intention to refund or credit certain taxes. (This was for abatement of real estate taxes on property damaged or destroyed by flood in 1972.)
Ord. 229 (76-1)	10/18/1976	Providing for the furnishing of electric streetlighting service to the Borough. (Contract with the Metropolitan Edison Company.)
Ord. 295 (88-1)	2/3/1988	Authorizing the appointment of an Independent Auditor for Glen Rock

GOVERNMENTAL AND
INTERGOVERNMENTAL AFFAIRS

§ D-101

Ord./Res.	Date	Subject
Ord. 296 (88-2)	3/2/1988	Authorizing the execution of contracts with Metropolitan Edison Company for electric streetlighting service
Ord. 309 (89-6)	11/1/1989	Amending agreement between the York County Solid Waste and Refuse Authority and Glen Rock Borough
Ord. 317 (90-5)	9/5/1990	Adopting a municipal Drug Task Force Agreement with the Office of Attorney General of the Commonwealth of Pennsylvania to enforce narcotics and illegal drug laws in order to preserve the safety and welfare of the community and to provide intergovernmental cooperative activities with adjacent and nearby municipal governments
Ord. 327 (91-4)	10/2/1991	Authorizing a nonexclusive cable television franchise renewal to GS Communications, Inc.
Ord. 341 (92-9)	9/2/1992	Authorizing the Borough to enter into an intergovernmental cooperation agreement between Glen Rock Borough and Seven Valleys Borough for mutual assistance and provision of police services in each of the Boroughs
Ord. 361 (94-9)	12/7/1994	Authorizing Glen Rock Borough to join with Shrewsbury Township, New Freedom Borough, Railroad Borough and Southern York County School District in an agreement providing for the creation of a joint recreation board to administer park and recreation programs within the respective municipalities pursuant to the Intergovernmental Cooperation Act
Res. 2006-16	10/11/2006	Beverly J. Kaufman be and hereby is appointed to serve as a member of the Glen Rock Recreation Board for a term expiring October 12, 2009
Res. 2006-17	10/11/2006	Edward Chandler be and hereby is appointed to serve as a member of the Glen Rock Recreation Board for a term expiring October 12, 2009
Res. 2006-18	10/11/2006	Garry Ferree be and hereby is appointed to serve as a member of the Glen Rock Recreation Board for a term expiring October 12, 2009
Ord. 430	7/14/2004	Authorizing an intergovernmental cooperation agreement establishing a UCC Board of Appeals with other participating municipalities of the County of York
Ord. 455 (2008-7)	8/20/2008	Approving intergovernmental cooperative agreement for multi-municipal planning; representatives of Glen Rock Borough appointed to the Southern York County Regional Planning Commission are authorized to participate on behalf of Glen Rock Borough

Ord./Res.	Date	Subject
Ord. 456 (2008-08)	10/15/2008	Approving a proposed amendment to the Articles of Incorporation of Glen Rock Water Authority to extend the existence of said Authority; providing an effective date; and repealing all ordinances or parts of ordinances insofar as they are inconsistent herewith
Ord. 474 (2013-1)	12/18/2013	Amending and/or restating join municipal agreement authorizing intergovernmental cooperation between Glen Rock Borough, New Freedom Borough, and Shrewsbury Borough, for purpose of providing law enforcement services to the various municipalities
Ord. 479 (2015-01)	2/18/2015	Authorizing intergovernmental agreement for the implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan
Ord. 481 (2015-03)	6/17/2015	Authorizing intergovernmental agreement between Glen Rock Borough and Shrewsbury Township to provide for the sharing of essential public services between the municipalities

APPENDIX E
PLAN APPROVAL

§ E-101. Plan Approval.

§ E-101. Plan Approval.

(Reserved)

APPENDIX F
PUBLIC PROPERTY

§ F-101. Public Property.

§ F-101. Public Property.

Ord./Res	Date	Subject
Ord. 183 (70-4)	9/30/1970	Authorizing the sale of real estate located in Springfield Township (This authorized the sale of certain premises located in Springfield Township which for many years had been used as a dumping ground for refuse collected in Glen Rock. It was sold to George A. Runk and Lois I. Runk for \$100 and costs of transfer not to exceed \$500).
Ord. 214 (73-4)	8/9/1973	To authorize the purchase of land in Shrewsbury Township for a recreation place (This authorized purchase of real estate adjacent to the Lutheran Cemetery, from Maggie E. Bowman for \$18,000)
Ord. 273 (84-2)	2/9/1984	Authorizing lease-purchase agreement for a tractor and attachments from Neuhaus, Inc. in the sum of \$17, 768.25 (This authorized purchase of property was made by the President of the Borough)

APPENDIX G
SEWERS

§ G-101. Sewers.

§ G-101. Sewers.

Ord./Res.	Date	Subject
Ord. 144	9/11/1964	Authorizing the transfer of sewer system plans (This authorized an agreement with the Glen Rock Sewer Authority to provide that all engineering plans and specifications and all papers and materials relating to them pertaining to a sewer system, which had been prepared in 1948, be transferred to the Authority, on the condition that the Authority, when it proceeded with construction and financing of the sewer system, would pay the amount owing by the Borough for the plans to the United States Housing and Home Finance Agency)
Ord. 316 (90-4)	8/1/1990	Authorizing and approving an agreement by this Borough, Glen Rock Water Authority, Glen Rock Sewer Authority, Shrewsbury Borough, Shrewsbury Borough Municipal Authority, Borough of New Freedom, Borough of Stewartstown, and the Stewartstown Borough Authority, all of York County, Pennsylvania, where each of the parties to said agreement agrees to provide mutual aid to each of the other parties in the case of emergency

APPENDIX H

STREETS AND SIDEWALKS

§ H-101. Streets and Sidewalks.

§ H-101. Streets and Sidewalks.

This appendix contains an alphabetical listing of streets, and, under each street, a listing of all ordained activities.

Name	Activity	Location	Ord./Res.	Date
Argyle Avenue	Naming	Intersection with Valley Street	Ord. 2	3/2/1906
Argyle Avenue	Reducing	Reduce the lengths	Ord. 124	12/28/1961
Baltimore Street	Naming	Intersection with Main, Hanover and Manchester Streets	Ord. 2	3/2/1906
Camp Road	Changing name	Name change from Glen Avenue Extension to Camp Road	Ord. 118	8/3/1961
Center Street	Adopting	50 feet wide from Church Street to Park Avenue, 19 foot wide curblines	Ord. 39	6/6/1924
Center Street Extended	Adopting	As public highway	Ord. 54	12/5/1940
Church Street	Naming	Intersection of Main and Hill Streets	Ord. 2	3/2/1906
Circle Drive	Adopting		Ord. 258 (81-5)	9/10/1981
Circle Drive	Adopting	Located in Hillside Terrace Sections 1 and 3 from the intersection of Circle Drive and Hillside Terrace to the Glen Rock Borough/Shrewsbury Township Municipal boundary line in Glen Rock Borough	Ord. 356 (94-4)	10/5/1994
Codorus Street	Adopting	As public highway, 16 feet wide, from Water Street to Hanover Street	Ord. 108	9/3/1959

Name	Activity	Location	Ord./Res.	Date
Cottage Avenue	Laying out, opening and adopting		Ord. 12/13/1894	12/13/1894
Cottage Avenue	Naming	Intersection with Hanover Street	Ord. 2	3/2/1906
East Center Street	Adopting	As public highway, the width at 50 feet, from the southern limit of East Center Street, southeastwardly 65 feet to a point	Ord. 121	11/13/1961
East Ridge Avenue	Adopting	As public highway, 30 feet wide, from the northeastwardly 1,213 feet to a point	Ord. 108	9/3/1959
Edge Hill Road	Adopting		Ord. 313	3/7/1990
Glen Avenue	Adopting and laying out		Ord. 1/5/1906	1/5/1906
Glen Avenue	Adopting	As public highway, 40 feet wide, including 5 foot wide sidewalks, on both sides, from the eastern limit of Glen Avenue northeastwardly 120 feet to a point	Ord. 118	8/3/1961
Glen Avenue	Adopting	As official street, as shown on resubdivision and lot add-on plan for Field of Broad Springs	Ord. 469 (2012-02)	7/18/2012
Glen Avenue	Naming	Intersection with Valley Street	Ord. 2	3/2/1906
Glen Avenue Extension	Adopting	As public highway, 20 feet wide from Glen Avenue to the center of Valley Street	Ord. 108	9/3/1959
Glen Avenue Extension	Changing name	Name change from Glen Avenue Extension to Camp Road	Ord. 118	8/3/1961

STREETS AND SIDEWALKS

§ H-101

Name	Activity	Location	Ord./Res.	Date
Glenvue Road	Adopting	As public highway, 30 feet wide from the southeast side of Hanover Street extending southeastwardly 696.5 feet to a point	Ord. 108	9/3/1959
Hanover Street	Changing cartway	Changing the cartway to 26 feet	Ord. 128	4/7/1962
Hanover Street	Naming	Intersection with Main, Baltimore and Manchester Streets	Ord. 2	3/2/1906
Hayward Heights	Adopting	As public highway	Ord. 52	5/6/1935
High Rock Street	Adopting	As public highway	Ord. 88	12/6/1956
High Street	Adopting	As public highway	Ord. 67	12/2/1948
High Street	Authorizing and directing	From Church Street and running in a southerly direction a distance of 1,018 feet	Ord. 81	6/5/1952
Hill Avenue	Adopting	As public highway	Ord. 62	11/8/1947
Hill Street	Naming	Intersection of Main and Church Streets	Ord. 2	3/2/1906
Hill Street	Adopting	As public highway	Ord. 69	7/7/1949
Hillside Terrace			Ord. 258(81- 5)	9/10/1981
Hillside Terrace	Adopting		Ord. 313	3/7/1990
Junior Street	Adopting		Ord. 40	9/5/1924
Lester Court	Adopting	As a public street	Ord. 405 (99- 11)	12/1/1999
Link Street	Adopting	As public highway, 12 feet wide, from Hanover Street to Winter Street	Ord. 108	9/3/1959
Main Street	Naming	Intersection of Hill and Church Street	Ord. 2	3/2/1906
Manchester Street	Approving	Route No. 441, from Station 0+00 at curbline of Hanover Street to Station 22+87 at Borough line	Ord. 41	8/6/1926

Name	Activity	Location	Ord./Res.	Date
Manchester Street	Improving	From the intersection of Hanover and Baltimore Streets at Station 0+22 to a point approximately 0.25 miles east of the Village of Stocks at Station 265+43.6	Ord. 42	8/17/1926
Manchester Street	Naming	Intersection with Hanover, Main and Baltimore Streets	Ord. 2	3/2/1906
Meadowsweet Lane	Adopting	As official street, as shown on resubdivision and lot add-on plan for Field of Broad Springs	Ord. 469 (2012-02)	7/18/2012
New Street	Naming	Intersection with Church Street	Ord. 2	3/2/1906
North Walnut Street	Adopting	As public highway, 40 feet wide, with 5 foot wide sidewalks on each side from the north side of West Center Street extending northeastwardly 380 feet to a point	Ord. 108	9/3/1959
Park Avenue	Adopting	50 feet wide from Borough line 985 feet to a 10 foot wide alley, 19 foot wide curblines	Ord. 39	6/6/1924
Park Avenue	Adopting	As public highway, 40 feet wide, from Center Street to High Street	Ord. 108	9/3/1959
Park Avenue	Adopting	As public highway, 30 feet wide, from a point on the northeast side of High Street, northeastwardly 302.5 feet to a point on the southwest side of an openway	Ord. 125	2/1/1962
Pine Street	Adopting		Ord. 258 (81-5)	9/10/1981

Name	Activity	Location	Ord./Res.	Date
Pleasant Street	Adopting	As public street	Ord. 239	11/10/1978
Pleasant Street	Naming	Intersection with Manchester Street	Ord. 2	3/2/1906
Rexwood Drive	Accepting	50 foot wide right-of-way known as Rexwood Drive the Borough of Glen Rock, County of York, Commonwealth of Pennsylvania, as shown on a final subdivision plan of Colonial Meadows Phase 1	Ord. 453 (2008-05)	5/21/2008
Rexwood Drive	Adopting	In the Colonial Meadows Subdivision	Ord. 398 (99-4)	10/6/1999
Rexwood Drive	Adopting	In the Colonial Meadows Subdivision	Ord. 400 (99-6)	11/3/1999
Rexwood Drive	Adopting	As a public street, 1,482.24 feet	Ord. 406 (2000-1)	--/--/2000
Ridge Avenue	Adopting		Ord. 313	3/7/1990
School Street	Naming	Intersection with Manchester Street	Ord. 2	3/2/1906
South Walnut Street	Adopting	As public highway; from a point on the south line of West Center Street running south 380 feet	Ord. 66	8/6/1948
Terrace Heights	Adopting	As public highway	Ord. 48	3/2/1933
Unnamed Valley Street	Adopting	As public highway	Ord. 70	9/8/1949
Valley Street	Naming	Intersection with Baltimore Street	Ord. 2	3/2/1906
Walnut Street	Reducing	Reduce the length	Ord. 124	12/28/1961
Walnut Street	Adopting	As public street	Ord. 238 (78-3)	9/14/1978
Walnut Street	Adopting	As public highway, an extension of the street from its existing northeastern terminus to Church Street	220 (74-1)	3/14/1974
Water Street	Naming	Intersection with Hanover Street	Ord. 2	3/2/1906

Name	Activity	Location	Ord./Res.	Date
Water Street	Vacating	Northern side and fixing the width of the pavement	Ord. 8/6/1895	8/6/1895
West Center Street	Adopting	As public highway; from the west curblin of Church Street, on the center line of said street westward across Church Street and the west curblin of Church Street	Ord. 65	8/6/1948
West Center Street	Reducing	Reduce the length	Ord. 124	12/28/1961
West Court	Adopting	As a public street	Ord. 418 (2002-6)	9/11/2002
West Street	Adopting	As public highway, 40 feet wide, with 5-foot wide sidewalks on each side, from the west side of North Walnut Street extending northeastwardly approximately 600 feet to a point	Ord. 108	9/3/1959
West Street	Adopting	As public highway, 40 feet wide, including 5 foot wide sidewalks, on both sides, from the western limit of West Street, northeastwardly 400 feet to a point	Ord. 118	8/3/1961
West Street	Reducing	Reduce the length	Ord. 124	12/28/1961
West Street	Adopting	As public highway; an extension of the street from its existing terminus, northwestwardly 335 feet	Ord. 172 (68-2)	10/14/1968
Wildflower Court	Adopting	As official street, as shown on resubdivision and lot add-on plan for Field of Broad Springs	Ord. 469 (2012-02)	7/18/2012

STREETS AND SIDEWALKS

§ H-101

Name	Activity	Location	Ord./Res.	Date
Winter Avenue	Adopting	As public highway	Ord. 49	11/3/1933
Winter Avenue	Adopting	As public highway, 20 feet wide, from a point at Winter Avenue southwestwardly to the center of Glenvue Road	Ord. 108	9/3/1959
Winwood Road	Adopting	As public highways, 20 feet wide, from a point on the southeast side of Glen Avenue, southeastwardly 200 feet to a point.	Ord. 125	2/1/1962
Wolfe Street	Adopting	As public highway	Ord. 283 (86-1)	6/12/1986
Wyndom Drive	Adopting		Ord. 398 (99-4)	10/6/1999
Wyndom Drive	Adopting		Ord. 400 (99-6)	11/3/1999

APPENDIX I

WATER

§ I-101. Water.

§ I-101. Water.

Ord./Res.	Date	Subject
Res. 12/7/1900	12/7/1900	Untitling resolution providing for the erection of suitable water works for the supply of water to the inhabitants of the Borough of Glen Rock
Ord. 5/3/1901	5/3/1901	Providing for the erection, establishment, and maintenance of a system of water works for the Borough of Glen Rock, in the County of York and State of Pennsylvania, and for the adoption of plans for the same, and of limiting the costs thereof and for imposing upon the said Borough of Glen Rock the payment thereof
Res. 6/7/1901	6/7/1901	Providing for the erection, establishment and maintenance of a system of water works for the Borough of Glen Rock
Ord. 7/18/1902	7/18/1902	Directing the Water Works Committee to acquire by purchasing from B. Albert Shermer for \$150 three springs of water and the ground adjacent thereto and occupied thereby situated upon his land in Shrewsbury Township adjacent to the Borough
Ord. 169 (67-6)	11/25/1967	Condemning real estate to improve and protect water supply (This refers to a tract belonging to Mrs. Mae Wilson, along Centerville Creek, located partly in Codorus Township and partly in Shrewsbury Township)
Ord. 173 (68-3)	10/14/1968	Acquiring land to improve and protect water supply and to approve contracts, payments and action relating thereto (This refers to a 25.617-acre tract along Centerville Creek owned by Mrs. Mae Wilson, with Mrs. Wilson authorized to use and occupy the 1-acre tract on which the buildings were located during her lifetime)

APPENDIX J
ZONING; PRIOR ORDINANCES

§ J-101. Zoning; Prior Ordinances.

§ J-101. Zoning; Prior Ordinances.

(Reserved)

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

CHAPTER KO

TABLE TO DISPOSITION OF ALL ORDINANCES

§ KO-101. Key to Disposition of All Ordinances.

§ KO-101. Key to Disposition of All Ordinances.

Ordinance	Date	Disposition	Subject
26	1/28/1879	Repealed by 195	
25	1/31/1879	Repealed by 195	
24	2/10/1879	Repealed by 195	
23	2/10/1879	Repealed by 195	
22	2/11/1879	Repealed by 195	
9/8/1882	9/8/1882	Repealed by 195	
10/10/1888	10/10/1888	Repealed by 195	
12/13/1894	12/13/1894	Appendix H	Streets and Sidewalks
8/6/1895	8/6/1895	Appendix H	Streets and Sidewalks
11/5/1895	11/5/1895	Appendix B	Bond Issues and Loans
7/6/1897	7/6/1897	Repealed by 195	
8/5/1898	8/5/1898	Appendix C	Franchises and Services
7/7/1899-1	7/7/1899	Repealed by 195	
7/7/1899-2	7/7/1899	Repealed by 195	
10/10/1899	10/10/1899	Appendix C	Franchises and Services
5/3/1901	5/3/1901	Appendix I	Water
1/7/1902	1/7/1902	Appendix B	Bond Issues and Loans
3/14/1902	3/14/1902	Appendix D	Governmental and Intergovernmental Affairs
7/18/1902	7/18/1902	Appendix I	Water
1/5/1906	1/5/1906	Appendix H	Streets and Sidewalks
1	1/25/1906	Repealed by 195	
2	1/25/1906		
§§ 2, 3		§§ 21-301, 21-302	Streets and Sidewalks
3	1/25/1906	Repealed by 195	
4	1/25/1906	Repealed by 195	
5	1/25/1906	Repealed by 195	
6	6/1/1906	Repealed by 195	
7	1/25/1906	Repealed by 195	
8	2/26/1906	Repealed by 195	
9	--/--/----	Repealed by 195	

Ordinance	Date	Disposition	Subject
10	--/--/----	Repealed by 195	
11	1/25/1906	Repealed by 195	
12	1/25/1906	Repealed by 195	
13	1/25/1906	Repealed by 195	
14	1/25/1906	Repealed by 195	
15	1/25/1906	Repealed by 195	
16	1/25/1906	Repealed by 195	
17	1/25/1906	Repealed by 195	
18	2/26/1906	Repealed by 195	
19	1/26/1906	Repealed by 195	
20	2/26/1906	Repealed by 195	
21	2/26/1906	Repealed by 195	
3/2/1906	3/2/1906	Repealed by 195	
4/6/1906	4/6/1906	Repealed by 195	
10/4/1907	10/4/1907		
§ 1		§§ 21-301, 21-302	Streets and Sidewalks
10/14/1907	10/14/1907	Appendix D	Governmental and Intergovernmental Affairs
4/2/1909	4/2/1909	Repealed by 195	
2/7/1911	2/7/1911	Appendix B	Bond Issues and Loans
2/22/1911	2/22/1911	Appendix B	Bond Issues and Loans
5/8/1911	5/8/1911	Appendix B	Bond Issues and Loans
29		No ordinance	
30		No ordinance	
31		No ordinance	
32		No ordinance	
33		No ordinance	
34	4/10/1917	Repealed by 195	
35	6/7/1918	Tax Rate	
36	2/15/1919	Appendix D	Governmental and Intergovernmental Affairs
37	5/12/1922	Repealed by 195	
38	5/5/1924	Appendix C	Franchises and Services
39	6/6/1924	Appendix H	Streets and Sidewalks
40	9/5/1924	Appendix H	Streets and Sidewalks
41	8/6/1926	Appendix H	Streets and Sidewalks
42	8/17/1926	Appendix H	Streets and Sidewalks
43	9/3/1926	Repealed by 195	
44	4/4/1929	Tax Rate	

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
45	5/1/1930	Tax Rate	
46	9/18/1930	Repealed by 195	
47	6/26/1931	Appendix C	Franchises and Services
48	3/2/1933	Appendix H	Streets and Sidewalks
49	11/3/1933	Appendix H	Streets and Sidewalks
50	9/12/1934	Appendix B	Bond Issues and Loans
51	12/6/1934	Appendix B	Bond Issues and Loans
52	5/6/1935	Appendix H	Streets and Sidewalks
53	12/5/1935	Repealed by 195	
54	12/5/1940	Appendix H	Streets and Sidewalks
55	2/1/1945	1945 Tax Rate	
56	2/7/1946	1946 Tax Rate	
57	3/7/1946	Repealed by 195	
58	7/16/1946	Appendix A	Annexation of Territory
59	11/7/1946	Appendix D	Governmental and Intergovernmental Affairs
60	2/7/1947	1947 Tax Rate	
61	10/2/1947	Repealed by 143	
62	11/8/1947	Appendix H	Streets and Sidewalks
63	2/9/1948	1948 Tax Rate	
64	3/4/1948	Repealed by 195	
65	8/6/1948	Appendix H	Streets and Sidewalks
66	8/6/1948	Appendix H	Streets and Sidewalks
67	12/2/1948	Appendix H	Streets and Sidewalks
68	2/5/1949	1949 Tax Rate	
69	7/7/1949	Appendix H	Streets and Sidewalks
70	9/8/1949	Appendix H	Streets and Sidewalks
71	12/--/1949	Repealed by 195	
72	2/2/1950	1950 Tax Rate	
73	4/7/1950	Appendix D	Governmental and Intergovernmental Affairs
74	11/2/1950	Repealed by 195	
75	11/2/1950	Repealed by 195	
76	11/2/1950	Repealed by 195	
77	11/2/1950	Repealed by 195	
78	7/5/1951	Repealed by 195	
79	2/7/1952	1952 Tax Rate	
80	3/6/1952	Repealed by 190	
81	6/5/1952	Appendix H	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
82	2/4/1954	1954 Tax Rate	
83	2/17/1955	Exp.	
84	4/5/1956	1956 Tax Rate	
85		No ordinance	
86	11/1/1956	Repealed by 195	
87		No ordinance	
88	12/6/1956	Appendix H	Streets and Sidewalks
89	7/3/1957	Exp.	
90	7/19/1957	Appendix A	Annexation of Territory
91		No ordinance	
92		No ordinance	
93		No ordinance	
94		No ordinance	
95		No ordinance	
96		No ordinance	
97		No ordinance	
98		No ordinance	
99		No ordinance	
100	4/7/1958	1958 Tax Rate	
101	4/7/1958	§§ 24-201 — 24-206	Taxation; Special
102	4/7/1958	Superseded by 459	Taxation; Special
103	12/5/1958	Appendix D	Governmental and Intergovernmental Affairs
104	2/5/1959	1959 Tax Rate	
105	2/5/1959	Exp.	
106	2/5/1959	Exp.	
107	4/2/1959	Exp.	
108	9/3/1959	Appendix H	Streets and Sidewalks
109	10/1/1959	Appendix D	Governmental and Intergovernmental Affairs
110	11/5/1959	Repealed by 200	
111	3/14/1960	1960 Tax Rate	
112	3/3/1960	Exp.	
113	4/7/1960	Exp.	
113B	12/1/1960	Exp.	
114	1/5/1961	§ 1-231	Administration and Government
115	2/10/1961	Repealed by A.O.	Health and Safety
116	3/2/1961	1961 Tax Rate	
117	3/2/1961	Exp.	

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
118	8/3/1961	Appendix H	Streets and Sidewalks
119		No ordinance	
120		No ordinance	
121	11/13/1961	Appendix H	Streets and Sidewalks
122	12/7/1961	Exp.	
123	12/7/1961	Repealed by 171	
124	12/28/1961	Appendix H	Streets and Sidewalks
125	2/1/1962	Appendix H	Streets and Sidewalks
126	3/2/1962	1962 Tax Rate	
127	3/1/1962	Exp.	
128	4/7/1962	Appendix H	Streets and Sidewalks
129	7/5/1962	Repealed by 363 (95-2)	
130	12/6/1962	Exp.	
131	3/7/1963	1963 Tax Rate	
132	3/7/1963	Exp.	
133	3/7/1963	Exp.	
134	11/13/1963	Superseded by A.O.	Motor Vehicles and Traffic
135	12/5/1963	Exp.	
136	2/13/1964	Repealed by 171	
137	3/12/1964	1964 Tax Rate	
138	3/12/1964	Exp.	
139	3/12/1964	Repealed by 274	
140	3/12/1964	Appendix D	Governmental and Intergovernmental Affairs
141	4/9/1964	Repealed by 328	
142	4/9/1964	Repealed by A.O.	Administration and Government
143	5/14/1964	Repealed by 216	
144	9/11/1964	Appendix G	Sewers
145	11/12/1964	Exp.	
146	11/12/1964	Repealed by 171	
147	3/12/1965	1965 Tax Rate	
148	3/11/1965	Exp.	
149	5/13/1965	Repealed by 195	
150	8/6/1965	Superseded by A.O.	Motor Vehicles and Traffic
151	9/15/1965	§§ 6-101 — 6-103	Conduct
152	11/11/1965	Exp.	
153 (66-1)	3/10/1966	1966 Tax Rate	
154 (66-2)	3/10/1966	§ 24-206	Taxation; Special

Ordinance	Date	Disposition	Subject
155 (66-3)	3/10/1966	Superseded by 459	Taxation; Special
156 (66-2)	3/10/1966	Superseded by 459	Taxation; Special
157	7/20/1966	Appendix D	Governmental and Intergovernmental Affairs
158 (66-6)	7/20/1966	§§ 18-101 — 18-120	Sewers and Sewage Disposal
159 (66-7)	7/20/1966	Appendix C	Franchises and Services
160 (66-8)	8/11/1966	Appendix A	Annexation of Territory
161 (66-9)	10/20/1966	Appendix D	Governmental and Intergovernmental Affairs
162 (66-10)	11/10/1966	Superseded by 466 (2011-01)	Taxation; Special
163 (66-11)	11/10/1966	Exp.	
164 (67-1)	3/9/1967	1967 Tax Rate	
165 (67-2)	8/10/1967	Repealed by 171	
166 (67-3)	8/10/1967	§ 6-102	Conduct
167 (67-4)	11/9/1967	§§ 24-112 — 24-118	Taxation; Special
168 (67-5)	11/9/1967	Exp.	
169 (67-6)	11/25/1967	Appendix I	Water
170 (67-7)	12/14/1967	1968 Tax Rate	
171 (68-1)	6/13/1968	Repealed by 288	
172 (68-2)	10/14/1968	Appendix H	Streets and Sidewalks
173 (68-3)	10/14/1968	Appendix I	Water
174 (68-4)	12/12/1968	Appendix D	Governmental and Intergovernmental Affairs
175 (68-5)	12/12/1968	1969 Tax Rate	
176 (68-6)	12/12/1968	1969 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
177 (69-1)	3/13/1969	Appendix D	Governmental and Intergovernmental Affairs
178 (69-2)	8/20/1969	Repealed by A.O.	Animals
179 (69-3)	12/11/1969	1970 Tax Rate	
180 (69-4)	12/11/1969	1970 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
2/12/1970	2/12/1970		
180 (70-1)	2/12/1970	Appendix D	Governmental and Intergovernmental Affairs

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
181 (70-2)	4/9/1970	§§ 14-101 — 14-128	Mobile Homes and Mobile Home Parks
182 (70-3)	9/10/1970	Superseded by 450 (2008-02)	Health and Safety
183 (70-4)	9/30/1970	Appendix F	Public Property
184 (70-5)	11/12/1970	§ 6-103	Conduct
185 (70-6)	12/10/1970	1971 Tax Rate	
186 (70-7)	12/10/1970	1971 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
187 (71-1)	2/11/1971	§ 24-206	Taxation; Special
188 (71-2) B	4/22/1971	Superseded by A.O.	
188 (71-2) A	8/12/1971	Superseded by A.O.	
189 (71-3)	--/--/1971	Superseded by 288	
190 (71-4)	10/14/1971	§§ 22-101 — 22-1003	Subdivision and Land Development
191 (71-5)	11/11/1971	Superseded by 327	
192 (71-6)	12/9/1971	1972 Tax Rate	
193 (71-7)	12/9/1971	1972 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
194 (72-1)	5/18/1972	Superseded by 288	
195 (72-2)	5/18/1972	Repealer	
196 (72-3)	5/18/1972	Superseded by 274	
197 (72-4)	5/18/1972	Superseded by 266 (83-2)	Conduct
198 (72-5)	5/18/1972	§§ 6-301 — 6-306	Conduct
199 (72-6)	5/18/1972	§ 14-114	Mobile Homes and Mobile Home Parks
200 (72-7)	5/18/1972	§ 1-301	Administration and Government
201 (72-8)	5/18/1972		
§ 3		Repealed by A.O.	Streets and Sidewalks
§§ 1, 2, 4		Superseded by 297 (88-3)	Streets and Sidewalks
202 (72-9)	5/18/1972	§ 6-102	Conduct
203 (72-10)	5/18/1972	§§ 21-101 — 21-114	Streets and Sidewalks
204 (72-11)	8/10/1972	Superseded by 288	
205 (72-12)	10/12/1972	§§ 1-321 — 1-324	Administration and Government
206 (72-13)	11/14/1972	Repealed by 288	
207 (72-14)	12/14/1972	1973 Tax Rate	

Ordinance	Date	Disposition	Subject
208 (72-15)	12/14/1972	1973 EIT; Realty Transfer Tax	Taxation; Special
209 (72-16)	12/14/1972	1974 Per Capita Tax	Taxation; Special
210 (72-17)	12/14/1972	Superseded by 288	
211 (73-1)	3/8/1973	Appendix A	Annexation of Territory
212 (73-2)	3/14/1973	Appendix D	Governmental and Intergovernmental Affairs
213 (73-3)	6/14/1973	Superseded by 288	
214 (73-4)	8/9/1973	Appendix F	Public Property
215 (73-5)	9/27/1973	Superseded by 420 (2003-1)	
216 (73-6)	11/13/1973		
§ 1		§ 1-201	Administration and Government
§ 2		§ 1-211	Administration and Government
217 (73-7)	12/27/1973	1974 Tax Appropriations	
218 (73-8)	12/27/1973	1974 Tax Rate	
219 (73-9)	12/27/1973	1974 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
220 (74-1)	3/14/1974	Appendix H	Streets and Sidewalks
221 (74-2)	3/14/1974	Repealed by 274	
222 (74-3)	12/12/1974	1975 Tax Appropriations	
223 (74-4)	12/12/1974	1975 Tax Rate	
224 (74-5)	12/12/1974	1975 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
225 (75-1)	10/20/1975	§§ 26-101 — 26-105	Water
226 (75-2)	12/11/1975	1976 Tax Appropriations	
227 (75-3)	12/11/1975	1976 Tax Rate	
228 (75-4)	12/11/1975	1976 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
229 (76-1)	10/18/1976	Appendix D	Governmental and Intergovernmental Affairs
230 (76-2)	12/9/1976	1977 Tax Appropriations	
231 (76-3)	12/9/1976	1977 Tax Rate	

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
232 (76-4)	12/9/1976	1977 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
233 (77-1)	12/8/1977	1978 Tax Appropriations	
234 (77-2)	12/8/1977	1978 Tax Rate	
235 (77-3)	12/8/1977	1979 Per Capita Tax	Taxation; Special
236 (78-1)	3/9/1978	Superseded by 288	
237 (78-2)	6/8/1978	Superseded by 288	
238 (78-3)	9/14/1978	Appendix H	Streets and Sidewalks
239 (78-4)	11/10/1978	Appendix H	Streets and Sidewalks
240 (78-5)	12/14/1978	1979 Tax Appropriations	
241 (78-6)	12/14/1978	1979 Tax Rate	
242 (78-7)	12/14/1978	1979 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
243 (79-1)	12/13/1979	1980 Tax Appropriations	
244 (79-2)	12/13/1979	1980 Tax Rate	
245 (79-3)	12/13/1979	1980 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
246 (79-4)	12/13/1979	Superseded by 448 (2007-04)	
247 (80-1)	3/13/1980	Superseded by A.O.	Administration and Government
248 (80-2)	5/8/1980	§ 6-102	Conduct
249 (80-3)	7/10/1980	Repealed by 397 (99-3)	
250 (80-4)	12/11/1980	Repealed by 275	
251 (80-5)	12/29/1980	1981 Tax Appropriations	
252 (80-6)	12/29/1980	1981 Tax Appropriations	
253 (80-7)	12/29/1980	1981 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
257 (80-5)	12/29/1980	1981 Tax Appropriations	
254 (81-2)	2/12/1981	Superseded by 459	Taxation; Special
255 (81-2)	2/12/1981	1981 Tax Rate	
256 (81-3)	6/11/1981	Repealed by 461 (2009-3)	Floodplains

Ordinance	Date	Disposition	Subject
256 (81-3)	6/11/1981	Repealed by 428 (2004-3)	Code Enforcement
257 (81-4)	8/13/1981	Superseded by 288	
258 (81-5)	9/10/1981	Appendix H	Streets and Sidewalks
259 (81-6)	12/10/1981	1982 Tax Appropriations	
260 (81-7)	12/10/1981	1982 Tax Rate	
261 (80-8)	12/10/1981	1982 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
262 (82-1)	12/9/1982	1983 Tax Appropriations	
263 (82-2)	12/9/1982	1983 Tax Rate	
264 (82-3)	12/9/1982	1983 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
265 (83-1)	1/13/1983	Superseded by A.O.	Motor Vehicles and Traffic
266 (83-2)	1/13/1983	§§ 6-201 — 6-204	Conduct
267 (83-3)	2/10/1983	Repealed by 363 (95-2)	
268 (83-4)	4/14/1983	§ 21-221	Streets and Sidewalks
269 (83-5)	12/8/1983	1984 Tax Appropriations	
270 (83-6)	12/8/1983	1984 Tax Rate	
271 (87-7)	12/8/1983	1984 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
272 (84-1)	2/9/1984	Superseded by A.O.	Administration and Government
273 (84-2)	2/9/1984	Appendix F	Public Property
274 (84-3)	7/12/1984	Superseded by 387 (98-6)	
275 (84-4)	7/12/1984	Repealed by 428 (2004-3)	Code Enforcement
276 (84-5)	12/13/1984	1985 Tax Appropriations	
277 (84-6)	12/13/1984	1985 Tax Rate	
278 (84-7)	12/13/1984	1985 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
279 (85-1)	12/12/1985	1986 Tax Appropriations	
280 (85-2)	12/12/1985	1986 Tax Rate	
281 (85-3)	12/12/1985	1986 Per Capita Tax	Taxation; Special

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
281 (85-3)	12/12/1985	§§ 24-201, 24-205, 24-206	Taxation; Special
282 (85-4)	12/12/1985	1986 EIT; Realty Transfer Tax	Taxation; Special
283 (86-1)	6/12/1986	Appendix H	Streets and Sidewalks
284 (86-2)	8/14/1986	§§ 27-101 — 27-711	Zoning
285 (86-3)	12/11/1986	1987 Tax Appropriations	
286 (86-4)	12/11/1986	1987 Tax Rate	
287 (86-5)	12/11/1986	1987 EIT; Per Capita Tax; Realty Transfer Tax	Taxation; Special
288 (87-1)	1/8/1987	Superseded by A.O.	Motor Vehicles and Traffic
289 (87-2)	5/14/1987	§ 1-241	Administration and Government
290 (87-3)	6/11/1987	Repealed by A.O.	Administration and Government
291 (87-4)	7/9/1987	§§ 27-303, 27-609, 27-623, 27-624	Zoning
292 (87-5)	12/10/1987	1988 Tax Appropriations	
293 (87-6)	12/16/1987	Tax Rates	
294 (87-7)	12/16/1987	1988 Tax Rate	
295 (88-1)	2/3/1988	Appendix D	Governmental and Intergovernmental Affairs
296 (88-2)	3/2/1988	Appendix D	Governmental and Intergovernmental Affairs
297 (88-3)	7/6/1988	§§ 21-201 — 21-215	Streets and Sidewalks
298 (88-4)	7/6/1988	Superseded by A.O.	Motor Vehicles and Traffic
299 (88-5)	9/7/1988	§ 27-624	Zoning
300 (88-6)	10/5/1988	Superseded by A.O.	Motor Vehicles and Traffic
301	12/7/1988	1989 Tax Appropriations	
302	12/7/1988	1989 Tax Rate	
303	12/7/1988	Tax Rates	
304 (89-1)	1/4/1989	§§ 22-208, 22-219, 22-601	Subdivision and Land Development
305 (89-2)	7/5/1989	§§ 6-401 — 6-403	Conduct

Ordinance	Date	Disposition	Subject
306 (89-3)	9/6/1989	§§ 7-201 — 7-205	Fire Prevention and Fire Protection
307 (89-4)	10/4/1989	§§ 22-203, 22-204, 22-208 — 22-210, 22-216, 22-219, 22-301, 22-302, 22-501, 22-502, 22-504, 22-510, 22-602, 22-603	Subdivision and Land Development
308 (89-5)	11/11/1989	Superseded by A.O.	Motor Vehicles and Traffic
309 (89-6)	11/1/1989	Appendix D	Governmental and Intergovernmental Affairs
310	12/6/1989	1990 Tax Appropriations	
311	12/6/1989	1990 Tax Rate	
312	12/6/1989	Tax Rates	
313	3/7/1990	Appendix H	Streets and Sidewalks
314 (— -90)	3/7/1990	§§ 1-311 — 1-316	Administration and Government
315 (90-3)	7/11/1990	Superseded by A.O.	Motor Vehicles and Traffic
316 (90-4)	8/1/1990	Appendix G	Sewers
317 (90-5)	9/5/1990	Appendix D	Governmental and Intergovernmental Affairs
318 (90-6)	11/7/1990	§ 1-322	Administration and Government
319 (90-7)	11/7/1990	Repealed by 395 (99-1)	
320 (90-8)	12/5/1990	1991 Tax Appropriations	
321 (90-9)	12/5/1990	1991 Tax Rate	
322 (90-10)	12/5/1990	Tax Rates	
323 (90-11)	12/5/1990	§ 24-202	Taxation; Special
324 (91-1)	5/1/1991	Superseded by A.O.	Motor Vehicles and Traffic
325 (91-2)	9/4/1991	§ 21-108	Streets and Sidewalks
326 (91-3)	10/2/1991	§§ 26-201 — 26-207	Water
327 (91-4)	10/2/1991	Appendix D	Governmental and Intergovernmental Affairs
328 (91-5)	11/6/1991	§§ 25-101 — 25-104	Trees
329 (91-6)	12/4/1991	§§ 6-501 — 6-515	Conduct
§§ 1-9, 11-15		§§ 6-501 — 6-509, 6-511 — 6-515	Conduct

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
§ 10		Repealed by Ord. 345 (92-12)	Conduct
330 (91-7)	12/4/1991	1992 Tax Appropriations	
331 (91-8)	12/4/1991	§ 24-202	Taxation; Special
332 (91-9)	12/4/1991	1992 Tax Rate	
333 (91-10)	12/4/1991	Tax Rates	
334 (92-1)	2/5/1992	§§ 23-101 — 23-1001	Stormwater Management
335 (92-2)	3/4/1992	Repealed by 470	Administration and Government
336 (92-31)	5/6/1992	§§ 27-203, 27-402, 27-405, 27-408, 27-416, 27-421, 27-501, 27-502, 27-505, 27-506, 27-703 — 27-710	Zoning
337 (92-4)	5/6/1992	§§ 22-104, 22-208, 22-209, 22-211 — 22-213, 22-219, 22-220, 22-301, 22-405, 22-406, 22-506, 22-509, 22-510, 22-512, 22-706, 22-711, 22-803, 22-1002	Subdivision and Land Development
338 (92-5)	--/--/1992	Included in Ch. 27	Zoning
339 (92-6)	8/5/1992	Superseded by A.O.	Motor Vehicles and Traffic
340 (92-7)	9/2/1992	Repealed by 428 (2004-3)	Code Enforcement
340 (92-7)	9/2/1992	Repealed by 461 (2009-3)	Floodplains
341 (92-9)	9/2/1992	Appendix D	Governmental and Intergovernmental Affairs
343 (92-10)	12/2/1992	Tax Rates	
342 (92-9)	12/28/1992	1993 Tax Appropriations	
344 (92-11)	12/28/1992	1993 Tax Rate	
345 (92-12)	12/2/1992	Repealed § 10 of 329 (91-6)	Conduct
346 (93-01)	4/21/1993	Appendix B	Bond Issues and Loans
347 (93-2)	6/2/1993	Superseded by A.O.	Motor Vehicles and Traffic
348 (93-3)	7/--/1993		

Ordinance	Date	Disposition	Subject
349 (93-4)	9/1/1993	§§ 1-401 — 1-405	Administration and Government
350 (93-5)	12/1/1993	Tax Rates	
351 (93-6)	12/1/1993	1994 Tax Rate	
352 (93-7)	12/1/1993	1994 Tax Appropriations	
353 (94-1)	5/4/1994	Superseded by A.O.	Motor Vehicles and Traffic
354 (94-2)	6/1/1994	Superseded by 451 (2008-03)	Animals
355 (94-3)	7/6/1994	Repealed by 363 (95-2)	
356 (94-4)	10/5/1994	Appendix H	Streets and Sidewalks
357 (94-5)	12/7/1994	§ 22-701	Subdivision and Land Development
358 (94-6)	12/7/1994	Tax Rates	
359 (94-7)	12/7/1994	1995 Tax Rate	
360 (94-8)	12/7/1994	1995 Tax Appropriations	
361 (94-9)	12/7/1994	Appendix D	Governmental and Intergovernmental Affairs
362 (95-1)	3/1/1995	§§ 1-402, 1-403	Administration and Government
363 (95-2)	6/7/1995	§§ 20-101 — 20-111	Solid Waste
364 (95-3)	9/6/1995	Superseded by 428 (2004-3)	Buildings
366 (95-5)	12/6/1995	Tax Rates	
367 (95-6)	12/6/1995	1996 Tax Rate	
368 (95-7)	12/6/1995	1996 Tax Appropriations	
365 (95-4)	1/2/1996	§§ 27-203, 27-305, 27-306, 27-502, 27-618, 27-640	Zoning
369 (96-1)	12/4/1996	Tax Rates	
370 (96-2)	12/4/1996	1997 Tax Rate	
371 (96-3)	12/4/1996	1997 Tax Appropriations	
372 (97-1)	4/2/1997	Superseded by A.O.	Motor Vehicles and Traffic
373 (97-2)	8/6/1997	Repealed by 410 (2001-1)	
374 (97-3)	8/6/1997	Repealed by 428 (2004-3)	Code Enforcement

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
375 (97-4)	8/6/1997	Repealed by 428 (2004-3)	Code Enforcement
376 (97-5)	8/6/1997	Repealed by 410 (2001-1)	
377		Missing	
378 (97-7)	9/3/1997	Repealed by 410 (2001-1)	
379 (97-8)	12/3/1997	Tax Rates	
380 (97-9)	12/3/1997	1998 Tax Rate	
381 (97-10)	12/3/1997	1998 Tax Appropriations	
382 (98-1)	1/5/1998	§ 6-515	Conduct
383 (82-2)	1/5/1998	§ 6-103	Conduct
384 (98-3)	1/5/1998	Superseded by 450 (2008-02)	Health and Safety
385 (98-4)	6/3/1998	§§ 6-601 — 6-607	Conduct
386 (98-5)	8/5/1998	Repealed by A.O.	Animals
387 (98-6)	9/2/1998	§§ 4-101 — 4-108	Buildings
388 (98-7)	9/2/1998	Appendix D	Governmental and Intergovernmental Affairs
389 (98-8)	10/7/1998	§§ 4-104, 4-107	Buildings
390 (98-9)		Not passed	
391 (98-10)	12/2/1998	1999 Tax Appropriations	
392 (98-11)	12/2/1998	1999 Tax Rate	
393 (98-12)	12/2/1998	Tax Rates	
394 (98-13)	12/2/1998	§ 21-105	Streets and Sidewalks
395 (99-1)	8/2/1999	Repealed by 319 (90-7)	
396 (99-2)	7/14/1999	Appendix B	Bond Issues and Loans
397 (99-3)	10/6/1999	§§ 7-101 — 7-108	Fire Prevention and Fire Protection
398 (99-4)	10/6/1999	Appendix H	Streets and Sidewalks
399 (99-5)	10/6/1999	Superseded by A.O.	Motor Vehicles and Traffic
400 (99-6)	11/3/1999	Appendix H	Streets and Sidewalks
401		Not passed	
402 (99-8)	12/1/1999	2000 Tax Appropriations	
403 (9-9)	12/1/1999	2000 Tax Rate	
404 (99-10)	12/1/1999	Tax Rates	
405 (99-11)	12/1/1999	Appendix H	Streets and Sidewalks
406 (2000-1)	--/--/2000	Appendix H	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
407 (2000-2)	12/13/2000	2001 Tax Rate	
408 (2000-3)	12/13/2000	2001 Tax Appropriations	
409 (2000-4)	12/13/2000	Tax Rates	
410 (2001-1)	6/13/2001	Repealed by 428 (2004-3)	Code Enforcement
411 (2001-2)	11/14/2001	§ 27-401	Zoning
412 (2001-3)	12/12/2001	2002 Tax Appropriations	
414 (2002-2)	5/8/2002	§ 1-301	Administration and Government
413 (2002-1)	5/13/2002		
§ 1		§ 1-201	Administration and Government
§ 2		§ 1-211	Administration and Government
415 (2002-3)	5/8/2002	Superseded by 450 (2008-02)	Health and Safety
416 (2002-4)	6/12/2002	§§ 6-701 — 6-710	Conduct
417 (2002-5)	6/12/2002	Superseded by A.O.	Motor Vehicles and Traffic
418 (2002-6)	9/11/2002	Appendix H	Streets and Sidewalks
419 (2002-7)	12/17/2002	2003 Tax Appropriations	
420 (2003-1)	1/8/2003	§§ 13-101 — 13-122	Licenses, Permits and General Business Regulations
421 (2003-2)	4/9/2003	§§ 13-111, 13-114, 13- 120	Licenses, Permits and General Business Regulations
422 (2003-3)	5/14/2003	Superseded by A.O.	Motor Vehicles and Traffic
423 (2003-4)	9/10/2003	Superseded by A.O.	Motor Vehicles and Traffic
424	12/10/2003	2004 Budget	
425	12/10/2003	2004 Taxes	
426 (2004-1)	3/10/2004	Superseded by A.O.	Motor Vehicles and Traffic
427 (2004-2)	3/10/2004	Repealed by 470	Administration and Government
428 (2004-3)	6/9/2004	§§ 5-101 — 5-117	Code Enforcement
429 (2004-4)	8/11/2004	§§ 27-401, 27-701, 27- 703	Zoning

TABLE TO DISPOSITION OF ALL
ORDINANCES

§ KO-101

Ordinance	Date	Disposition	Subject
430	7/14/2004	Appendix D	Governmental and Intergovernmental Affairs
431	12/8/2004	2005 Budget	
432 (2005-1)	2/9/2005	Superseded by 448	Taxation; Special
433 (2005-2)	4/13/2005	§ 1-301	Administration and Government
434 (2005-3)	5/19/2005	§§ 16-101 — 16-107	Parks and Recreation
435 (2005-4)	7/13/2005	§§ 20-103, 20-109	Solid Waste
436 (2005-5)	10/12/2005	§ 24-105	Taxation; Special
437 (2005-6)	12/14/2005	Superseded by A.O.	Motor Vehicles and Traffic
438	12/14/2005	2006 Budget	
439	12/14/2005	2006 Tax Rate	
440 (2006-1)	6/14/2006	§ 24-202	Taxation; Special
441 (2006-2)	6/14/2006	§ 7-104	Fire Prevention and Fire Protection
442 (2006-3)	11/8/2006	§§ 20-201 — 20-203	Solid Waste
443 (2006-4)	11/8/2006	Repealed by A.O.	Health and Safety
444	12/13/2006	2007 Tax Rate	
445 (2007-01)	10/17/2007	§ 7-103	Fire Prevention and Fire Protection
446	12/17/2007	2008 Tax Rate	
447 (2007-03)	12/17/2007	2008 Tax Rate	
448 (2007-04)	12/17/2007	§§ 24-401 — 24-411	Taxation; Special
449 (2008-01)	2/20/2008	§ 24-407	Taxation; Special
450 (2008-02)	5/21/2008	§§ 10-101 — 10-104	Health and Safety
451 (2008-03)	5/21/2008	§§ 2-101 — 2-118	Animals
452 (2008-04)	5/21/2008	§ 1-301	Administration and Government
453 (2008-05)	5/21/2008	Appendix H	Streets and Sidewalks
454 (2008-6)	7/16/2008	§ 5-110	Code Enforcement
455 (2008-7)	8/20/2008	Appendix D	Governmental and Intergovernmental Affairs
456 (2008-08)	10/15/2008	Appendix D	Governmental and Intergovernmental Affairs
457	12/17/2008	2009 Tax Rate	
458 (2008-10)	1/21/2009	2009 Tax Rate	
459 (2009-01)	1/21/2009	§ 24-301 — 24-318	Taxation; Special
460 (2009-02)	9/16/2009	§§ 27-303, 27-304	Zoning

Ordinance	Date	Disposition	Subject
461 (2009-3)	9/16/2009	Superseded by 482 (2015-04)	Floodplains
462 (2009-04)	9/16/2009	§§ 13-101, 13-102, 13-113	Licenses, Permits and General Business Regulations
463 (2009-05)	10/21/2009	§ 22-406	Subdivision and Land Development
464 (2009-06)	12/16/2009	2010 Tax Rate	Taxation; Special
465 (2010-01)	12/15/2010	2011 Tax Rate	
466 (2011-01)	11/16/2011	§§ 24-101 — 24-115	
467 (2011-02)	11/16/2011	2012 Tax Rate	
468		Not adopted	Streets and Sidewalks
469 (2012-02)	7/18/2012	Appendix H	
470 (2012-03)	8/15/2012	§§ 1-232 — 1-234	
471 (2012-04)	9/19/2012	Superseded by A.O.	Motor Vehicles and Traffic
472 (2012-5)	12/19/2012	§§ 13-101 — 13-123	Licenses, Permits and General Business Regulations
473 (2012-06)	12/19/2012	2013 Tax Rate	Governmental and Intergovernmental Affairs
474 (2013-1)	12/18/2013	Appendix D	
475 (2013-2)	12/18/2013	2014 Tax Rate	Health and Safety
476 (2014-1)	5/21/2014	§§ 10-201 — 10-211	
477		Superseded by A.O.	Solid Waste
478 (2014-3)	12/17/2014	2015 Tax Rate	Governmental and Intergovernmental Affairs
479 (2015-01)	2/18/2015	Appendix D	
480 (2015-02)	9/16/2015	§ 20-109	Solid Waste
481 (2015-03)	6/17/2015	Appendix D	Governmental and Intergovernmental Affairs
482 (2015-04)	12/16/2015	§§ 8-101 — 8-901	Floodplains
483 (2015-05)	12/16/2015	2016 Tax Rate	Motor Vehicles and Traffic
484 (2016-01)	3/16/2016	Superseded by A.O.	