Code of Ordinances
of the
Township of West Lebanon

DISCLAIMER

The electronic version of the Township of West Lebanon Code of Ordinances is not the document of issue and the Township of West Lebanon’s printed and published Code remains the primary source and document of issue for all purposes. In the event of a conflict between the electronic version of the Code of Ordinances and the official printed Township of West Lebanon Code of Ordinances, the official printed Code of Ordinances shall govern. Copies of the official Township of West Lebanon Code of Ordinances may be purchased from the Township. The user is advised that there may be amendments to the Code of Ordinances which have been enacted after the last revision date of the electronic version of the Code of Ordinances.

Keystate Publishers, Inc. makes no warranty, express or implied, with respect to the accuracy or completeness of the electronic version of the Code of Ordinances or the capability of the electronic version of the Code of Ordinances, and all liability with respect thereto is expressly disclaimed. The service and system is furnished by KPI on an “as is,” as available basis. All warranties of merchantability and fitness for a particular purpose are expressly disclaimed. No representation or demonstration shall constitute a warranty of the electronic version of the Code of Ordinances unless expressly incorporated into an agreement between the parties.
The Township of West Lebanon Code of Ordinances was adopted by the Township of West Lebanon by Ord. 454 and published by Keystate Publishers, Inc., on September 2, 2008. It has been subsequently revised and supplemented as follows:

Supplement I; January 4, 2010
**CONTENTS**

Municipal Officials ...................... v
Foreword ............................... vii
Adopting Ordinance ..................... ix
Fee Schedule ........................... xvii

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Administration and Government</td>
<td>1-1</td>
</tr>
<tr>
<td>2</td>
<td>Animals</td>
<td>2-1</td>
</tr>
<tr>
<td>3</td>
<td>Reserved</td>
<td>3-1</td>
</tr>
<tr>
<td>4</td>
<td>Reserved</td>
<td>4-1</td>
</tr>
<tr>
<td>5</td>
<td>Code Enforcement</td>
<td>5-1</td>
</tr>
<tr>
<td>6</td>
<td>Conduct</td>
<td>6-1</td>
</tr>
<tr>
<td>7</td>
<td>Fire Prevention and Protection</td>
<td>7-1</td>
</tr>
<tr>
<td>8</td>
<td>Floodplains</td>
<td>8-1</td>
</tr>
<tr>
<td>9</td>
<td>Reserved</td>
<td>9-1</td>
</tr>
<tr>
<td>10</td>
<td>Health and Safety</td>
<td>10-1</td>
</tr>
<tr>
<td>11</td>
<td>Housing</td>
<td>11-1</td>
</tr>
<tr>
<td>12</td>
<td>Reserved</td>
<td>12-1</td>
</tr>
<tr>
<td>13</td>
<td>Licenses, Permits and General Business Regulations</td>
<td>13-1</td>
</tr>
<tr>
<td>14</td>
<td>Reserved</td>
<td>14-1</td>
</tr>
<tr>
<td>15</td>
<td>Motor Vehicles and Traffic</td>
<td>15-1</td>
</tr>
<tr>
<td>16</td>
<td>Reserved</td>
<td>16-1</td>
</tr>
<tr>
<td>17</td>
<td>Reserved</td>
<td>17-1</td>
</tr>
<tr>
<td>18</td>
<td>Sewers and Sewage Disposal</td>
<td>18-1</td>
</tr>
<tr>
<td>19</td>
<td>Reserved</td>
<td>19-1</td>
</tr>
<tr>
<td>20</td>
<td>Solid Waste</td>
<td>20-1</td>
</tr>
<tr>
<td>21</td>
<td>Streets and Sidewalks</td>
<td>21-1</td>
</tr>
<tr>
<td>22</td>
<td>Reserved</td>
<td>22-1</td>
</tr>
<tr>
<td>23</td>
<td>Stormwater Management</td>
<td>23-1</td>
</tr>
<tr>
<td>24</td>
<td>Taxation; Special</td>
<td>24-1</td>
</tr>
<tr>
<td>25</td>
<td>Reserved</td>
<td>25-1</td>
</tr>
<tr>
<td>26</td>
<td>Water</td>
<td>26-1</td>
</tr>
<tr>
<td>27</td>
<td>Zoning</td>
<td>27-1</td>
</tr>
</tbody>
</table>

Appendix

<table>
<thead>
<tr>
<th>Letter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Adjustments to Township Boundaries</td>
<td>A-3</td>
</tr>
<tr>
<td>B</td>
<td>Debt and Bond Issues</td>
<td>A-5</td>
</tr>
<tr>
<td>C</td>
<td>Franchises and Services</td>
<td>A-7</td>
</tr>
<tr>
<td>D</td>
<td>Governmental and Intergovernmental Affairs</td>
<td>A-9</td>
</tr>
<tr>
<td>E</td>
<td>Plan Approval</td>
<td>A-11</td>
</tr>
<tr>
<td>F</td>
<td>Public Property</td>
<td>A-13</td>
</tr>
<tr>
<td>G</td>
<td>Sewers</td>
<td>A-15</td>
</tr>
<tr>
<td>H</td>
<td>Street Lighting</td>
<td>A-17</td>
</tr>
<tr>
<td>I</td>
<td>Streets and Sidewalks</td>
<td>A-19</td>
</tr>
<tr>
<td>J</td>
<td>Water</td>
<td>A-21</td>
</tr>
<tr>
<td>K</td>
<td>Zoning; Prior Ordinances</td>
<td>A-23</td>
</tr>
</tbody>
</table>

Table to the Disposition of All Ordinances ......................... K-1
Table to the Disposition of Significant Resolutions ............... KR-1
Index ..................................................................... I-1

-iii- Supp. I; revised 1/4/2010
Officials

of the

Township of West Lebanon

County of

Lebanon, Pennsylvania

ELECTED OFFICIALS

Board of Commissioners

President - Richard J. Pfluegar
Vice-President - Edward Winters
- George Gross
- John C. Brenner
- Daniel Brandt
Auditor - Faren Garcia & Garman, P.C.

APPOINTED OFFICIALS

Secretary - Bernice B. Mease
Treasurer - Julie Clouse
Clerk - Rosemarie Fuhrman
Maintenance - John C. Brenner
Solicitor - R. Scot Feeman, Esquire
FOREWORD

History
This comprises the codification of the ordinances of the Township of West Lebanon. The Township of West Lebanon was originally settled in March 18, 1888.

The Code of Ordinances of the Township of West Lebanon was prepared by Keystate Publishers, Inc., and adopted by the Township of West Lebanon Board of Commissioners on September 2, 2008, by Ord. 454.

Organization
The Code contains four parts which are (1) the valid current ordinances of the Township of West Lebanon contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or "one time" nature, (3) the Key to the disposition of each ordinance ever enacted by the Township of West Lebanon, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Key to disposition indicates what action has been taken by the Township of West Lebanon Board of Commissioners with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Key. The Key is a cross reference to the original ordinance books of the Township of West Lebanon, and to the location within the Code of each ordinance by number.
ORDINANCE NO. 454

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF WEST LEBANON, LEBANON COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISIONING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Township of West Lebanon hereby ordains:

Section 1. Adoption. The "Code of Ordinances, Township of West Lebanon," as prepared and published for the said Township of West Lebanon, is hereby adopted as a consolidation, codification and revision of the ordinances of the Township of West Lebanon. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Township of West Lebanon organized as follows:

TABLE OF CONTENTS

Chapter 1 ........ Administration and Government
Chapter 2 ........ Animals
Chapter 3 ........ [Reserved]
Chapter 4 ........ [Reserved]
Chapter 5 ........ Code Enforcement
Chapter 6 ........ Conduct
Chapter 7 ........ Fire Prevention and 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 ...... [Reserved]
Chapter 15 ...... Motor Vehicles and Traffic
Chapter 16 ...... [Reserved]
Chapter 17 ...... [Reserved]
Chapter 18 ...... Sewers and Sewage Disposal
Chapter 19 ...... [Reserved]
Chapter 20 ...... Solid Waste
Chapter 21 ...... Streets and Sidewalks
Chapter 22 ...... [Reserved]
Chapter 23 ...... Stormwater Management
Chapter 24 ...... Taxation; Special
Chapter 25 ...... [Reserved]
Chapter 26 ...... Water]
Chapter 27 ...... Zoning

APPENDIX:

[ix-]
A. Adjustments to Township Boundaries
B. Debt and Bond Issues
C. Franchises and Services
D. Governmental and Intergovernmental Affairs
E. Plan Approval
F. Public Property
G. Sewers
H. Street Lighting
I. Streets and Sidewalks
J. Water
K. Zoning; Prior Ordinances

Table to the Disposition of All Ordinances
Table to the Disposition of Significant Resolutions

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Township of West Lebanon shall be authoritative.

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this ordinance shall be known and cited officially as the "Township of West Lebanon Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the Township of West Lebanon Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township of West Lebanon Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation and Revision. As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. Consolidations.

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Ordinance No., Section</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>[Reserved]</td>
</tr>
</tbody>
</table>

B. Revisions.

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Ordinance No., Section</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>[Reserved]</td>
</tr>
</tbody>
</table>

Section 5. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:
A. *New Enactments.*

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Ordinance No., Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>§§2-301–2-305</td>
<td>Keeping Certain Animals</td>
<td></td>
</tr>
</tbody>
</table>

B. *Amendments.*

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Ordinance No., Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>§1-301</td>
<td>Schedule of Attorney’s Fees</td>
<td>369</td>
</tr>
<tr>
<td>§2-101</td>
<td>Definitions</td>
<td>424</td>
</tr>
<tr>
<td>§2-102</td>
<td>Livestock Raising Prohibited</td>
<td>424</td>
</tr>
<tr>
<td>§2-103</td>
<td>Fine or Penalty</td>
<td>424</td>
</tr>
<tr>
<td>§2-201</td>
<td>Definitions</td>
<td>424</td>
</tr>
<tr>
<td>§2-205</td>
<td>Enforcement by Humane Officer, Law Officer or Public Official.</td>
<td>424</td>
</tr>
<tr>
<td>§2-207</td>
<td>Impounding; Costs</td>
<td>424</td>
</tr>
<tr>
<td>§2-217</td>
<td>Penalty</td>
<td>424</td>
</tr>
<tr>
<td>§5-105</td>
<td>Administration and Enforcement</td>
<td>415, §5</td>
</tr>
<tr>
<td>§5-802</td>
<td>Additions, Insertions and Changes</td>
<td>443, §1</td>
</tr>
<tr>
<td>§6-101</td>
<td>Curfew Established</td>
<td>253-A; 295; 253-A; 380</td>
</tr>
<tr>
<td>§6-103</td>
<td>Penalty for Violation</td>
<td>253-A, §3; 295</td>
</tr>
<tr>
<td>§6-202</td>
<td>Penalty for Violation</td>
<td>295</td>
</tr>
<tr>
<td>§6-302</td>
<td>Penalty</td>
<td>382</td>
</tr>
<tr>
<td>§6-402</td>
<td>Use of Air Rifles, Bows and Arrows, or Similar Devices Regulated</td>
<td>383, §2</td>
</tr>
<tr>
<td>§6-403</td>
<td>Penalty for Unlawful Use of Firearms Air Rifles, Bows and Arrows, or Similar Devices</td>
<td>383, §3</td>
</tr>
<tr>
<td>§6-506</td>
<td>Penalty for Violation</td>
<td>250, §6; 295</td>
</tr>
<tr>
<td>§6-603</td>
<td>Penalty for Violation</td>
<td>295</td>
</tr>
<tr>
<td>§6-708</td>
<td>Penalty for Violation</td>
<td>295</td>
</tr>
<tr>
<td>§6-801</td>
<td>Transportation, Possession or Consumption in Public Places Prohibited</td>
<td>379, §1</td>
</tr>
<tr>
<td>§6-802</td>
<td>Penalty</td>
<td>379, §2</td>
</tr>
<tr>
<td>§6-902</td>
<td>Penalty</td>
<td>396, §1</td>
</tr>
<tr>
<td>§7-102</td>
<td>Penalty for Violation</td>
<td>263, §2; 295</td>
</tr>
<tr>
<td>§7-205</td>
<td>False Alarms</td>
<td>395, §5; 399</td>
</tr>
<tr>
<td>Section</td>
<td>Subject</td>
<td>Ordinance No., Section</td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
<td>------------------------</td>
</tr>
<tr>
<td>§7-206</td>
<td>Notice</td>
<td>395, §6</td>
</tr>
<tr>
<td>§7-207</td>
<td>Owner Responsibility</td>
<td>395, §7</td>
</tr>
<tr>
<td>§7-209</td>
<td>Enforcement</td>
<td>395, §10</td>
</tr>
<tr>
<td>§8-105</td>
<td>Issuance of Permit</td>
<td>330, §6</td>
</tr>
<tr>
<td>§8-107</td>
<td>Fees</td>
<td>330, §8</td>
</tr>
<tr>
<td>§8-111</td>
<td>Penalties</td>
<td>330, §12</td>
</tr>
<tr>
<td>§10-204</td>
<td>Violations and Penalties</td>
<td>300, §4</td>
</tr>
<tr>
<td>§10-301</td>
<td>Definitions</td>
<td>414, §1</td>
</tr>
<tr>
<td>§10-302</td>
<td>Nuisances</td>
<td>414, §2; 429</td>
</tr>
<tr>
<td>§10-304</td>
<td>Penalty for Violation</td>
<td>414, §6</td>
</tr>
<tr>
<td>§13-104</td>
<td>Penalty for Violation</td>
<td>226, §4</td>
</tr>
<tr>
<td>§13-203</td>
<td>Exceptions</td>
<td>361, §III</td>
</tr>
<tr>
<td>§13-204</td>
<td>Permit Applications</td>
<td>361, §IV</td>
</tr>
<tr>
<td>§13-206</td>
<td>Fees</td>
<td>361, §VI</td>
</tr>
<tr>
<td>§13-210</td>
<td>Penalty</td>
<td>361, §X</td>
</tr>
<tr>
<td>§13-305</td>
<td>Penalties</td>
<td>292, §4</td>
</tr>
<tr>
<td>§15-202</td>
<td>Speed Limits</td>
<td>295</td>
</tr>
<tr>
<td>§15-203</td>
<td>Stop Intersections Established</td>
<td>295; 298, §51-2; 307, §1; 401</td>
</tr>
<tr>
<td>§15-204</td>
<td>Certain Classes of Vehicles Prohibited on Certain Highways</td>
<td>295; 338, §3; 354, §24</td>
</tr>
<tr>
<td>§15-205</td>
<td>Certain Classes of Trucks Restricted to Local Deliveries Only</td>
<td>295; 354, §25</td>
</tr>
<tr>
<td>§15-302</td>
<td>Parking Prohibited at all Times in Certain Locations</td>
<td>295; 303; 308, §1; 322; 328; 329; 346; 409; 450; 452</td>
</tr>
<tr>
<td>§15-305</td>
<td>Penalty for Violation</td>
<td>338, §2</td>
</tr>
<tr>
<td>§15-602</td>
<td>Fees</td>
<td>351, §2</td>
</tr>
<tr>
<td>§15-603</td>
<td>Damage to Handicapped Parking Signs</td>
<td>351, §3</td>
</tr>
<tr>
<td>§18-202</td>
<td>Permit Required for Individual or Community Sewage Disposal System</td>
<td>291, §1</td>
</tr>
<tr>
<td>§18-305</td>
<td>Enforcement</td>
<td>311, Art. V</td>
</tr>
<tr>
<td>§18-312</td>
<td>User Charges</td>
<td>312, §2</td>
</tr>
<tr>
<td>§18-316</td>
<td>Building Sewers and Connection Methods</td>
<td>312, §6</td>
</tr>
<tr>
<td>Section</td>
<td>Subject</td>
<td>Ordinance No., Section</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>§18-319</td>
<td>Pretreatment</td>
<td>312, §9</td>
</tr>
<tr>
<td>§18-322</td>
<td>Sewer Extensions</td>
<td>312, §12</td>
</tr>
<tr>
<td>§18-323</td>
<td>Enforcement</td>
<td>312, §13</td>
</tr>
<tr>
<td>§18-334</td>
<td>Administration</td>
<td>371, §4</td>
</tr>
<tr>
<td>§20-108</td>
<td>Place and Method of Disposal</td>
<td>341, §1(h)</td>
</tr>
<tr>
<td>§20-112</td>
<td>Penalty</td>
<td>341, §1(m)</td>
</tr>
<tr>
<td>§20-212</td>
<td>Penalties</td>
<td>417, Art. XII</td>
</tr>
<tr>
<td>§21-103</td>
<td>Permit Application and Fee</td>
<td>295</td>
</tr>
<tr>
<td>§21-107</td>
<td>Opening Paved Streets Within 5 Years</td>
<td>295</td>
</tr>
<tr>
<td>§21-108</td>
<td>Emergency Openings Within 5 Years of Paving</td>
<td>295</td>
</tr>
<tr>
<td>§21-109</td>
<td>Penalty for Violation</td>
<td>295</td>
</tr>
<tr>
<td>§21-202</td>
<td>Permit and Fees</td>
<td>256, §3; 391, §1</td>
</tr>
<tr>
<td>§21-204</td>
<td>Forms to be Checked by Engineer</td>
<td>256, §5; 295</td>
</tr>
<tr>
<td>§21-205</td>
<td>Barricades and Lights</td>
<td>256, §6</td>
</tr>
<tr>
<td>§21-206</td>
<td>Penalty</td>
<td>256, §8; 295</td>
</tr>
<tr>
<td>§21-303</td>
<td>Penalty for Violation</td>
<td>295</td>
</tr>
<tr>
<td>§21-401</td>
<td>Overhanging Trees and Shrubbery</td>
<td>287, §1</td>
</tr>
<tr>
<td>§21-403</td>
<td>Penalty for Violation</td>
<td>287, §3</td>
</tr>
<tr>
<td>§21-601</td>
<td>Unlawful to Discharge</td>
<td>397, §1</td>
</tr>
<tr>
<td>§21-602</td>
<td>Penalty</td>
<td>397, §2</td>
</tr>
<tr>
<td>§21-706</td>
<td>Permits, Fees, and Fines</td>
<td>423, §6</td>
</tr>
<tr>
<td>§21-710</td>
<td>Penalty</td>
<td>423, §10</td>
</tr>
<tr>
<td>§23-805</td>
<td>Penalties</td>
<td>447, §805</td>
</tr>
<tr>
<td>§24-305</td>
<td>Penalties</td>
<td>347, §7</td>
</tr>
<tr>
<td>§24-404</td>
<td>Imposition of Tax; Interest</td>
<td>410, §4</td>
</tr>
<tr>
<td>§26-109</td>
<td>Application and Deposit Required for Meter Test</td>
<td>242, §9; 316</td>
</tr>
<tr>
<td>§26-114</td>
<td>Rates</td>
<td>242, §14; 295; 313, §2</td>
</tr>
<tr>
<td>§26-116</td>
<td>Payments</td>
<td>242, §16; 313, §5; 373, §1</td>
</tr>
<tr>
<td>§26-118</td>
<td>Right to Cut Off Water or Sewer Service</td>
<td>242, §18; 313, §6; 327, §2</td>
</tr>
<tr>
<td>§26-119</td>
<td>Abatement of Charges</td>
<td>242, §19; 295</td>
</tr>
<tr>
<td>§26-122</td>
<td>Penalties</td>
<td>242, §22</td>
</tr>
</tbody>
</table>
C. **Repeals.**

<table>
<thead>
<tr>
<th>Ordinance/Resolution</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 306A</td>
<td>Holding Tanks</td>
</tr>
</tbody>
</table>

**Section 6. Adoption of Standard Codes by Reference.** As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

<table>
<thead>
<tr>
<th>Section</th>
<th>Short Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[Reserved]</td>
</tr>
</tbody>
</table>

**Section 7. Land Use Amendments.** The Township of West Lebanon Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by *strike-through* and additions shown by *underline*, all of which is briefly summarized hereinafter.

A. **New Provisions.** The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[Reserved]</td>
</tr>
</tbody>
</table>

B. **Revised Provisions.** The following provisions of the Code are revised, the text of which indicates deletions by *strike-through* and additions shown by *underline*, and are summarized as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Ordinance No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>§27-101</td>
<td>Interpretation and Definitions</td>
<td>281, Art. I, §1; 295</td>
</tr>
<tr>
<td>§27-1002</td>
<td>Fences, Walls, and Hedges</td>
<td>281, Art. X, §10.2</td>
</tr>
<tr>
<td>§27-1019</td>
<td>Adult Book Stores, Adult Theaters</td>
<td>281; 388, §51-5</td>
</tr>
<tr>
<td>§27-1402</td>
<td>Hearings</td>
<td>281</td>
</tr>
<tr>
<td>§27-1403</td>
<td>Parties Appellant Before the Board</td>
<td>281</td>
</tr>
<tr>
<td>§27-1404</td>
<td>Time Limitations</td>
<td>281</td>
</tr>
<tr>
<td>§27-1405</td>
<td>Stay of Proceedings</td>
<td>281</td>
</tr>
<tr>
<td>§27-1502</td>
<td>Special Exceptions; Conditions Governing Applications; Procedures</td>
<td>281, Art. XV, §15.2</td>
</tr>
<tr>
<td>§27-1901</td>
<td>Enactment of Zoning Ordinance Amendments</td>
<td>281</td>
</tr>
<tr>
<td>§27-2003</td>
<td>Enforcement Notice</td>
<td>281</td>
</tr>
<tr>
<td>§27-2004</td>
<td>Causes of Action</td>
<td>281</td>
</tr>
<tr>
<td>§27-2005</td>
<td>Enforcement Remedies</td>
<td>281</td>
</tr>
</tbody>
</table>
C. **Repealed Provisions.** The following provisions of the Code are repealed, the text of which indicates deletions by strike-through, and are as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Ordinance No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[Reserved]</td>
<td></td>
</tr>
</tbody>
</table>

**Section 8. Procedural Changes.** The following minor procedural changes have been made to existing Township of West Lebanon ordinances:

A. Grammatical and spelling errors have been corrected where necessary;

B. Minor changes have been made to correct obsolete terms and usages;

C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Township Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

**Section 9. Amending the Code of Ordinances.** The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

A. **Amendment or Revision** - "Chapter ___, Part ___, Section ___, Subsection ___ is hereby amended [revised] to read as follows..."

B. **Additions** - "Chapter ___, Part ___, Section ___, Subsection ___ is hereby amended by the addition of the following..."

C. **Repeal** - "Chapter ___, Part ___, Section ___, Subsection ___ is hereby repealed in its entirety."

**Section 10. Responsibility for Code of Ordinances.** It shall be the responsibility of the Township of West Lebanon Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of West Lebanon Code of Ordinances and shall be available for public inspection.

**Section 11. Penalties.** It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of West Lebanon. Whosoever shall violate this Section shall be guilty of an offense under §4911, "Tampering with Public Records or Information, of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

**Section 12. Severability of Parts of Codification.** It is hereby declared to be the intention of the Township of West Lebanon that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.
ENACTED AND ORDAINED this 2 day of September, 2008.

ATTEST: Township of West Lebanon

/s/ Bernice B. Mease
Secretary

/s/ Richard J. Pflueger
President, Board of Commissioners

/s/ Edward Winters
Vice Chairman, Board of Commissioners
Fee Schedule

A resolution establishing fees for the filing of applications, permits and licenses for the Township of West Lebanon.

WHEREAS, the Board of Commissioners of the Township of West Lebanon has adopted a codification, consolidation and revision of the ordinances of the Township of West Lebanon; and,

WHEREAS, it is the desire of the Board of Commissioners of the Township of West Lebanon to eliminate all filing fees, permit fees and license fees from the Code of Ordinances and enact them instead by resolution; and,

NOW, THEREFORE BE IT RESOLVED THAT and it is hereby resolved by the Board of Commissioners of the Township of West Lebanon that all fees are hereby fixed as follows:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration and Government</td>
<td></td>
</tr>
<tr>
<td>Administration and Government</td>
<td></td>
</tr>
<tr>
<td>Access to Public Records §1-501</td>
<td></td>
</tr>
<tr>
<td>The making of such extracts, copies, photographs, or photostats shall be performed by the lawful custodian of the requested public records at the cost to the applicant.</td>
<td>$.25 per page [Res. 2009-02]</td>
</tr>
<tr>
<td>If the request requires the removal of privileged information from the records, the custodian shall estimate the time necessary to remove such privileged information and the applicant shall be assessed the cost of such removal.</td>
<td>$8.50 per hour with a minimum of 1 hour</td>
</tr>
<tr>
<td>Attorney Fees §1-301</td>
<td></td>
</tr>
<tr>
<td>Municipal claims</td>
<td></td>
</tr>
<tr>
<td>$1 to $250</td>
<td>$75 or 30%</td>
</tr>
<tr>
<td>$251 to $500</td>
<td>$125 or 25%</td>
</tr>
<tr>
<td>$501 to $1,000</td>
<td>$150 or 20%</td>
</tr>
<tr>
<td>$1,001 or greater</td>
<td>20%</td>
</tr>
<tr>
<td>Handling Bad Checks</td>
<td>$50</td>
</tr>
<tr>
<td>Preparation and Certification of Purchase Certificates</td>
<td>$25 fee plus administrative fee of $25</td>
</tr>
<tr>
<td>Property Maintenance</td>
<td></td>
</tr>
<tr>
<td>Use of one Township employee plus equipment to perform services. The charges shall be computed upon each hour or part thereof in which a Township employee was engaged in said task with the smallest fraction of an hour to be computed being one-quarter of an hour.</td>
<td>$50 per hour</td>
</tr>
</tbody>
</table>

-Supp. I; revised 1/4/2010-
Subject Fees

Each additional employee to perform services at any given property $25 per hour

Reproduction and Certification of Bills $5

Animals

Impounding; Costs §2-207

Animal being picked up $50 per day, plus $20 for pickup

License Fees for Cats

Cat license fee $10

Spayed or neutered cat $5

Code Enforcement

Property Maintenance Code

Additions, insertions and changes §5-202

fees $50 per hour

Uniform Construction Code

The following fees and charges are hereby authorized and directed to be collected by the duly appointed or contracted Building Code Official of the Municipality for the administration and enforcement of the Pennsylvania Uniform Construction Code:

1. Residential
   a. One and two-family dwelling units, including townhouses, including attached garages and finished basements $100 plus $0.25 per square foot of gross floor area
   b. Additions or alterations to one and two-family dwelling units, including townhouses and manufactured homes $0.25 per square foot within a minimum permit fee of $50
   c. Manufactured homes for additions, attachments, porches and decks. $250 plus $0.25 per square foot
   d. Detached accessory structures and other construction requiring code compliance (including garages, agricultural buildings, signs, walls, fences, etc.) $50 plus $0.15 per square foot
   e. Swimming pools
      inground $200
      above ground $50
   f. Electrical, mechanical and/or plumbing (not involving structural construction) $50 plus $10 additional for each room involved or affected
   g. Demolition $50
2. Per Application Plan Review Fee
   a. Review of construction plans for residential or commercial construction when submitted by applicant in advance of all prerequisite permits and approvals. $200

3. State Fee
   In accordance with State law, an additional fee shall be added to all code permits for disbursement quarterly to the State for use in training building code official. The fee in 2004 is established at $2 per permit, but may be increased by the State and shall be collected and disbursed without further action by the municipality.

4. Appeal Fee
   Appeals, including variances, extensions of time or appeal of a building code official decision, shall be accompanied by the following fees:
   a. Written appeal requesting an appeals board decision $375
   b. Written appeal requesting a hearing as part of an appeals board decision $750

5. Refunds
   Partial refunds may be granted where building or construction projects are abandoned prior to the start of construction. Written request for refunds are required. The building code official is authorized to grant a prorated refund, based upon the calculated cost of services rendered, provided that no more than 75 percent of the originally submitted fee shall be refunded.

Fire Prevention and Fire Protection
False Alarms §7-205
   Administrative fee
   second false alarm $50
   third and subsequent false alarms $100

Alarm Owner Responsibility §7-207
   Failure to comply administrative fee $10

Floodplains
Application Fees §8-107
   Estimated cost
   $0 to 500 $0
   $501 and up $5

Licenses, Permits and General Business Regulations
   Eating and Drinking Establishments
## Subject Fees

<table>
<thead>
<tr>
<th>Subject</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>First time applicants</td>
<td>$15</td>
</tr>
<tr>
<td>Nonalcohol serving establishments</td>
<td>$55</td>
</tr>
<tr>
<td>Alcohol serving establishments</td>
<td>$100</td>
</tr>
<tr>
<td>Mobile food and drink provider located within Lebanon County</td>
<td>$100</td>
</tr>
<tr>
<td>Mobile food and drink provider not located within Lebanon County</td>
<td>$200</td>
</tr>
<tr>
<td>Not for profit establishments</td>
<td>$0</td>
</tr>
<tr>
<td>Transient Retail Business License</td>
<td></td>
</tr>
<tr>
<td>Permit application fee§13-206</td>
<td>$10</td>
</tr>
</tbody>
</table>

**Motor Vehicles and Traffic**

<table>
<thead>
<tr>
<th>Handicapped Parking Spaces</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign§15-602</td>
<td></td>
</tr>
<tr>
<td>installation</td>
<td>$125</td>
</tr>
<tr>
<td>yearly renewal</td>
<td>$35</td>
</tr>
<tr>
<td>Damage to sign§15-603</td>
<td>$70</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Police Escort Services</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>One way</td>
<td>$5</td>
</tr>
<tr>
<td>Round trip</td>
<td>$10</td>
</tr>
</tbody>
</table>

**Sewers and Sewage Disposal**

| Industrial Waste Discharge Permit§18-422                                |       |
| Application fee                                                         | $25   |

| Properties Served by Sewer Lines                                       |       |
| Administrative charge                                                  |       |
| 10% shall be added to the sewer bill                                   |       |
| Minimum administrative charge                                          | $5    |
| Total minimum bill for any property including the administrative charge| no less than $40 for any billing period |

| Wastewater Contribution Permits§18-434                                  |       |
| Application                                                             | $10   |

| Sewer Bill Township Charges                                            |       |
| Stamp as set by U.S. Postal Service                                   |       |
| Envelopes                                                              | $0.02 |

-xx-
<table>
<thead>
<tr>
<th>Subject</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill</td>
<td>$0.65</td>
</tr>
<tr>
<td>Admin. cost</td>
<td>$1.61</td>
</tr>
</tbody>
</table>

### User Charges §18-412

<table>
<thead>
<tr>
<th>Water consumption gallons per quarter</th>
<th>Rental Rate per Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>first 5,000 or fraction thereof</td>
<td>$40 minimum charge</td>
</tr>
<tr>
<td>5,000 - 30,000 gallons</td>
<td>$3 per 1,000 gallons or fraction thereof</td>
</tr>
<tr>
<td>over 30,000 gallons</td>
<td>$3.50 per 1,000 gallons or fraction thereof</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Connected to the sewer</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>first 6,000 gallons of water consumed after connection</td>
<td>$6 per 1,000 gallons or fraction thereof</td>
</tr>
<tr>
<td>user consumption exceed 6,000 gallons user charges as established above shall apply</td>
<td></td>
</tr>
</tbody>
</table>

### Tapping Fee

<table>
<thead>
<tr>
<th>Residential</th>
<th>Nonresidential</th>
</tr>
</thead>
<tbody>
<tr>
<td>sewer tapping fee for residential applicants</td>
<td>sewer tapping fee for nonresidential applicants</td>
</tr>
<tr>
<td>$3,000</td>
<td>$15.75 gallons per day</td>
</tr>
</tbody>
</table>

### Sewage Facilities Administration

<table>
<thead>
<tr>
<th>Mandatory for sewage enforcement officer activities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New permit or major repair permit sewage disposal application and permit/inspection fee, verification of soils testing, sewage system design review, and sewage system installation inspection. (To be paid at time of application, prior to site investigation).</td>
<td>$100 for site investigation</td>
</tr>
<tr>
<td>Minor repair permit (replace or add septic tank or dose tank) sewage disposal application and permit/inspection fee. (To be paid at time of application, prior to site investigation).</td>
<td>$55 for site investigation and installation inspection</td>
</tr>
<tr>
<td>Minor repair/ modification permit (inspection port added, baffles replaced, effluent filter added, tank access manhole extension to grade added, replace pump, replace building sewer, replace conveyance pipe, etc.) sewage disposal application and permit/inspection fee. (To be paid at time of application, prior to site investigation).</td>
<td>$20 for site investigation and installation inspection</td>
</tr>
<tr>
<td>Subject</td>
<td>Fees</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Supplemental review/inspection fee when applicable) required as follows (To be paid prior to permit issuance):</td>
<td></td>
</tr>
<tr>
<td>elevated sand mound, pressure dose system, or alternate system</td>
<td>$50</td>
</tr>
<tr>
<td>drip irrigation, individual residential spray irrigation system (IRSIS), or experimental system</td>
<td>$100</td>
</tr>
<tr>
<td>Renewal permit – sewage disposal application and permit/inspection fee. (To be paid at time of application).</td>
<td>$75 for renewal of an expired permit</td>
</tr>
<tr>
<td>Mandatory for modules: plan supplement or revision module submission shall be accompanied by a fee sufficient to cover review expenses by the Sewage Enforcement Officer, in accordance with the following schedule:</td>
<td></td>
</tr>
<tr>
<td>one lot</td>
<td>$40</td>
</tr>
<tr>
<td>two or more lots</td>
<td>$40 plus $40 per hour</td>
</tr>
<tr>
<td>Optional, as needed, for sewage enforcement officer activities</td>
<td></td>
</tr>
<tr>
<td>percolation testing and test holes boring fee</td>
<td>$300</td>
</tr>
<tr>
<td>percolation testing (holes exist) fee</td>
<td>$200</td>
</tr>
<tr>
<td>investigation and verification fee for work performed beyond the scope of routine examination and investigation, including monitoring maintenance programs.</td>
<td>$40 per hour</td>
</tr>
<tr>
<td>Where serving as the Delegated Local Agency with sewage facilities planning module approval authority for new land development, the following module processing fee shall be required for review and approval by the Planning Module Review Specialist:</td>
<td></td>
</tr>
<tr>
<td>onlot sewage proposals</td>
<td>$30 per lot or equivalent dwelling unit</td>
</tr>
<tr>
<td>public sewage proposals</td>
<td>$50 per lot or equivalent dwelling unit</td>
</tr>
<tr>
<td>Where serving as the Sewage Management Program Coordinator for the management of on-lot sewage disposal systems, the following administrative fee shall be required for maintaining the sewage management report forms and enforcing the Sewage Management Program Ordinance:</td>
<td></td>
</tr>
<tr>
<td>per lot</td>
<td>$10</td>
</tr>
</tbody>
</table>
### Subject Fees

Any person(s) aggrieved by an action of the Sewage Enforcement Officer in granting, denying or revoking a permit who appeals that decision and requests a hearing shall accompany said written request with a payment to defray the costs of said hearing.

### Streets and Sidewalks

**Dumpsters in a Public Right-of-Way**

<table>
<thead>
<tr>
<th>Permits, fees, and fines</th>
<th>§21-706</th>
</tr>
</thead>
<tbody>
<tr>
<td>permit</td>
<td>$5 per day</td>
</tr>
<tr>
<td>renewal permit</td>
<td>$10 per day</td>
</tr>
</tbody>
</table>

**Sidewalks, Curbs and Driveways**

<table>
<thead>
<tr>
<th>Permit and fees</th>
<th>§21-202</th>
</tr>
</thead>
<tbody>
<tr>
<td>permit fee</td>
<td>$25</td>
</tr>
<tr>
<td>administrative fee</td>
<td>$25</td>
</tr>
<tr>
<td>inspection fee</td>
<td>$100 each (approved or rejected)</td>
</tr>
</tbody>
</table>

**Street Lighting Assessment**

$.80 per front foot ($0.90 per front foot effective January 1, 2009) [Res. 2008-04]

### Taxation; Special

**Tax Certification Form**

$5 for copies plus $10 administrative fee

### Water

**Abatement of Charges**

<table>
<thead>
<tr>
<th>§26-119</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shut off</td>
</tr>
</tbody>
</table>

**Meter test deposit**

<table>
<thead>
<tr>
<th>§26-109</th>
</tr>
</thead>
<tbody>
<tr>
<td>¼ inch to 1 inch meter</td>
</tr>
<tr>
<td>1½ inch to 2 inch meter</td>
</tr>
<tr>
<td>4 inch meter</td>
</tr>
<tr>
<td>6 inch meter</td>
</tr>
<tr>
<td>8 inch meter</td>
</tr>
</tbody>
</table>

**Payments**

<table>
<thead>
<tr>
<th>§26-116</th>
</tr>
</thead>
<tbody>
<tr>
<td>Late fee</td>
</tr>
<tr>
<td>Late payment penalty</td>
</tr>
</tbody>
</table>

**Rates**

<table>
<thead>
<tr>
<th>§26-114</th>
</tr>
</thead>
</table>
Subject Fees

| Minimum 3,000 gallons or a fraction thereof | $4.50 |
| All water over and above said minimum | $1.50 per 1,000 gallons or a fraction thereof |

Right to Cut off Water or Sewer Service §26-118

| Restoring of services | $10 |

Water Tapping Fees

Connection fee is a charge for the cost to install a service line from the distribution main to the curb. The fee can be based on average or actual costs. In lieu of the fee, the Board may require the construction and dedication of the facilities by the property owner.

Customer facilities fee is a charge for the installation of the water meter and an inspection fee.

Tapping fee is comprised of several parts including a capacity part, a distribution part, a special purpose part, and a reimbursement component. The fees are based on current costs of the facilities and must exclude any grants, contributions and outstanding debt which funded the facilities.

1. Capacity Part. A fee for the current unit cost of capacity related facilities applied to the capacity requirements of the new customer. This includes source of supply, treatment, pumping, transmission and storage facilities.

2. Distribution Part. A fee for the current cost of the distribution main serving the new customer. In lieu of the fee, the Board may require the construction and dedication of distribution facilities necessary to serve the new customer.

3. Special Purpose Part. A fee for facilities required for a specific service area or group of customers. These facilities could include a pumping station and/or storage tank to serve customers at a higher elevation. Facilities to provide fire service for certain customers also could qualify for a special purpose fee.

4. Reimbursement Component. Provides for the reimbursement to the property owner who paid for a main extension, an amount equal to the distribution part of the tapping fee less 5 percent for administrative costs. The reimbursement provision applies only to service lines connected directly to the main extension for a period of 10 years.
Allowable Meter Flows

Domestic Water Service

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Minimum Flow GPM</th>
<th>Maximum Flow GPM</th>
<th>Connection Fee*</th>
<th>Customer Facilities Fee</th>
<th>Capacity Part</th>
<th>Distribution Part</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/8&quot;</td>
<td>1/4</td>
<td>20</td>
<td>$400 (3/4&quot;)</td>
<td>$110</td>
<td>$1,600</td>
<td>$600</td>
<td>$2,710</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>1/2</td>
<td>30</td>
<td>$450 (1&quot;)</td>
<td>$150</td>
<td>$3,600</td>
<td>$1,300</td>
<td>$5,500</td>
</tr>
<tr>
<td>1&quot;</td>
<td>3/4</td>
<td>50</td>
<td>$850 (11/4&quot;)</td>
<td>$190</td>
<td>$6,800</td>
<td>$2,500</td>
<td>$10,340</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>1 1/2</td>
<td>100</td>
<td>**</td>
<td>$440</td>
<td>$13,000</td>
<td>$4,900</td>
<td>$19,290</td>
</tr>
<tr>
<td>2&quot;</td>
<td>2</td>
<td>160</td>
<td>**</td>
<td>**</td>
<td>$52,000</td>
<td>$19,000</td>
<td>$71,570</td>
</tr>
<tr>
<td>3&quot;</td>
<td>4</td>
<td>350</td>
<td>**</td>
<td>**</td>
<td>$220,000</td>
<td>$80,000</td>
<td>$300,000</td>
</tr>
<tr>
<td>4&quot;</td>
<td>10</td>
<td>1,000</td>
<td>**</td>
<td>**</td>
<td>$500,000</td>
<td>$180,000</td>
<td>$680,000</td>
</tr>
<tr>
<td>6&quot;</td>
<td>20</td>
<td>2,000</td>
<td>**</td>
<td>**</td>
<td>$800,000</td>
<td>$300,000</td>
<td>$1,100,000</td>
</tr>
<tr>
<td>8&quot;</td>
<td>30</td>
<td>3,500</td>
<td>**</td>
<td>**</td>
<td>$1,500,000</td>
<td>$575,000</td>
<td>$2,075,000</td>
</tr>
</tbody>
</table>

* (Size) is typical service lateral size.

** Installed by contractor

Private Fire Service

<table>
<thead>
<tr>
<th>Fire Line Size</th>
<th>Fire Line Capacity Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>2&quot;</td>
<td>$280</td>
</tr>
<tr>
<td>3&quot;</td>
<td>$570</td>
</tr>
<tr>
<td>4&quot;</td>
<td>$880</td>
</tr>
<tr>
<td>6&quot;</td>
<td>$1,760</td>
</tr>
<tr>
<td>8&quot;</td>
<td>$2,830</td>
</tr>
<tr>
<td>10&quot;</td>
<td>$3,530</td>
</tr>
</tbody>
</table>

Inspection fee for above services $110

Water Service Rates

Meter rate for O & M $55 plus $100 debt reduction

$7.50 per 1,000 gallons of usage

Termination or activation of service during regular business hours Monday through Thursday 9 a.m. to 1 p.m. $50

Termination or activation of service after regular business hours, weekends, and holidays. $100
### Subject Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any water meter reading taken on dates other than regular scheduled meter readings</td>
<td>$25</td>
</tr>
<tr>
<td>Any change of ownership for preparation and certification of certificate. This includes final water reading for property transfers.</td>
<td>$25 fee plus administrative fee $25</td>
</tr>
</tbody>
</table>

[Res. 2009-09]

### Zoning

**Zoning Administration**

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for a building and zoning permit</td>
<td>$20 for up to the first $1,000, plus $1 for each additional thousand or fraction thereof</td>
</tr>
<tr>
<td>Application to the Zoning Hearing Board</td>
<td>$400 for each petition or appeal</td>
</tr>
<tr>
<td>Application to elected officials for an amendment to the Zoning Ordinance, official map or conditional use</td>
<td>$400 for each petition and any applicable municipal fees</td>
</tr>
</tbody>
</table>

# TOWNSHIP OF WEST LEBANON

## INDEX

<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCESS TO PUBLIC RECORDS, see ADMINISTRATION AND GOVERNMENT</td>
<td></td>
</tr>
<tr>
<td>ADJUSTMENTS TO TOWNSHIP BOUNDARIES</td>
<td>Appendix A</td>
</tr>
<tr>
<td>ADMINISTRATION AND ENFORCEMENT; BUILDING PERMITS AND CERTIFICATES OF ZONING COMPLIANCE, see ZONING</td>
<td></td>
</tr>
<tr>
<td>ADMINISTRATION AND GOVERNMENT</td>
<td></td>
</tr>
<tr>
<td>access to public records</td>
<td>1-501</td>
</tr>
<tr>
<td>procedure</td>
<td></td>
</tr>
<tr>
<td>attorney's fees</td>
<td>1-301</td>
</tr>
<tr>
<td>schedule of attorney's fees</td>
<td></td>
</tr>
<tr>
<td>elected and appointed officials</td>
<td></td>
</tr>
<tr>
<td>compensation of Board of Commissioners</td>
<td>1-202</td>
</tr>
<tr>
<td>compensation of Secretary</td>
<td>1-203</td>
</tr>
<tr>
<td>independent auditor</td>
<td>1-204</td>
</tr>
<tr>
<td>time and place of meetings of Commissioners</td>
<td>1-201</td>
</tr>
<tr>
<td>fire insurance proceeds escrow</td>
<td></td>
</tr>
<tr>
<td>designated official; definition</td>
<td>1-401</td>
</tr>
<tr>
<td>fire loss claims not to be paid without municipal certificate</td>
<td>1-402</td>
</tr>
<tr>
<td>procedures and regulations to be adopted by resolution</td>
<td>1-404</td>
</tr>
<tr>
<td>transfer of proceeds</td>
<td>1-403</td>
</tr>
<tr>
<td>preliminary provisions</td>
<td></td>
</tr>
<tr>
<td>altering code</td>
<td>1-110</td>
</tr>
<tr>
<td>amending code</td>
<td>1-109</td>
</tr>
<tr>
<td>arrangement of code</td>
<td>1-103</td>
</tr>
<tr>
<td>citation of code of ordinances</td>
<td>1-102</td>
</tr>
<tr>
<td>construction</td>
<td>1-106</td>
</tr>
<tr>
<td>headings</td>
<td>1-104</td>
</tr>
<tr>
<td>normal numbering</td>
<td>1-107</td>
</tr>
<tr>
<td>penalties</td>
<td>1-111</td>
</tr>
<tr>
<td>short title</td>
<td>1-101</td>
</tr>
<tr>
<td>special numbering problems</td>
<td>1-108</td>
</tr>
<tr>
<td>tenses, gender and number</td>
<td>1-105</td>
</tr>
</tbody>
</table>

ADMINISTRATION OF HEALTH LAWS DELEGATED TO COMMONWEALTH, see HEALTH AND SAFETY
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALARM SYSTEMS, see FIRE PREVENTION AND FIRE PROTECTION</td>
<td></td>
</tr>
<tr>
<td>AMENDMENTS, see ZONING</td>
<td></td>
</tr>
<tr>
<td>ANIMALS</td>
<td></td>
</tr>
<tr>
<td>animals running at large</td>
<td></td>
</tr>
<tr>
<td>agreements with humane society</td>
<td>2-211</td>
</tr>
<tr>
<td>corrupting or desecrating property of another</td>
<td>2-215</td>
</tr>
<tr>
<td>definitions</td>
<td>2-201</td>
</tr>
<tr>
<td>disturbing the peace</td>
<td>2-213</td>
</tr>
<tr>
<td>dog pound</td>
<td>2-212</td>
</tr>
<tr>
<td>enforcement by Humane Officer, law officer or public official</td>
<td>2-205</td>
</tr>
<tr>
<td>entering private property</td>
<td>2-203</td>
</tr>
<tr>
<td>funds; distribution</td>
<td>2-209</td>
</tr>
<tr>
<td>impounding; costs</td>
<td>2-207</td>
</tr>
<tr>
<td>licensing of dogs and/or cats</td>
<td>2-216</td>
</tr>
<tr>
<td>nuisances</td>
<td>2-214</td>
</tr>
<tr>
<td>obstructing officer</td>
<td>2-210</td>
</tr>
<tr>
<td>officer's duties</td>
<td>2-206</td>
</tr>
<tr>
<td>penalty</td>
<td>2-217</td>
</tr>
<tr>
<td>records</td>
<td>2-208</td>
</tr>
<tr>
<td>running at large prohibited</td>
<td>2-202</td>
</tr>
<tr>
<td>sanitation requirements</td>
<td>2-204</td>
</tr>
<tr>
<td>keeping certain animals</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>2-301</td>
</tr>
<tr>
<td>household pets</td>
<td>2-303</td>
</tr>
<tr>
<td>keeping of animals regulated</td>
<td>2-302</td>
</tr>
<tr>
<td>penalty</td>
<td>2-305</td>
</tr>
<tr>
<td>violations of State law</td>
<td>2-304</td>
</tr>
<tr>
<td>livestock</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>2-101</td>
</tr>
<tr>
<td>fine or penalty</td>
<td>2-103</td>
</tr>
<tr>
<td>livestock raising prohibited</td>
<td>2-102</td>
</tr>
<tr>
<td>ANIMALS RUNNING AT LARGE, see ANIMALS</td>
<td></td>
</tr>
<tr>
<td>APPEALS, see ZONING</td>
<td></td>
</tr>
<tr>
<td>APPEALS FROM THE ZONING HEARING BOARD, see ZONING</td>
<td></td>
</tr>
<tr>
<td>APPLICATION OF DISTRICT REGULATIONS, see ZONING</td>
<td></td>
</tr>
<tr>
<td>ASSESSMENT OF WATER/FIRE TAX, see TAXATION; SPECIAL</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>ATTORNEY’S FEES, see ADMINISTRATION AND GOVERNMENT</td>
<td></td>
</tr>
<tr>
<td>BACKFLOW AND CROSS-CONNECTIONS, see WATER</td>
<td></td>
</tr>
<tr>
<td>BICYCLES ON PUBLIC SIDEWALKS, see MOTOR VEHICLES AND TRAFFIC</td>
<td></td>
</tr>
<tr>
<td>BOND ISSUES AND LOANS</td>
<td>Appendix B</td>
</tr>
<tr>
<td>C - COMMERCIAL DISTRICT, see ZONING</td>
<td></td>
</tr>
<tr>
<td>CODE ENFORCEMENT</td>
<td></td>
</tr>
<tr>
<td>International Building Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-1102</td>
</tr>
<tr>
<td>adoption of International Building Code</td>
<td>5-1101</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-1103</td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-602</td>
</tr>
<tr>
<td>adoption of International Electric Code - Administrative Provisions</td>
<td>5-601</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-603</td>
</tr>
<tr>
<td>International Energy Conservation Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-402</td>
</tr>
<tr>
<td>adoption of International Energy Conservation Code</td>
<td>5-401</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-403</td>
</tr>
<tr>
<td>International Existing Building Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-702</td>
</tr>
<tr>
<td>adoption of International Existing Building Code</td>
<td>5-701</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-703</td>
</tr>
<tr>
<td>International Fire Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-502</td>
</tr>
<tr>
<td>adoption of International Fire Code</td>
<td>5-501</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-503</td>
</tr>
<tr>
<td>International Fuel Gas Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-1002</td>
</tr>
<tr>
<td>adoption of International Fuel Gas Code</td>
<td>5-1001</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-1003</td>
</tr>
<tr>
<td>International Mechanical Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-302</td>
</tr>
<tr>
<td>adoption of International Mechanical Code</td>
<td>5-301</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-303</td>
</tr>
<tr>
<td>International Plumbing Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-902</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>adoption of International Plumbing Code</td>
<td>5-901</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-903</td>
</tr>
<tr>
<td>International Property Maintenance Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-202</td>
</tr>
<tr>
<td>adoption of International Property Maintenance Code</td>
<td>5-201</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-203</td>
</tr>
<tr>
<td>International Residential Code</td>
<td></td>
</tr>
<tr>
<td>additions, insertions and changes</td>
<td>5-802</td>
</tr>
<tr>
<td>adoption of International Residential Code</td>
<td>5-801</td>
</tr>
<tr>
<td>savings clause</td>
<td>5-803</td>
</tr>
<tr>
<td>Uniform Construction Code</td>
<td></td>
</tr>
<tr>
<td>administration and enforcement</td>
<td>5-105</td>
</tr>
<tr>
<td>adoption of Pennsylvania Uniform Construction Code</td>
<td>5-103</td>
</tr>
<tr>
<td>intent</td>
<td>5-102</td>
</tr>
<tr>
<td>scope</td>
<td>5-104</td>
</tr>
<tr>
<td>title</td>
<td>5-101</td>
</tr>
<tr>
<td>COLLECTION AND DISPOSAL, see SOLID WASTE</td>
<td></td>
</tr>
<tr>
<td>CONDUCT</td>
<td></td>
</tr>
<tr>
<td>curfew</td>
<td></td>
</tr>
<tr>
<td>curfew established</td>
<td>6-101</td>
</tr>
<tr>
<td>determination of age</td>
<td>6-105</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>6-103</td>
</tr>
<tr>
<td>repeat violators</td>
<td>6-104</td>
</tr>
<tr>
<td>unlawful for parents to permit curfew violations</td>
<td>6-102</td>
</tr>
<tr>
<td>discharge of firearms</td>
<td></td>
</tr>
<tr>
<td>discharge of firearms prohibited</td>
<td>6-401</td>
</tr>
<tr>
<td>penalty for unlawful use of firearms, air rifles, bows and arrows or</td>
<td>6-403</td>
</tr>
<tr>
<td>similar devices</td>
<td></td>
</tr>
<tr>
<td>use of air rifles, bows and arrows, or similar devices regulated</td>
<td>6-402</td>
</tr>
<tr>
<td>disorderly conduct</td>
<td></td>
</tr>
<tr>
<td>disorderly conduct prohibited</td>
<td>6-201</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>6-202</td>
</tr>
<tr>
<td>disorderly conduct toward a police officer</td>
<td></td>
</tr>
<tr>
<td>definition of disorderly conduct toward a police officer</td>
<td>6-301</td>
</tr>
<tr>
<td>penalty</td>
<td>6-302</td>
</tr>
<tr>
<td>loitering</td>
<td></td>
</tr>
</tbody>
</table>

I-4
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>law enforcement officers to order person to move on or to disperse</td>
<td>6-602</td>
</tr>
<tr>
<td>loafing, loitering and similar acts prohibited</td>
<td>6-601</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>6-603</td>
</tr>
<tr>
<td>noise</td>
<td></td>
</tr>
<tr>
<td>annoying noise or disturbance prohibited; exception</td>
<td>6-502</td>
</tr>
<tr>
<td>definition</td>
<td>6-501</td>
</tr>
<tr>
<td>devices or apparatus emitting loud noises for commercial purposes prohibited</td>
<td>6-504</td>
</tr>
<tr>
<td>noises or mechanical devices for advertising purposes prohibited</td>
<td>6-503</td>
</tr>
<tr>
<td>offensive noise from machinery or mechanical devices prohibited</td>
<td>6-505</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>6-506</td>
</tr>
<tr>
<td>protection of public property</td>
<td></td>
</tr>
<tr>
<td>definition and interpretation</td>
<td>6-701</td>
</tr>
<tr>
<td>exceptions</td>
<td>6-707</td>
</tr>
<tr>
<td>harmful substances not to be deposited on streets, alleys, sidewalks or public grounds</td>
<td>6-706</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>6-708</td>
</tr>
<tr>
<td>removal of material from streets, alleys or public grounds prohibited</td>
<td>6-705</td>
</tr>
<tr>
<td>tampering with public property or property on streets, alleys or public ground prohibited</td>
<td>6-702</td>
</tr>
<tr>
<td>tampering with stakes, posts, and monuments prohibited</td>
<td>6-703</td>
</tr>
<tr>
<td>tampering with warning lamps, signs, or barricades prohibited</td>
<td>6-704</td>
</tr>
<tr>
<td>theft of water and sewer services</td>
<td></td>
</tr>
<tr>
<td>payment for service required</td>
<td>6-901</td>
</tr>
<tr>
<td>penalty</td>
<td>6-902</td>
</tr>
<tr>
<td>transportation, possession or consumption of alcoholic beverages in public places prohibited</td>
<td>6-802</td>
</tr>
<tr>
<td>penalty</td>
<td>6-801</td>
</tr>
<tr>
<td>CONTROLLED SUBSTANCE PARAPHERNALIA PROHIBITION, see HEALTH AND SAFETY</td>
<td></td>
</tr>
<tr>
<td>CURBING; NEW CONSTRUCTION AND TRANSFER OF PROPERTY, see STREETS AND SIDEWALKS</td>
<td></td>
</tr>
<tr>
<td>CURFEW, see CONDUCT</td>
<td></td>
</tr>
<tr>
<td>DEFINITIONS, see STORMWATER MANAGEMENT</td>
<td></td>
</tr>
<tr>
<td>DISCHARGE OF FIREARMS, see CONDUCT</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>DISCHARGE OF GRASS AND LAWN CLIPPINGS, see STREETS AND SIDEWALKS</td>
<td></td>
</tr>
<tr>
<td>DISORDERLY CONDUCT, see CONDUCT</td>
<td></td>
</tr>
<tr>
<td>DISORDERLY CONDUCT TOWARD A POLICE OFFICER, see CONDUCT</td>
<td></td>
</tr>
<tr>
<td>DUMPSTERS IN A PUBLIC RIGHT-OF-WAY, see STREETS AND SIDEWALKS</td>
<td></td>
</tr>
<tr>
<td>EARNED INCOME AND NET PROFITS TAX, see TAXATION; SPECIAL</td>
<td></td>
</tr>
<tr>
<td>ELECTED AND APPOINTED OFFICIALS, see ADMINISTRATION AND GOVERNMENT</td>
<td></td>
</tr>
<tr>
<td>ENFORCEMENT AND PENALTIES, see STORMWATER MANAGEMENT</td>
<td></td>
</tr>
<tr>
<td>ESTABLISHMENT OF DISTRICTS; OFFICIAL ZONING MAP, see ZONING</td>
<td></td>
</tr>
<tr>
<td>EXAMPLE, CALCULATIONS TO DETERMINE EXEMPTION FROM SWM SITE PLAN</td>
<td></td>
</tr>
<tr>
<td>PREPARATION REQUIREMENTS, see APPENDIX 23-D</td>
<td></td>
</tr>
<tr>
<td>FEES AND EXPENSES, see STORMWATER MANAGEMENT</td>
<td></td>
</tr>
<tr>
<td>FEES, CHARGES, AND EXPENSES, see ZONING</td>
<td></td>
</tr>
<tr>
<td>FIRE INSURANCE PROCEEDS ESCROW, see ADMINISTRATION AND GOVERNMENT</td>
<td></td>
</tr>
<tr>
<td>FIRE PREVENTION AND FIRE PROTECTION</td>
<td></td>
</tr>
<tr>
<td>alarm systems</td>
<td></td>
</tr>
<tr>
<td>confidentiality</td>
<td>7-208</td>
</tr>
<tr>
<td>definitions</td>
<td>7-203</td>
</tr>
<tr>
<td>enforcement</td>
<td>7-209</td>
</tr>
<tr>
<td>false alarms</td>
<td>7-205</td>
</tr>
<tr>
<td>notice</td>
<td>7-206</td>
</tr>
<tr>
<td>other legal action</td>
<td>7-210</td>
</tr>
<tr>
<td>owner responsibility</td>
<td>7-207</td>
</tr>
<tr>
<td>purpose</td>
<td>7-201</td>
</tr>
<tr>
<td>restrictions on audible or visual alarms</td>
<td>7-204</td>
</tr>
<tr>
<td>scope</td>
<td>7-202</td>
</tr>
<tr>
<td>outdoor fires</td>
<td></td>
</tr>
<tr>
<td>outdoor fires prohibited</td>
<td>7-101</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>7-103</td>
</tr>
<tr>
<td>recreational outdoor fires</td>
<td>7-102</td>
</tr>
<tr>
<td>FLAT RATE OCCUPATION TAX, see TAXATION; SPECIAL</td>
<td></td>
</tr>
<tr>
<td>FLOODPLAINS</td>
<td></td>
</tr>
<tr>
<td>rules and regulations</td>
<td></td>
</tr>
<tr>
<td>abrogation and greater restrictions</td>
<td>8-116</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>appeals</td>
<td>8-112</td>
</tr>
<tr>
<td>applicability</td>
<td>8-102</td>
</tr>
<tr>
<td>application procedure</td>
<td>8-106</td>
</tr>
<tr>
<td>definition</td>
<td>8-104</td>
</tr>
<tr>
<td>definitions</td>
<td>8-115</td>
</tr>
<tr>
<td>fees</td>
<td>8-107</td>
</tr>
<tr>
<td>inspection and revocation</td>
<td>8-109</td>
</tr>
<tr>
<td>issuance of permit</td>
<td>8-105</td>
</tr>
<tr>
<td>municipal liability</td>
<td>8-103</td>
</tr>
<tr>
<td>no construction or development</td>
<td>8-113</td>
</tr>
<tr>
<td>notices</td>
<td>8-110</td>
</tr>
<tr>
<td>penalties</td>
<td>8-111</td>
</tr>
<tr>
<td>start of construction</td>
<td>8-108</td>
</tr>
<tr>
<td>statement of intent</td>
<td>8-101</td>
</tr>
<tr>
<td>variances</td>
<td>8-114</td>
</tr>
<tr>
<td>FRANCHISES AND SERVICES</td>
<td>Appendix C</td>
</tr>
<tr>
<td>GENERAL PROVISIONS, see STORMWATER MANAGEMENT</td>
<td></td>
</tr>
<tr>
<td>GENERAL REGULATIONS, see MOTOR VEHICLES AND TRAFFIC</td>
<td></td>
</tr>
<tr>
<td>GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS</td>
<td>Appendix D</td>
</tr>
<tr>
<td>HEALTH AND SAFETY</td>
<td></td>
</tr>
<tr>
<td>administration of health laws delegated to Commonwealth</td>
<td></td>
</tr>
<tr>
<td>State requested to take over duties</td>
<td>10-101</td>
</tr>
<tr>
<td>controlled substance paraphernalia prohibition</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>10-202</td>
</tr>
<tr>
<td>possession, manufacture, and sale of drug paraphernalia</td>
<td>10-203</td>
</tr>
<tr>
<td>short title</td>
<td>10-201</td>
</tr>
<tr>
<td>violations and penalties</td>
<td>10-204</td>
</tr>
<tr>
<td>prohibiting nuisances on private or public property</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>10-301</td>
</tr>
<tr>
<td>nuisances</td>
<td>10-302</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>10-304</td>
</tr>
<tr>
<td>written notice to violators required</td>
<td>10-303</td>
</tr>
<tr>
<td>HOUSING</td>
<td></td>
</tr>
<tr>
<td>residential rental licensing and inspection</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>11-102</td>
</tr>
<tr>
<td>licenses and inspections</td>
<td>11-105</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>miscellaneous provisions</td>
<td>11-108</td>
</tr>
<tr>
<td>non-renewal, suspension or revocation of license</td>
<td>11-106</td>
</tr>
<tr>
<td>occupant’s duties</td>
<td>11-104</td>
</tr>
<tr>
<td>owner’s duties</td>
<td>11-103</td>
</tr>
<tr>
<td>purposes and findings</td>
<td>11-101</td>
</tr>
<tr>
<td>violations and penalties</td>
<td>11-107</td>
</tr>
<tr>
<td>West Lebanon Township’s Required Addendum to Residential Rental Agreement</td>
<td>Appendix 11-1-A</td>
</tr>
</tbody>
</table>

INDIVIDUAL OR COMMUNITY SEWAGE SYSTEMS, see SEWERS AND SEWAGE DISPOSAL

INTERNATIONAL BUILDING CODE, see CODE ENFORCEMENT

INTERNATIONAL ELECTRIC CODE - ADMINISTRATIVE PROVISIONS, see CODE ENFORCEMENT

INTERNATIONAL ENERGY CONSERVATION CODE, see CODE ENFORCEMENT

INTERNATIONAL EXISTING BUILDING CODE, see CODE ENFORCEMENT

INTERNATIONAL FIRE CODE, see CODE ENFORCEMENT

INTERNATIONAL FUEL GAS CODE, see CODE ENFORCEMENT

INTERNATIONAL MECHANICAL CODE, see CODE ENFORCEMENT

INTERNATIONAL PLUMBING CODE, see CODE ENFORCEMENT

INTERNATIONAL PROPERTY MAINTENANCE CODE, see CODE ENFORCEMENT

INTERNATIONAL RESIDENTIAL CODE, see CODE ENFORCEMENT

INTERPRETATION, see MOTOR VEHICLES AND TRAFFIC

INTERPRETATION; DEFINITIONS; COMMUNITY DEVELOPMENT OBJECTIVES, see ZONING

INTERPRETATION; VIOLATIONS AND SEPARABILITY, see ZONING

JUNKYARDS, see LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

KEEPING CERTAIN ANIMALS, see ANIMALS

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

<table>
<thead>
<tr>
<th>Junkyards</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>accumulation of junk, etc., declared nuisance</td>
<td>13-102</td>
</tr>
<tr>
<td>definition</td>
<td>13-101</td>
</tr>
<tr>
<td>junkyards declared nuisance</td>
<td>13-103</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>13-104</td>
</tr>
</tbody>
</table>

SALE OF REAL ESTATE

<p>| Agreements of sale                                                      | 13-303  |</p>
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>certificates</td>
<td>13-302</td>
</tr>
<tr>
<td>definitions</td>
<td>13-301</td>
</tr>
<tr>
<td>nonconforming uses</td>
<td>13-304</td>
</tr>
<tr>
<td>penalties</td>
<td>13-305</td>
</tr>
<tr>
<td>transient retail business</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>13-202</td>
</tr>
<tr>
<td>exceptions</td>
<td>13-203</td>
</tr>
<tr>
<td>fees</td>
<td>13-206</td>
</tr>
<tr>
<td>limitation on permits</td>
<td>13-211</td>
</tr>
<tr>
<td>nontransferability of applications or permits</td>
<td>13-205</td>
</tr>
<tr>
<td>penalty</td>
<td>13-210</td>
</tr>
<tr>
<td>permit applications</td>
<td>13-204</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>permit refusal</td>
<td>13-208</td>
</tr>
<tr>
<td>permit suspension</td>
<td>13-209</td>
</tr>
<tr>
<td>permits required</td>
<td>13-201</td>
</tr>
<tr>
<td>terms of engaging in peddling or transient retail business</td>
<td>13-207</td>
</tr>
<tr>
<td>LIVESTOCK, see ANIMALS</td>
<td></td>
</tr>
<tr>
<td>LOCAL SERVICES TAX, see TAXATION; SPECIAL</td>
<td></td>
</tr>
<tr>
<td>LOITERING, see CONDUCT</td>
<td></td>
</tr>
<tr>
<td>LOW IMPACT DEVELOPMENT PRACTICES, see APPENDIX 23-A</td>
<td></td>
</tr>
<tr>
<td>M - MANUFACTURING DISTRICT, see ZONING</td>
<td></td>
</tr>
<tr>
<td>MOTOR VEHICLES AND TRAFFIC</td>
<td></td>
</tr>
<tr>
<td>bicycles on public sidewalks</td>
<td></td>
</tr>
<tr>
<td>operation of bicycles on public sidewalks</td>
<td>15-701</td>
</tr>
<tr>
<td>penalty</td>
<td>15-702</td>
</tr>
<tr>
<td>general regulations</td>
<td></td>
</tr>
<tr>
<td>authority of police officers</td>
<td>15-105</td>
</tr>
<tr>
<td>definitions and interpretation</td>
<td>15-101</td>
</tr>
<tr>
<td>experimental regulations</td>
<td>15-104</td>
</tr>
<tr>
<td>manner of adopting permanent traffic and parking regulations</td>
<td>15-102</td>
</tr>
<tr>
<td>temporary and emergency regulations</td>
<td>15-103</td>
</tr>
<tr>
<td>interpretation</td>
<td></td>
</tr>
<tr>
<td>provisions to be a continuation of prior regulations</td>
<td>15-501</td>
</tr>
<tr>
<td>parking regulations</td>
<td></td>
</tr>
<tr>
<td>declaration of snow emergency</td>
<td>15-307</td>
</tr>
<tr>
<td>parking prohibited at all times in certain locations</td>
<td>15-302</td>
</tr>
<tr>
<td>parking prohibitions in specific places; penalty</td>
<td>15-308</td>
</tr>
<tr>
<td>parking time limited in specific locations certain days and hours</td>
<td>15-303</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>15-305</td>
</tr>
<tr>
<td>street sweeping; schedule</td>
<td>15-306</td>
</tr>
<tr>
<td>vehicle parking on private property</td>
<td>15-304</td>
</tr>
<tr>
<td>vehicles to be parked within marked spaces</td>
<td>15-301</td>
</tr>
<tr>
<td>parking spaces for handicapped in residential areas; procedure and</td>
<td></td>
</tr>
<tr>
<td>policy</td>
<td></td>
</tr>
<tr>
<td>application for parking space</td>
<td>15-601</td>
</tr>
<tr>
<td>damage to handicapped parking signs</td>
<td>15-603</td>
</tr>
<tr>
<td>fees</td>
<td>15-602</td>
</tr>
<tr>
<td>removal and impounding of illegally parked vehicles</td>
<td></td>
</tr>
<tr>
<td>authority; State law applicable</td>
<td>15-401</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>traffic regulations</td>
<td></td>
</tr>
<tr>
<td>accident reports required</td>
<td>15-207</td>
</tr>
<tr>
<td>certain classes of trucks restricted on local deliveries only</td>
<td>15-205</td>
</tr>
<tr>
<td>certain classes of vehicles prohibited on certain highways</td>
<td>15-204</td>
</tr>
<tr>
<td>mechanical braking devices</td>
<td>15-208</td>
</tr>
<tr>
<td>motor vehicles not to be driven on sidewalks</td>
<td>15-201</td>
</tr>
<tr>
<td>speed limits established</td>
<td>15-202</td>
</tr>
<tr>
<td>stop intersections established</td>
<td>15-203</td>
</tr>
<tr>
<td>unlawful to operate motor vehicles or tractors on highways closed for construction or repair</td>
<td>15-206</td>
</tr>
</tbody>
</table>

NOISE, see CONDUCT

NONCONFORMITIES, see ZONING

OFF-STREET PARKING AND LOADING, see ZONING

OPERATION AND MAINTENANCE, see STORMWATER MANAGEMENT

OPERATION AND MAINTENANCE AGREEMENT, STORMWATER BEST MANAGEMENT PRACTICES, see APPENDIX 23-C

OUTDOOR FIRES, see FIRE PREVENTION AND FIRE PROTECTION

PARKING REGULATIONS, see MOTOR VEHICLES AND TRAFFIC

PARKING SPACES FOR HANDICAPPED IN RESIDENTIAL AREAS; PROCEDURE AND POLICY, see MOTOR VEHICLES AND TRAFFIC

PLAN APPROVAL Appendix E

PRELIMINARY PROVISIONS, see ADMINISTRATION AND GOVERNMENT

PROHIBITING NUISANCES ON PRIVATE OR PUBLIC PROPERTY, see HEALTH AND SAFETY

PROHIBITIONS, see STORMWATER MANAGEMENT

PROTECTION OF PUBLIC PROPERTY, see CONDUCT

PUBLIC PROPERTY Appendix F

R - RESIDENTIAL DISTRICT, see ZONING

REGULATIONS; RATES, see WATER

REALTY TRANSFER TAX, see TAXATION; SPECIAL

RECYCLING, see SOLID WASTE

REFERENCES, see STORMWATER MANAGEMENT

REMOVAL AND IMPOUNDING OF ILLEGALLY PARKED VEHICLES, see MOTOR VEHICLES AND TRAFFIC

RESIDENTIAL RENTAL LICENSING AND INSPECTION, see HOUSING

RULES AND REGULATIONS, see FLOODPLAINS

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES, see ZONING
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>SALE OF REAL ESTATE, see LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS</td>
<td></td>
</tr>
<tr>
<td>SEWAGE ENFORCEMENT OFFICER, see SEWERS AND SEWAGE DISPOSAL</td>
<td></td>
</tr>
<tr>
<td>SEWERS</td>
<td>Appendix G</td>
</tr>
<tr>
<td>SEWERS AND SEWAGE DISPOSAL</td>
<td></td>
</tr>
<tr>
<td>individual or community sewage systems</td>
<td>18-202</td>
</tr>
<tr>
<td>permit required for individual or community sewage disposal system</td>
<td></td>
</tr>
<tr>
<td>sewage enforcement officer</td>
<td>18-101</td>
</tr>
<tr>
<td>sewage enforcement officer</td>
<td></td>
</tr>
<tr>
<td>sewer system</td>
<td></td>
</tr>
<tr>
<td>industrial waste</td>
<td></td>
</tr>
<tr>
<td>administration</td>
<td>18-334</td>
</tr>
<tr>
<td>enforcement</td>
<td>18-335</td>
</tr>
<tr>
<td>fees</td>
<td>18-333</td>
</tr>
<tr>
<td>general provisions</td>
<td>18-331</td>
</tr>
<tr>
<td>industrial sewer connection application</td>
<td>18-337</td>
</tr>
<tr>
<td>penalty; costs</td>
<td>18-336</td>
</tr>
<tr>
<td>regulations</td>
<td>18-332</td>
</tr>
<tr>
<td>sewer connection regulation</td>
<td></td>
</tr>
<tr>
<td>building sewers and connections</td>
<td>18-303</td>
</tr>
<tr>
<td>definitions</td>
<td>18-301</td>
</tr>
<tr>
<td>enforcement</td>
<td>18-305</td>
</tr>
<tr>
<td>rules and regulations governing building sewers and connections to sewers</td>
<td>18-304</td>
</tr>
<tr>
<td>use of public sewers required</td>
<td>18-302</td>
</tr>
<tr>
<td>sewer rates and regulations</td>
<td></td>
</tr>
<tr>
<td>adoption of additional rates and charges, classification, rules and regulations</td>
<td>18-324</td>
</tr>
<tr>
<td>building sewers and connection methods</td>
<td>18-316</td>
</tr>
<tr>
<td>connection charge and connection permits</td>
<td>18-320</td>
</tr>
<tr>
<td>definitions</td>
<td>18-311</td>
</tr>
<tr>
<td>enforcement</td>
<td>18-323</td>
</tr>
<tr>
<td>industrial waste discharge permit</td>
<td>18-322</td>
</tr>
<tr>
<td>liens for user charges; filing and collecting of liens</td>
<td>18-314</td>
</tr>
<tr>
<td>pretreatment</td>
<td>18-319</td>
</tr>
<tr>
<td>prohibited wastes</td>
<td>18-318</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>sanitary sewer regulations</td>
<td>18-315</td>
</tr>
<tr>
<td>sewer extensions</td>
<td>18-321</td>
</tr>
<tr>
<td>time and method of payment</td>
<td>18-313</td>
</tr>
<tr>
<td>use of public sewers</td>
<td>18-317</td>
</tr>
<tr>
<td>user charges</td>
<td>18-312</td>
</tr>
<tr>
<td>SEWER SYSTEM, see SEWERS AND SEWAGE DISPOSAL</td>
<td></td>
</tr>
<tr>
<td>SIDEWALKS, CURBS, AND DRIVEWAYS, see STREETS AND SIDEWALKS</td>
<td></td>
</tr>
<tr>
<td>SIGNS AND ADVERTISING STRUCTURES, see ZONING</td>
<td></td>
</tr>
<tr>
<td>SITE CONDITIONS SUITABLE FOR INFILTRATION, see APPENDIX 23-B</td>
<td></td>
</tr>
<tr>
<td>SNOW AND ICE REMOVAL FROM SIDEWALKS, see STREETS AND SIDEWALKS</td>
<td></td>
</tr>
<tr>
<td>SOLID WASTE</td>
<td></td>
</tr>
<tr>
<td>collection and disposal</td>
<td></td>
</tr>
<tr>
<td>collection by licensed collectors; fee</td>
<td>20-106</td>
</tr>
<tr>
<td>collection practices</td>
<td>20-105</td>
</tr>
<tr>
<td>collection vehicles</td>
<td>20-107</td>
</tr>
<tr>
<td>cost of remedy</td>
<td>20-110</td>
</tr>
<tr>
<td>enforcement</td>
<td>20-111</td>
</tr>
<tr>
<td>penalty</td>
<td>20-112</td>
</tr>
<tr>
<td>place and method of disposal</td>
<td>20-108</td>
</tr>
<tr>
<td>preparation of refuse</td>
<td>20-102</td>
</tr>
<tr>
<td>purpose and definitions</td>
<td>20-101</td>
</tr>
<tr>
<td>refuse containers</td>
<td>20-103</td>
</tr>
<tr>
<td>storage of garbage refuse</td>
<td>20-104</td>
</tr>
<tr>
<td>violation notification and remedy</td>
<td>20-109</td>
</tr>
<tr>
<td>recycling</td>
<td></td>
</tr>
<tr>
<td>alternative disposition of recyclable materials</td>
<td>20-211</td>
</tr>
<tr>
<td>collection by unauthorized persons</td>
<td>20-209</td>
</tr>
<tr>
<td>definitions</td>
<td>20-202</td>
</tr>
<tr>
<td>enforcement and administration</td>
<td>20-210</td>
</tr>
<tr>
<td>establishment of program</td>
<td>20-204</td>
</tr>
<tr>
<td>establishment of regulations</td>
<td>20-207</td>
</tr>
<tr>
<td>general</td>
<td>20-203</td>
</tr>
<tr>
<td>individual recycling plan</td>
<td>20-206</td>
</tr>
<tr>
<td>penalties</td>
<td>20-212</td>
</tr>
<tr>
<td>recycling by licensed hauler</td>
<td>20-205</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>short title and purpose</td>
<td>20-201</td>
</tr>
<tr>
<td>special items</td>
<td>20-208</td>
</tr>
<tr>
<td>STORMWATER MANAGEMENT</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td></td>
</tr>
<tr>
<td>definitions</td>
<td>23-201</td>
</tr>
<tr>
<td>enforcement and penalties</td>
<td></td>
</tr>
<tr>
<td>appeals</td>
<td>23-806</td>
</tr>
<tr>
<td>enforcement</td>
<td>23-803</td>
</tr>
<tr>
<td>inspection</td>
<td>23-802</td>
</tr>
<tr>
<td>penalties</td>
<td>23-805</td>
</tr>
<tr>
<td>right-of-entry</td>
<td>23-801</td>
</tr>
<tr>
<td>suspension and revocation</td>
<td>23-804</td>
</tr>
<tr>
<td>fees and expenses</td>
<td></td>
</tr>
<tr>
<td>general</td>
<td>23-601</td>
</tr>
<tr>
<td>general provisions</td>
<td></td>
</tr>
<tr>
<td>applicability</td>
<td>23-105</td>
</tr>
<tr>
<td>compatibility with other requirements</td>
<td>23-106</td>
</tr>
<tr>
<td>purpose</td>
<td>23-103</td>
</tr>
<tr>
<td>short title</td>
<td>23-101</td>
</tr>
<tr>
<td>statement of findings</td>
<td>23-102</td>
</tr>
<tr>
<td>statutory authority</td>
<td>23-104</td>
</tr>
<tr>
<td>operation and maintenance</td>
<td></td>
</tr>
<tr>
<td>operation and maintenance agreements</td>
<td>23-502</td>
</tr>
<tr>
<td>responsibilities</td>
<td>23-501</td>
</tr>
<tr>
<td>prohibitions</td>
<td></td>
</tr>
<tr>
<td>alteration of bmps</td>
<td>23-703</td>
</tr>
<tr>
<td>prohibited discharges</td>
<td>23-701</td>
</tr>
<tr>
<td>roof drains</td>
<td>23-702</td>
</tr>
<tr>
<td>references</td>
<td></td>
</tr>
<tr>
<td>references</td>
<td>23-901</td>
</tr>
<tr>
<td>stormwater management (SWM) site plan</td>
<td></td>
</tr>
<tr>
<td>requirements</td>
<td></td>
</tr>
<tr>
<td>as-built surveys, completion certificate and</td>
<td>23-406</td>
</tr>
<tr>
<td>final inspection</td>
<td></td>
</tr>
<tr>
<td>modification of plans</td>
<td>23-404</td>
</tr>
<tr>
<td>plan contents</td>
<td>23-401</td>
</tr>
<tr>
<td>plan review</td>
<td>23-403</td>
</tr>
<tr>
<td>plan submission</td>
<td>23-402</td>
</tr>
</tbody>
</table>
resubmission of disapproved SWM site plans 23-405
stormwater management standards
  exemptions 23-302
  general requirements 23-301
  rate controls 23-304
  water quality 23-303
example, calculations to determine exemption from SWM site plan preparation requirements Appendix 23-D
low impact development practices Appendix 23-A
operation and maintenance agreement, stormwater best management practices Appendix 23-C
site conditions suitable for infiltration Appendix 23-B
STORMWATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS, see STORMWATER MANAGEMENT
STORMWATER MANAGEMENT STANDARDS, see STORMWATER MANAGEMENT
STREET AND SIDEWALK OBSTRUCTIONS, see STREETS AND SIDEWALKS
STREETS AND SIDEWALKS
  curbing; new construction and transfer of property
    issuance of building permit 21-501
    penalty 21-503
    transfer of property 21-502
discharge of grass and lawn clippings
  penalty 21-602
  unlawful to discharge 21-601
dumpsters in a public right-of-way
  administrative authority 21-703
  definitions 21-702
  findings and purpose 21-701
  general 21-705
  interpretation and application 21-704
  penalty 21-710
  permits, fees, and fines 21-706
  property and liability insurance 21-708
  regulations 21-709
  removal of dumpster 21-707
  sidewalks, curbs, and driveways
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>barricades and lights</td>
<td>21-205</td>
</tr>
<tr>
<td>construction specifications</td>
<td>21-201</td>
</tr>
<tr>
<td>forms to be checked by Engineer</td>
<td>21-204</td>
</tr>
<tr>
<td>line and grade set by Engineer; permit duration</td>
<td>21-203</td>
</tr>
<tr>
<td>penalty</td>
<td>21-206</td>
</tr>
<tr>
<td>permit and fees</td>
<td>21-202</td>
</tr>
<tr>
<td>snow and ice removal from sidewalks</td>
<td></td>
</tr>
<tr>
<td>penalty for violation</td>
<td>21-303</td>
</tr>
<tr>
<td>responsibility for removal; time limit</td>
<td>21-301</td>
</tr>
<tr>
<td>Township may remove snow and ice expense of defaulting owner, occupant, or tenant</td>
<td>21-302</td>
</tr>
<tr>
<td>street and sidewalk obstructions</td>
<td></td>
</tr>
<tr>
<td>notice to property owners for removal</td>
<td>21-402</td>
</tr>
<tr>
<td>overhanging trees and shrubbery</td>
<td>21-401</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>21-403</td>
</tr>
<tr>
<td>street excavations</td>
<td></td>
</tr>
<tr>
<td>applicant to file bond</td>
<td>21-104</td>
</tr>
<tr>
<td>applicant to maintain liability insurance</td>
<td>21-105</td>
</tr>
<tr>
<td>definitions and interpretations</td>
<td>21-101</td>
</tr>
<tr>
<td>duties of permit holder</td>
<td>21-106</td>
</tr>
<tr>
<td>emergency openings within 5 years of paving</td>
<td>21-108</td>
</tr>
<tr>
<td>opening paved streets within 5 years</td>
<td>21-107</td>
</tr>
<tr>
<td>penalty for violation</td>
<td>21-109</td>
</tr>
<tr>
<td>permit application and fee</td>
<td>21-103</td>
</tr>
<tr>
<td>permit required</td>
<td>21-102</td>
</tr>
<tr>
<td>street light assessments</td>
<td></td>
</tr>
<tr>
<td>annual assessment</td>
<td>21-801</td>
</tr>
<tr>
<td>annual report</td>
<td>21-805</td>
</tr>
<tr>
<td>exceptions</td>
<td>21-802</td>
</tr>
<tr>
<td>filing of assessments</td>
<td>21-803</td>
</tr>
<tr>
<td>payment of assessments</td>
<td>21-804</td>
</tr>
<tr>
<td>penalty and fines</td>
<td>21-806</td>
</tr>
</tbody>
</table>

STREET EXCAVATIONS, see STREETS AND SIDEWALKS

STREET LIGHT ASSESSMENTS, see STREETS AND SIDEWALKS

STREET LIGHTING

STREETS

SUPPLEMENTARY DISTRICT REGULATIONS, see ZONING
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAXATION; SPECIAL</td>
<td></td>
</tr>
<tr>
<td>assessment of water/fire tax</td>
<td>24-501</td>
</tr>
<tr>
<td>earned income and net profits tax</td>
<td></td>
</tr>
<tr>
<td>age applicability of taxes</td>
<td>24-107</td>
</tr>
<tr>
<td>deductions and losses</td>
<td>24-106</td>
</tr>
<tr>
<td>Earned Income Tax Officer</td>
<td>24-104</td>
</tr>
<tr>
<td>employers’ collection</td>
<td>24-103</td>
</tr>
<tr>
<td>imposition of tax; definitions</td>
<td>24-101</td>
</tr>
<tr>
<td>inclusion of mandatory provisions of the Local Tax Enabling Act</td>
<td>24-109</td>
</tr>
<tr>
<td>interest and penalties; suits for collection</td>
<td>24-105</td>
</tr>
<tr>
<td>non-applicability</td>
<td>24-108</td>
</tr>
<tr>
<td>returns and payments by taxpayers</td>
<td>24-102</td>
</tr>
<tr>
<td>flat rate occupation tax</td>
<td></td>
</tr>
<tr>
<td>additional taxes</td>
<td>24-306</td>
</tr>
<tr>
<td>definition</td>
<td>24-301</td>
</tr>
<tr>
<td>duties of tax collector</td>
<td>24-304</td>
</tr>
<tr>
<td>imposition and levy</td>
<td>24-302</td>
</tr>
<tr>
<td>notice of tax</td>
<td>24-303</td>
</tr>
<tr>
<td>penalties</td>
<td>24-305</td>
</tr>
<tr>
<td>local services tax</td>
<td></td>
</tr>
<tr>
<td>administration of tax</td>
<td>24-211</td>
</tr>
<tr>
<td>dates for determining tax liability and payment</td>
<td>24-207</td>
</tr>
<tr>
<td>definitions</td>
<td>24-202</td>
</tr>
<tr>
<td>duty of employers to collect</td>
<td>24-205</td>
</tr>
<tr>
<td>exemption and refunds</td>
<td>24-204</td>
</tr>
<tr>
<td>individuals engaged in more than one occupation or employed in more</td>
<td>24-209</td>
</tr>
<tr>
<td>than one political subdivision</td>
<td></td>
</tr>
<tr>
<td>interpretation</td>
<td>24-214</td>
</tr>
<tr>
<td>levy of tax</td>
<td>24-203</td>
</tr>
<tr>
<td>nonresidents subject to tax</td>
<td>24-210</td>
</tr>
<tr>
<td>returns</td>
<td>24-206</td>
</tr>
<tr>
<td>self-employed individuals</td>
<td>24-208</td>
</tr>
<tr>
<td>suits for collection</td>
<td>24-212</td>
</tr>
<tr>
<td>title</td>
<td>24-201</td>
</tr>
<tr>
<td>violations and penalties</td>
<td>24-213</td>
</tr>
<tr>
<td>realty transfer tax</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>acquired company</td>
<td>24-408</td>
</tr>
<tr>
<td>authority</td>
<td>24-402</td>
</tr>
<tr>
<td>civil penalties</td>
<td>24-414</td>
</tr>
<tr>
<td>credits against tax</td>
<td>24-409</td>
</tr>
<tr>
<td>definitions</td>
<td>24-403</td>
</tr>
<tr>
<td>documents relating to associations or corporations and members,</td>
<td>24-407</td>
</tr>
<tr>
<td>partners, stockholders, or shareholders thereof</td>
<td></td>
</tr>
<tr>
<td>duties of recorder of deeds</td>
<td>24-412</td>
</tr>
<tr>
<td>enforcement</td>
<td>24-416</td>
</tr>
<tr>
<td>excluded transactions</td>
<td>24-406</td>
</tr>
<tr>
<td>exempt parties</td>
<td>24-405</td>
</tr>
<tr>
<td>extension of lease</td>
<td>24-410</td>
</tr>
<tr>
<td>imposition of tax; interest</td>
<td>24-404</td>
</tr>
<tr>
<td>lien</td>
<td>24-415</td>
</tr>
<tr>
<td>proceeds of judicial sale</td>
<td>24-411</td>
</tr>
<tr>
<td>regulations</td>
<td>24-417</td>
</tr>
<tr>
<td>short title</td>
<td>24-401</td>
</tr>
<tr>
<td>statement of value</td>
<td>24-413</td>
</tr>
</tbody>
</table>

THEFT OF WATER AND SEWER SERVICES, see CONDUCT

TRAFFIC REGULATIONS, see MOTOR VEHICLES AND TRAFFIC

TRANSIENT RETAIL BUSINESS, see LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

TRANSPORTATION, POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES PROHIBITED, see CONDUCT

UNIFORM CONSTRUCTION CODE, see CODE ENFORCEMENT

USE DISTRICTS, see ZONING

WATER

backflow and cross-connections

backflow prevention devices                                           | 26-208  |
booster pumps                                                          | 26-211  |
cross-connection prohibited                                           | 26-204  |
definitions                                                            | 26-202  |
general policy                                                         | 26-201  |
inspection and maintenance                                            | 26-210  |
installation                                                          | 26-209  |
survey and investigation                                               | 26-205  |
type of protection is required                                         | 26-207  |
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>violations</td>
<td>26-212</td>
</tr>
<tr>
<td>water system</td>
<td>26-203</td>
</tr>
<tr>
<td>where protection is required</td>
<td>26-206</td>
</tr>
<tr>
<td>regulations; rates</td>
<td></td>
</tr>
<tr>
<td>abatement of charges</td>
<td>26-119</td>
</tr>
<tr>
<td>all water to be registered on meter</td>
<td>26-111</td>
</tr>
<tr>
<td>application and deposit required for meter test</td>
<td>26-109</td>
</tr>
<tr>
<td>buildings and services to be metered</td>
<td>26-103</td>
</tr>
<tr>
<td>delinquent payments</td>
<td>26-117</td>
</tr>
<tr>
<td>faulty meters; no deduction for leakage</td>
<td>26-107</td>
</tr>
<tr>
<td>installation of water service</td>
<td>26-101</td>
</tr>
<tr>
<td>installation schedule</td>
<td>26-104</td>
</tr>
<tr>
<td>meter readings and billings</td>
<td>26-115</td>
</tr>
<tr>
<td>meters and curb stops not to be tampered with</td>
<td>26-108</td>
</tr>
<tr>
<td>notification of change of ownership</td>
<td>26-112</td>
</tr>
<tr>
<td>payments</td>
<td>26-116</td>
</tr>
<tr>
<td>penalties</td>
<td>26-122</td>
</tr>
<tr>
<td>protection of meters by customers</td>
<td>26-106</td>
</tr>
<tr>
<td>rates</td>
<td>26-114</td>
</tr>
<tr>
<td>regulations for installation of meters</td>
<td>26-113</td>
</tr>
<tr>
<td>right to access</td>
<td>26-121</td>
</tr>
<tr>
<td>right to cut off water or sewer system</td>
<td>26-118</td>
</tr>
<tr>
<td>separate meters for multiple establishments</td>
<td>26-110</td>
</tr>
<tr>
<td>service in time of emergency</td>
<td>26-120</td>
</tr>
<tr>
<td>Township’s responsibility for meters</td>
<td>26-105</td>
</tr>
<tr>
<td>Water Supervisor to install meters</td>
<td>26-102</td>
</tr>
<tr>
<td>WATER</td>
<td>Appendix J</td>
</tr>
<tr>
<td>ZONING</td>
<td></td>
</tr>
<tr>
<td>administration and enforcement; building permits and certificates of</td>
<td></td>
</tr>
<tr>
<td>zoning compliance</td>
<td></td>
</tr>
<tr>
<td>administration and enforcement</td>
<td>27-1301</td>
</tr>
<tr>
<td>application for building permit</td>
<td>27-1303</td>
</tr>
<tr>
<td>building permits required</td>
<td>27-1302</td>
</tr>
<tr>
<td>certificates of zoning compliance for new, altered, or nonconforming</td>
<td>27-1304</td>
</tr>
<tr>
<td>uses</td>
<td></td>
</tr>
<tr>
<td>construction and use to be provided in application, plans, permits,</td>
<td>27-1307</td>
</tr>
<tr>
<td>and certificates of zoning compliance</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>expiration of building permit</td>
<td>27-1306</td>
</tr>
<tr>
<td>temporary use permits</td>
<td>27-1305</td>
</tr>
<tr>
<td>amendments</td>
<td></td>
</tr>
<tr>
<td>enactment of zoning ordinance amendments</td>
<td>27-1901</td>
</tr>
<tr>
<td>appeals</td>
<td></td>
</tr>
<tr>
<td>duties of administrative official, Zoning Hearing Board, Township</td>
<td>27-1701</td>
</tr>
<tr>
<td>Commissioners and courts on matters of appeal</td>
<td></td>
</tr>
<tr>
<td>appeals from the Zoning Hearing Board</td>
<td></td>
</tr>
<tr>
<td>appeals</td>
<td>27-1601</td>
</tr>
<tr>
<td>application of district regulations</td>
<td></td>
</tr>
<tr>
<td>annexations</td>
<td>27-407</td>
</tr>
<tr>
<td>conformity to regulations</td>
<td>27-402</td>
</tr>
<tr>
<td>inclusion of parts of yards, open spaces, or off-street parking or</td>
<td>27-404</td>
</tr>
<tr>
<td>loading space</td>
<td></td>
</tr>
<tr>
<td>introduction</td>
<td>27-401</td>
</tr>
<tr>
<td>reduction of yards or lots</td>
<td>27-405</td>
</tr>
<tr>
<td>restrictions</td>
<td>27-403</td>
</tr>
<tr>
<td>uses not permitted or prohibited</td>
<td>27-406</td>
</tr>
<tr>
<td>C - Commercial District</td>
<td></td>
</tr>
<tr>
<td>intent</td>
<td>27-701</td>
</tr>
<tr>
<td>limitations of signs</td>
<td>27-706</td>
</tr>
<tr>
<td>lot area, building height, and yard requirements</td>
<td>27-704</td>
</tr>
<tr>
<td>minimum off-street parking and loading requirements</td>
<td>27-705</td>
</tr>
<tr>
<td>performance required</td>
<td>27-703</td>
</tr>
<tr>
<td>permitted uses</td>
<td>27-702</td>
</tr>
<tr>
<td>establishment of districts; Official Zoning Map</td>
<td></td>
</tr>
<tr>
<td>Official Zoning Map</td>
<td>27-201</td>
</tr>
<tr>
<td>replacement of the Official Zoning Map</td>
<td>27-202</td>
</tr>
<tr>
<td>fees, charges, and expenses</td>
<td></td>
</tr>
<tr>
<td>schedule of fees, charges, and expenses</td>
<td>27-1801</td>
</tr>
<tr>
<td>interpretation; definitions; community development objectives</td>
<td></td>
</tr>
<tr>
<td>interpretation and definitions</td>
<td>27-101</td>
</tr>
<tr>
<td>statement of community development objectives</td>
<td>27-102</td>
</tr>
<tr>
<td>interpretation; violations and separability</td>
<td></td>
</tr>
<tr>
<td>causes of action</td>
<td>27-2004</td>
</tr>
<tr>
<td>complaints regarding violations</td>
<td>27-2002</td>
</tr>
<tr>
<td>enforcement notice</td>
<td>27-2003</td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>enforcement remedies</td>
<td>27-2005</td>
</tr>
<tr>
<td>provisions of chapter declared to be minimum requirements</td>
<td>27-2001</td>
</tr>
<tr>
<td>M - Manufacturing District</td>
<td></td>
</tr>
<tr>
<td>intent</td>
<td>27-801</td>
</tr>
<tr>
<td>limitations of signs</td>
<td>27-805</td>
</tr>
<tr>
<td>lot area, building height, and yard requirements</td>
<td>27-803</td>
</tr>
<tr>
<td>minimum off-street parking requirements</td>
<td>27-804</td>
</tr>
<tr>
<td>permitted uses</td>
<td>27-802</td>
</tr>
<tr>
<td>nonconformities</td>
<td></td>
</tr>
<tr>
<td>identification and registration of nonconforming uses, buildings, and structures</td>
<td>27-908</td>
</tr>
<tr>
<td>intent</td>
<td>27-901</td>
</tr>
<tr>
<td>nonconforming lots of record</td>
<td>27-902</td>
</tr>
<tr>
<td>nonconforming structures</td>
<td>27-904</td>
</tr>
<tr>
<td>nonconforming uses of land (or land with minor structures only)</td>
<td>27-903</td>
</tr>
<tr>
<td>nonconforming uses of structures or of structures and premises in combination</td>
<td>27-905</td>
</tr>
<tr>
<td>repairs and maintenance</td>
<td>27-906</td>
</tr>
<tr>
<td>uses under special exception provisions not nonconforming uses</td>
<td>27-907</td>
</tr>
<tr>
<td>off-street parking and loading</td>
<td></td>
</tr>
<tr>
<td>access drives to parking areas</td>
<td>27-1107</td>
</tr>
<tr>
<td>approval of parking and loading plans</td>
<td>27-1110</td>
</tr>
<tr>
<td>continuation of parking facilities</td>
<td>27-1102</td>
</tr>
<tr>
<td>illumination of parking and loading areas</td>
<td>27-1109</td>
</tr>
<tr>
<td>improvements to parking and loading areas</td>
<td>27-1108</td>
</tr>
<tr>
<td>off-street parking facilities</td>
<td>27-1101</td>
</tr>
<tr>
<td>parking and garage facilities for residents</td>
<td>27-1106</td>
</tr>
<tr>
<td>schedule of required off-street parking spaces</td>
<td>27-1104</td>
</tr>
<tr>
<td>separate or combined use of facilities</td>
<td>27-1105</td>
</tr>
<tr>
<td>standards and definitions</td>
<td>27-1103</td>
</tr>
<tr>
<td>R - Residential District</td>
<td></td>
</tr>
<tr>
<td>intent</td>
<td>27-601</td>
</tr>
<tr>
<td>limitations of signs</td>
<td>27-605</td>
</tr>
<tr>
<td>lot area, building height, and yard requirements</td>
<td>27-603</td>
</tr>
<tr>
<td>minimum off-street parking requirements</td>
<td>27-604</td>
</tr>
<tr>
<td>permitted uses</td>
<td>27-602</td>
</tr>
<tr>
<td>rules for interpretation of district boundaries</td>
<td></td>
</tr>
</tbody>
</table>

I-20
<table>
<thead>
<tr>
<th>Subject</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>specific rules</td>
<td>27-301</td>
</tr>
<tr>
<td>signs and advertising structures</td>
<td></td>
</tr>
<tr>
<td>area of sign</td>
<td>27-1202</td>
</tr>
<tr>
<td>general regulations</td>
<td>27-1203</td>
</tr>
<tr>
<td>introduction</td>
<td>27-1201</td>
</tr>
<tr>
<td>signs in commercial and industrial districts</td>
<td>27-1205</td>
</tr>
<tr>
<td>signs in residential district</td>
<td>27-1204</td>
</tr>
<tr>
<td>supplementary district regulations</td>
<td></td>
</tr>
<tr>
<td>accessory buildings</td>
<td>27-1003</td>
</tr>
<tr>
<td>accessory uses</td>
<td>27-1013</td>
</tr>
<tr>
<td>adult book stores, adult theaters</td>
<td>27-1019</td>
</tr>
<tr>
<td>corner lot restriction</td>
<td>27-1010</td>
</tr>
<tr>
<td>erection of more than one principal structure on a lot</td>
<td>27-1004</td>
</tr>
<tr>
<td>exception to height regulations</td>
<td>27-1005</td>
</tr>
<tr>
<td>exceptions to minimum lot sizes</td>
<td>27-1017</td>
</tr>
<tr>
<td>fences, walls, and hedges</td>
<td>27-1002</td>
</tr>
<tr>
<td>front yard exceptions</td>
<td>27-1009</td>
</tr>
<tr>
<td>gasoline pumps and all other service equipment</td>
<td>27-1018</td>
</tr>
<tr>
<td>home occupation regulations</td>
<td>27-1016</td>
</tr>
<tr>
<td>lot area and lot width for lots not served with public water and/or sanitary sewers</td>
<td>27-1011</td>
</tr>
<tr>
<td>municipal uses</td>
<td>27-1014</td>
</tr>
<tr>
<td>parking and storage of certain vehicles</td>
<td>27-1008</td>
</tr>
<tr>
<td>parking, storage, or use of major recreational equipment</td>
<td>27-1007</td>
</tr>
<tr>
<td>projections into yards</td>
<td>27-1012</td>
</tr>
<tr>
<td>public utilities exempt</td>
<td>27-1015</td>
</tr>
<tr>
<td>structure to have access</td>
<td>27-1006</td>
</tr>
<tr>
<td>visibility at intersections</td>
<td>27-1001</td>
</tr>
<tr>
<td>use districts</td>
<td></td>
</tr>
<tr>
<td>classification of districts</td>
<td>27-501</td>
</tr>
<tr>
<td>Zoning Hearing Board: establishment and procedure</td>
<td></td>
</tr>
<tr>
<td>establishment of board</td>
<td>27-1401</td>
</tr>
<tr>
<td>hearings</td>
<td>27-1402</td>
</tr>
<tr>
<td>parties appellant before the board</td>
<td>27-1403</td>
</tr>
<tr>
<td>stay of proceedings</td>
<td>27-1405</td>
</tr>
<tr>
<td>time limitations</td>
<td>27-1404</td>
</tr>
<tr>
<td>Zoning Hearing Board: powers and duties</td>
<td></td>
</tr>
<tr>
<td>Subject</td>
<td>Section</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>administrative review</td>
<td>27-1501</td>
</tr>
<tr>
<td>board has powers of administrative official on appeals; reversing</td>
<td>27-1504</td>
</tr>
<tr>
<td>decision of administrative official</td>
<td></td>
</tr>
<tr>
<td>special exceptions; conditions governing applications; procedures</td>
<td>27-1502</td>
</tr>
<tr>
<td>variances; conditions governing applications; procedures</td>
<td>27-1503</td>
</tr>
<tr>
<td>zoning map amendments</td>
<td></td>
</tr>
<tr>
<td>ZONING HEARING BOARD: ESTABLISHMENT AND PROCEDURE, see ZONING</td>
<td></td>
</tr>
<tr>
<td>ZONING HEARING BOARD: POWERS AND DUTIES, see ZONING</td>
<td></td>
</tr>
<tr>
<td>ZONING MAP AMENDMENTS, see ZONING</td>
<td></td>
</tr>
<tr>
<td>ZONING; PRIOR ORDINANCES</td>
<td>Appendix K</td>
</tr>
</tbody>
</table>
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

§1-201. Time and Place of Meetings of Commissioners
§1-202. Compensation of Board of Commissioners
§1-203. Compensation of Secretary
§1-204. Independent Auditor

Part 3
Attorney's Fees

§1-301. Schedule of Attorney's Fees

Part 4
Fire Insurance Proceeds Escrow

§1-401. Designated Official; Definition
§1-402. Fire Loss Claims Not to Be Paid Without Municipal Certificate
§1-403. Transfer of Proceeds
§1-404. Procedures and Regulations to Be Adopted by Resolution

Part 5
Access to Public Records

§1-501. Procedure
§1-101. Short Title.

The short title of this Code of Ordinances prepared and published for the Township of West Lebanon shall be the “Township of West Lebanon Code of Ordinances.”

(Ord. 454, 9/2/2008)

§1-102. Citation of Code of Ordinances.

The Township of West Lebanon 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.

(Ord. 454, 9/2/2008)

§1-103. Arrangement of Code.

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.

2. The Sections of the Code are subdivided as follows:
   A. Subsections, identified by Arabic numerals.
   B. Paragraphs, identified by capital letters.
   C. Subparagraphs, identified by Arabic numerals enclosed within parentheses.
   D. Clauses, identified by lower case letters enclosed within parentheses.
   E. Subclauses, identified by Arabic numerals followed by a parenthesis.
   F. Items, identified by lower case letters followed by a parenthesis.
   G. Subitems, identified small Roman numerals.

(Ord. 454, 9/2/2008)

§1-104. Headings.

Chapter, Subchapter, Part, Subpart, Section, Subsection, Paragraph, Subparagraph, Clause, and Subclause headings 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.

(Ord. 454, 9/2/2008)
§1-105. Tenses, Gender and Number.

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.

(Ord. 454, 9/2/2008)

§1-106. Construction.

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 of West Lebanon Township, it is the intention of the Board of Commissioners that no ordinance or regulation of the Township be amended, revised or repealed by implication.

4. Resolutions. The provisions of this Code of Ordinances may contain resolutions, that is, actions of the Board of Commissioners of the Township of West Lebanon (in written form and designated "resolution") which did not require prior public notice in accordance with the provisions of the First Class Township Code, 53 P.S. §55101 et seq., at the time of their passage by the Board of Commissioners. Such "resolutions" are included herein for ease of reference and the Board of Commissioners 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 Board of Commissioners that such actions of the Board of Commissioners 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.

(Ord. 454, 9/2/2008)

§1-107. Normal Numbering.
§1-107. Administration and Government

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, Subsections into Paragraphs, Paragraphs into Subparagraphs, Subparagraphs into Clauses, and Clauses into Subclauses, and Subclauses into Items, designated as follows:

   1. Subsection.
      A. Paragraph.
         (1) Subparagraph.
            (a) Clause.
               1) Subclause.
                  a) Item.
                     i. Subitem

(Ord. 454, 9/2/2008)

§1-108. Special Numbering Problems.

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 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 Sections 5 and 6 would be "§5-105A." 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-A.

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]."

(Ord. 454, 9/2/2008)

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, Clauses 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 Board of Commissioners.

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 Board of Commissioners 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 Board of Commissioners 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 Board of Commissioners 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.

(Ord. 454, 9/2/2008)

§1-110. Altering Code.

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 Board of Commissioners.

(Ord. 454, 9/2/2008)

§1-111. Penalties.

1. Penalty Where No Penalty Provided. Whenever in this Code or in any ordinance of the Township 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 pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues 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 the 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 pay a fine of not more than $600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

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 Township 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.

(Ord. 454, 9/2/2008)
§1-201. Time and Place of Meetings of Commissioners.

The regular and organizational meeting of the Board of Commissioners shall convene on the first Monday of each month at 7 p.m., in the Township building.

(Ord. 427, 9/6/2005, §1)

§1-202. Compensation of Board of Commissioners.

Each of the Commissioners of the Township of West Lebanon shall be paid a salary of $1,500 per year.

(Ord. 427, 9/6/2005, §2)

§1-203. Compensation of Secretary.

The compensation of the Township Secretary shall be set by the Board of Commissioners from time to time.

(Ord. 427, 9/6/2005, §3)

§1-204. Independent Auditor.

Pursuant to Article V, §520, of the First Class Township Code, as amended, 53 §55520, the Township shall hereafter, beginning in the calendar year of 1977, have its accounts audited by an independent auditor, and the office of elective auditor is hereby abolished.

(Ord. 427, 9/6/2005, §4)
§1-301. Schedule of Attorney's Fees.

The following schedule of attorney's fees is approved and adopted as allowable attorney's fees to be imposed in the collection of delinquent accounts owed this Township where a municipal lien has been filed:

A. For municipal claims valued from $1 to $250, the attorney's fee shall be in an amount as established from time to time by resolution of the Board of Commissioners. [Ord. 454]

B. For claims of $251 to $500, an attorney's fee shall be in an amount as established from time to time by resolution of the Board of Commissioners. [Ord. 454]

C. For claims $501 to $1,000, an attorney's fee shall be in an amount as established from time to time by resolution of the Board of Commissioners. [Ord. 454]

D. For claims of $1,001 or greater, an attorney's fee shall be in an amount as established from time to time by resolution of the Board of Commissioners. [Ord. 454]

(Ord. 369, 8/5/1996; as amended by Ord. 454, 9/2/2008)
§1-401. Designated Official; Definition.

1. The Commissioners of the Township of West Lebanon or their designated representative (hereinafter referred to as, “Municipal Officer”) is hereby appointed as the individual who is authorized to carry out all responsibilities and duties of the Municipality stated herein.

2. “Fire loss” or “claim for fire damage” shall be defined as any loss occurring after the effective date of this Part and covered under a policy of fire insurance, including any endorsements or riders to the policy.

(Ord. 451, 4/7/2008, §1)

§1-402. Fire Loss Claims Not to Be Paid Without Municipal Certificate.

No insurance company, association or exchange (hereinafter referred to as, “insurance 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 Township of West Lebanon (hereinafter referred to as “Municipality”) where the amount recoverable for the loss to the structure under all policies exceeds $7,500, unless the named insured or insuring agent is furnished by the Municipal Treasurer with a municipal certificate pursuant to §508(B) of Act 98 of 1992, 40 P.S. §638, and unless there is compliance with §508(C) and (D) of Act 98 of 1992 and the provisions of this Part.

(Ord. 451, 4/7/2008, §2)

§1-403. Transfer of Proceeds.

1. Where pursuant to §508(B)(1)(I) of Act 98 of 1992, 40 P.S. §638, the Municipal 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 named insured for fire damage to a structure located within the Township of West Lebanon (hereinafter referred to as “Municipality”) where the amount recoverable for the loss to the structure under all policies exceeds $7,500, unless the named insured or insuring agent is furnished by the Municipal Treasurer with a municipal certificate pursuant to §508(B) of Act 98 of 1992, 40 P.S. §638, and unless there is compliance with §508(C) and (D) of Act 98 of 1992 and the provisions of this Part.

A. The insuring agent shall transfer from the insurance proceeds to the designated officer of the Municipality 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 Municipality 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 costs of removing, repairing or securing the building or other structure, the insuring agent shall transfer to the Municipality from the insurance proceeds the amount specified in the estimate.

C. The transfer of proceeds shall be on a pro rata 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 costs of removing, repairing or securing the building or other structure, and the designated officer shall return the amount of the funds transferred to the Municipality in excess of the estimate to the named insured, if the Municipality has not commenced to remove, repair or secure the building or other structure.

E. Upon receipt of proceeds under this Section, the Municipality shall do the following:

1. The designated officer shall place the proceeds in the separate fund to be used solely as security against the total costs of removing, repairing or securing the building or structure which are incurred by the Municipality. Such costs shall include, without limitation, any engineering, legal or administrative costs incurred by the Municipality 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 Municipality 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 Municipality 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 Municipality and the required proof of such completion received by the designated officer, and if the Municipality has not incurred any costs for repairs, removal or securing, the fund shall be returned to the named insured. If the Municipality has incased costs for repairs, removal or securing of the building or other structure, the cost shall be paid from the fund and if excess funds remain, the Municipality shall transfer the remaining funds to the named insured.

4. To the extent that interest is earned on proceeds held by the Municipality pursuant to this Section, and not returned to the named insured, such interest shall belong to the Municipality. 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 that the proceeds are returned.

F. Nothing in this Section shall be construed to limit the ability of the Municipality to recover any deficiency. Furthermore, nothing in this paragraph shall be construed to prohibit the Municipality 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 damaged property has been negotiated.

(Ord. 451, 4/7/2008, §3)

§1-404. Procedures and Regulations to Be Adopted by Resolution.

The Township may by resolution adopt procedures and regulations to implement Act 98 of 1992, 40 P.S. 638, and this Part and may by resolution fix reasonable fees to be charged for municipal activities or services provided pursuant to Act 98 of 1992, 40
P.S. §638, and this Part including, but not limited to, issuance of certificates and bills, performance of inspections and opening separate fund accounts.

(Ord. 451, 4/7/2008, §4)
Part 5

Access to Public Records

§1-501. Procedure.

1. Every public record, as defined by Act of June 21, 1957, P.L. 390, §1 and amended by June 17, 1971, P.L. 160, No. 9, §1, 65 P.S. §66.1 et seq., of the Township of West Lebanon shall be open for examination and inspection by any citizen of the Commonwealth of Pennsylvania during the normally scheduled working hours of the Township Clerk.

2. Any and all requests for extracts, copies, photographs and photostats of any public record shall be made in writing to the Township Clerk during his or her normally scheduled working hours.

3. The making of such extracts, copies, photographs, or photostats shall be performed by the lawful custodian of the requested public records at the cost to the applicant of $.30 per page.

4. If the request requires the removal of privileged information from the records, the custodian shall estimate the time necessary to remove such privileged information and the applicant shall be assessed the cost of such removal at $8.50 per hour, with a minimum of 1 hour.

5. The custodian of the requested public records shall have a minimum of 24 hours to provide the copies of the requested public records to the applicant.

6. No public records shall be removed from the care of their lawful custodian.

(Res. 99-4, 11/1/1999)
Chapter 2

Animals

Part 1
Livestock

§2-101. Definitions
§2-102. Livestock Raising Prohibited
§2-103. Fine or Penalty

Part 2
Animals Running at Large

§2-201. Definitions
§2-202. Running at Large Prohibited
§2-203. Entering Private Property
§2-204. Sanitation Requirements
§2-205. Enforcement by Humane Officer, Law Officer or Public Official
§2-206. Officer's Duties
§2-207. Impounding; Costs
§2-208. Records
§2-209. Funds; Distribution
§2-210. Obstructing Officer
§2-211. Agreements with Humane Society
§2-212. Dog Pound
§2-213. Disturbing the Peace
§2-214. Nuisances
§2-215. Corrupting or Desecrating Property of Another
§2-216. Licensing of Dogs and/or Cats
§2-217. Penalty

Part 3
Keeping Certain Animals

§2-301. Definitions
§2-302. Keeping of Animals Regulated
§2-303. Household Pets
§2-304. Violation of State Law
§2-305. Penalty
Part 1

Livestock


Livestock - both the bovine tribe generally, and also sheep, goats, pigs, swine, cows, ponies, and horses. [Ord. 454]

Person - partnership, firm, corporation, or any legal entity recognized by law. (Ord. 424, 6/6/2005; as amended by Ord. 454, 9/2/2008)

§2-102. Livestock Raising Prohibited.

It shall be unlawful for any person to possess, maintain, or raise livestock within the limits of West Lebanon Township on either public or private grounds, the same being hereby declared to be a noxious and offensive business and prejudicial to both public health and safety. (Ord. 424, 6/6/2005; as amended by Ord. 454, 9/2/2008)

§2-103. Fine or Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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. (Ord. 424, 6/6/2005; as amended by Ord. 454, 9/2/2008)
Part 2

Animals Running at Large

§2-201. Definitions.

Domestic animal - all dogs, cats or other domestic animals. [Ord. 454]

Owner - when applied to the proprietorship of a domestic animal, includes every person having a right or property in such domestic animal and every person who keeps or harbors such domestic animal or has it in his care or custody and every person who permits such domestic animal to remain on or about any premises owned or acquired him of ownership. [Ord. 454]

Township - West Lebanon Township.

(Ord. 424, 6/6/2005; as amended by Ord. 454, 9/2/2008)


1. No person, being the owner of any dog and/or cat, shall allow or permit such dog and/or cat to run at large at any time, whether it bears a proper license tag or not, either upon any of the streets, alleys or public grounds in the Township, or upon the property of anyone other than the owner of such dog and/or cat, unless accompanied by and under the immediate control of such owner.

2. It shall be the duty of the owner of any dog and/or cat, and the duty of the parent or guardian of any minor owner of any dog and/or cat, to keep the dog securely tied, penned in an enclosure or otherwise confined upon the property of the owner, in such a manner that the dog cannot break loose and run at large over the streets, alleys and public grounds in the Township, or upon the property of anyone other than the owner of such dog.

(Ord. 424, 6/6/2005)

§2-203. Entering Private Property.

It shall be the duty of the owner of any dog and/or cat, while on the streets, alleys or public grounds in the Township, to have the dog and/or cat under sufficient control at all times so as to prevent the dog and/or cat from entering upon the property of any person in the Township without the consent of the owner of such property, or upon the property of anyone other than the owner of such dog and/or cat.

(Ord. 424, 6/6/2005)

§2-204. Sanitation Requirements.

Practices to be observed in the keeping of animals under this Part shall be as follows:

A. Every owner of such animal under this Part, who shall confine the same in an enclosure sufficient to prevent their running at large, shall maintain such enclosures in a clean and sanitary condition at all times and shall use an approved insecticide, as often as deemed necessary by the Township Public Safety Official.

B. Every owner shall provide a shelter or area of a size sufficient to be
§2-204 Township of West Lebanon

Conducive to good sanitation practices and he shall provide adequate and sanitary drainage for the shelter or area.

C. With the exception of horses and ponies, every owner of any enclosure for animals shall cause the litter and droppings therefrom to be collected daily in a container or receptacle of such a type that when closed it is ratproof and flytight, and after each collection shall cause such container or receptacle to be kept closed. At least once a week, each such keeper shall cause all litter and droppings so collected to be disposed of in a way as not to permit the presence of fly larvae.

D. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a ratproof, flytight building, box, container or receptacle.

E. Upon complaint, the premises shall be subject to inspection by the Township Public Safety Official or any of his representatives at any reasonable hour of the day.

(Ord. 424, 6/6/2005)

§2-205. Enforcement by Humane Officer, Law Officer or Public Official.

The Humane Officer is hereby charged with properly and humanely enforcing the provisions of this Part and shall perform all other duties which may be prescribed by the Township Commissioners; provided, that any conduct which shall constitute a violation under this Part and is also a violation of a statute of the Commonwealth of Pennsylvania shall be prosecuted under such statute of the Commonwealth of Pennsylvania and not under this Part.

(Ord. 424, 6/6/2005; as amended by Ord. 454, 9/2/2008)

§2-206. Officer's Duties.

It shall be the duty of the Humane Officer, law officers, or public official, to seize and detain every dog and/or cat, whether licensed or not, which is in violation of this Part. When the Humane Officer is in immediate pursuit of any such dog, he is authorized and empowered to go upon any open private property upon which the dog is trespassing in order to seize and detain such dog.

(Ord. 424, 6/6/2005)

§2-207. Impounding; Costs.

1. Any dog, whether bearing a proper license tag or not, seized and detained under the provisions of this Part, shall be properly kept and fed, and immediate notice, either personal or by registered mail, shall be given by the Humane Officer to the owner of the dog, or his agent, directing the owner or agent to claim the dog in 3 days.

2. The owner of a licensed dog so detained shall pay all fines and costs imposed by this Part for the violation thereof and also the expense of impounding and keeping the dog before the dog is returned. The expense shall be in an amount as established from time to time by resolution of the Board of Commissioners. If, after 3 days from the giving of such notice, the dog has not been claimed by its owner, the Humane Officer may remove the collar and tag, dispose of the dog by sale or cause the same to be destroyed in some humane manner. No dog so caught and detained shall be sold for the purpose of vivisection. [Ord. 454]
§2-208. Records.

The Humane Officer shall keep an accurate and up-to-date record of all animals received, returned or disposed of by him and of all funds received by him in the performance of his duties, and shall report the same each month to the Township Commissioners.

(Ord. 424, 6/6/2005)

§2-209. Funds; Distribution.

All funds received as reimbursement from the State from the sale of such dogs, or as reimbursement for the per diem rate, shall be divided equally between the Dog Law Officer and the Township Dog Program, each receiving half. All fines and penalties collected under this Part shall be paid to the Township Treasurer for the use of the Township.

(Ord. 424, 6/6/2005)

§2-210. Obstructing Officer.

Any person who shall obstruct the Humane Officer or other person appointed under this Part in carrying out the provisions of this Part, or who shall willfully or maliciously obstruct or molest the Humane Officer in the seizure or transportation of dogs, in violation of this Part, shall be liable, upon conviction thereof, under the penalties provided in this Part.

(Ord. 424, 6/6/2005)

§2-211. Agreements with Humane Society.

The Township Commissioners are hereby authorized and empowered to enter into agreements with any officially recognized humane society for the purpose of assisting in carrying out the intent of this Part. Without limiting the scope of the preceding sentence, this shall be deemed to include finding homes for dogs which have been seized under the provisions of this Part, assisting in their destruction according to law, and cooperating in every way with the Humane Officer.

(Ord. 424, 6/6/2005)

§2-212. Dog Pound.

Any dog found running at large or in violation of this Part, upon seizure by the Humane Officer, law officer or any public official, shall be impounded in such facilities which are provided for same by the law enforcement agency employed by the Township.

(Ord. 424, 6/6/2005)

§2-213. Disturbing the Peace.

No person shall allow any dog or other domestic animal which, by frequent barking and noisemaking, causes a noise disturbance by making sound continuously for a period of 10 minutes or makes noise intermittently for ½ hour or more to the disturbance of any person any time of the day or night or a disturbance which will interfere with or
§2-213 Township of West Lebanon §2-217

deprive the peace, quiet, rest or sleep of any person within the neighborhood; provided, however, that at the time the animal is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal is situated or for any other legitimate cause which teased or provoked the dog or other domestic animal.

(Ord. 424, 6/6/2005)


It shall be unlawful for any owner to have any dog and/or cat that becomes a nuisance in the Township. Acts of nuisance shall include, but are expressly not restricted to, the following:

A. The frequent digging into flower beds, lawns, children's sandboxes, gardens or the depositing of feces or urine and/or otherwise damaging shrubbery, trees or lawns on premises, personal property or other property not belonging to the owner of the dog and/or cat.

B. Vaccination. Any owner of any dog and/or cat shall comply with, and be current with, rabies vaccination requirements of the laws of the Commonwealth of Pennsylvania and any other vaccination requirements of the laws the Commonwealth of Pennsylvania with regard to dogs and/or cats.

C. Viciousness.

(Ord. 424, 6/6/2005)

§2-215. Corrupting or Desecrating Property of Another.

No person shall allow any dog or other domestic animal, or any non-domestic animal owned by him or under his control, to defile, befoul, corrupt or otherwise desecrate any sidewalk, walkway or the property of another.

(Ord. 424, 6/6/2005)

§2-216. Licensing of Dogs and/or Cats.

It shall be unlawful for the owner, custodian of any dog and/or cat to have any such animal without bearing a current license tag. The dog licensing shall be performed under the rules and regulations of the County, and the cat licensing shall be performed in accordance with the rules and regulations established by this Part. License fees for dogs shall be paid to the County. License fees for cats shall be paid to the Township, in accordance with its fee schedule adopted by resolution of the Township. The Township shall be permitted to establish separate license fees for spayed or neutered animals. Cat licenses will be issued at the Township Office, during regular business hours.

(Ord. 424, 6/6/2005)

§2-217. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.
§2-217 Animals §2-217

(Ord. 424, 6/6/2005; as amended by Ord. 454, 9/2/2008)
Part 3

Keeping Certain Animals

§2-301. Definitions.

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

Animal - any domestic animal or fowl, any wild animal or any household pet.

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 normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

Large animal - any wild or domestic animal of the bovine, equine or sheep family; llamas and ostriches.

Person - any person, firm, partnership, association or corporation.

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) and emu.

Wild animal - any animal, including bird, fowl or reptile, including snake, fighting fish, alligator, spider, scorpion and crocodile 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.

In this Part, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine.

(Ord. 454, 9/2/2008)


It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this Section:

A. Large animals shall be confined in quarters no part of which shall be closer than 100 feet from the exterior limits of any dwelling or of any property line.

B. Small animals shall be kept confined in quarters no part of which shall be closer than 25 feet from the exterior limits of any dwelling or of any property line.

C. The keeper of every such animal shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be of a size conducive to good sanitary practices and adequate and sanitary drainage facilities shall be provided.

D. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be rat-proof and fly-tight, and after every such collection shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to
§2-302 Township of West Lebanon §2-305

permit the presence of fly larvae.

E. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a rat-proof and fly-tight building, box, container or receptacle.

F. It shall be unlawful for any person, including the owner of a wild animal or owner of a pet shop, to keep any wild animal outside of a building or dwelling owned and occupied by its owner, and such owner shall be required to register the said animal or animals with the Township prior to bringing the said animal or animals onto the property of the owner. Such owner shall be required to follow such procedures and practices for the care and keeping of the said animal or animals so as to provide for the sanitation, feeding and health of the said animal or animals and so as not to create any public nuisance or threat to the health of any person. The registration with the Township shall be completed prior to the person bringing any wild animal to the property. The premises shall be subject to inspection by the Township at any time. Upon meeting the requirements as provided herein, the Township will issue a permit to the owner or owners of the pet shop, which must be renewed on an annual basis. The owner or owners shall pay to West Lebanon Township such inspection fees and permit fees as are established by resolution of the Board of Commissioners of West Lebanon Township.

G. Every keeper of a wild animal, which has escaped from its approved confined quarters or has injured any human or animal, shall report the incident to the Township within 30 minutes of the event.

H. No wild animal shall be sold to any person under the age of 18.

(Ord. 454, 9/2/2008)

§2-303. Household Pets.

It shall be unlawful for any person to keep any household pet, except as provided in this Section:

A. If any such pet shall be kept in a dwelling owned or occupied by its owner, 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.

B. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of §2-302 of this Part, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

(Ord. 454, 9/2/2008)

§2-304. Violation of State Law.

Any violation of this Part that would also violate any State law shall be prosecuted under that State law and not under this Part.

(Ord. 454, 9/2/2008)

§2-305. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 454, 9/2/2008)
Chapter 3

[Reserved]
Chapter 4

[Reserved]
Chapter 5

Code Enforcement

Part 1
Uniform Construction Code

§5-101. Title
§5-102. Intent
§5-103. Adoption of Pennsylvania Uniform Construction Code
§5-104. Scope
§5-105. Administration and Enforcement

Part 2
International Property Maintenance Code

§5-201. Adoption of International Property Maintenance Code
§5-202. Additions, Insertions and Changes
§5-203. Savings Clause

Part 3
International Mechanical Code

§5-301. Adoption of International Mechanical Code
§5-302. Additions, Insertions and Changes
§5-303. Savings Clause

Part 4
International Energy Conservation Code

§5-401. Adoption of International Energy Conservation Code
§5-402. Additions, Insertions and Changes
§5-403. Savings Clause

Part 5
International Fire Code

§5-501. Adoption of International Fire Code
§5-502. Additions, Insertions and Changes
§5-503. Savings Clause

Part 6

§5-602. Additions, Insertions and Changes
§5-603. Savings Clause
Part 7
International Existing Building Code

§5-701. Adoption of International Existing Building Code
§5-702. Additions, Insertions and Changes
§5-703. Savings Clause

Part 8
International Residential Code

§5-801. Adoption of International Residential Code
§5-802. Additions, Insertions and Changes
§5-803. Savings Clause

Part 9
International Plumbing Code

§5-901. Adoption of International Plumbing Code
§5-902. Additions, Insertions and Changes
§5-903. Savings Clause

Part 10
International Fuel Gas Code

§5-1001. Adoption of International Fuel Gas Code
§5-1002. Additions, Insertions and Changes
§5-1003. Savings Clause

Part 11
International Building Code

§5-1101. Adoption of International Building Code
§5-1102. Additions, Insertions and Changes
§5-1103. Savings Clause
§5-101. Title.

This Part shall be known and may be cited as the “West Lebanon Construction Code Ordinance,” and may be referred to herein as the “code.”

(Ord. 415, 6/7/2004, §1)

§5-102. Intent.

The purpose of this Part is to promote the general health, safety, and welfare of the residents of West Lebanon Township, to conform to the requirements of the Pennsylvania Construction Code Act, 35 P.S. §7210.101 et seq., and to comply with the regulations issued by the Pennsylvania Department of Labor and Industry within the Pennsylvania Uniform Construction Code (UCC).

(Ord. 415, 6/7/2004, §2)

§5-103. Adoption of Pennsylvania Uniform Construction Code.

West Lebanon Township (Municipality) hereby adopts and incorporates by reference the Pennsylvania Uniform Construction Code, as contained in 34 Pa.Code, Chapters 401-405, and amendments thereto, and declares this to be the West Lebanon Township Construction Code Ordinance, referred to herein as the “code.”

(Ord. 415, 6/7/2004, §3)

§5-104. Scope.

The code shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of all buildings and structures and shall apply to existing or proposed structures, unless exempted by the Pennsylvania Uniform Construction Code (UCC). It shall be the joint responsibility of the owner, lessee, if any, and the contractor to obtain the required code permit before performing any work.

(Ord. 415, 6/7/2004, §4)

§5-105. Administration and Enforcement.

In accordance with and in addition to the administrative provisions of the Pennsylvania Construction Code Act 45 of 1999, and the Pennsylvania Uniform Construction Code (UCC) and the Pennsylvania Department of Labor and Industry Regulations, the following administrative and enforcement requirements shall be part of the Code:

A. Administration.

(1) Administration and enforcement of the code and Pennsylvania Department of Labor and Industry regulations is hereby delegated to the County of Lebanon by virtue of a separate contract authorizing the Building Code Official of the Lebanon County Planning Department to administer and
§5-105 Township of West Lebanon

enforce the code on behalf of the Municipality. For purposes of this Part, the term “Building Code Official” shall include all employees and contracted agents of the Lebanon County Planning Department who are Building Code Officials, Code Administrators, Construction Code Officials, Current Code Administrators or individuals similarly licensed and/or certified by the Commonwealth of Pennsylvania to perform code work.

(2) The Building Code Official(s) shall have all the powers and duties set forth in the Pennsylvania Uniform Construction Code (UCC). Specifically, the Building Code Official(s) shall be authorized to receive code permit applications; issue or deny code permits; collect fees for permits, plan reviews and inspections; make inspections and require such work to be performed as may be necessary to carry out the provisions of the code; issue certificates of occupancy; and enter buildings and premises within normal business hours or at other times with permission of the owner or contractor. Additionally, the Building Code Official(s) may perform code enforcement activities including, but not limited to, issuance of notices, violation, stop work orders, vacate orders or other legal action necessary to enforce, restrain, abate, or correct violations of the code.

(3) Application for a code permit shall be on forms provided by the Building Code Official(s). At the time of code permit application and prior to issuance of a code permit, the applicant shall submit to the Building Code Official(s) two sets of construction documents with plans and specifications, all required fees, and a copy of any required zoning permit. No code permit application shall be deemed complete without the required construction plans, fees, and zoning permit copy. Additionally, the applicant shall pay all outstanding permit and inspection fees required during the course of construction prior to the issuance of a certificate of use and occupancy.

(4) Application, plan review, permit and inspection fees shall be paid by applicants in accordance with fee schedules established by resolution of the Township and maintained by the Building Code Official(s).

(5) The Board of Appeals shall be established by resolution of this Township in conformity with the requirements of the Code. Where two or more municipalities decide to establish a joint Board of Appeals, said Board of Appeals shall be established through joint action of the participating municipalities, by intermunicipal agreement in accordance with the Intergovernmental Cooperation Act, 53 Pa.C.S.A. §2301 et seq.

B. Violations and Penalties.

(1) It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, use or occupy any building, structure or equipment regulated by this code, or to permit or cause same to be done, in conflict with or in violation of this code.

(2) The Building Code Official(s) may serve a notice of violation, stop work order, vacate order or other lawful enforcement notice on any person responsible for the erection, construction, alteration, extension, repair, removal, demolition, use or occupy a building, structure or equipment in violation of the provisions of this code or any permit issued under the
provisions of this code.

(3) If the Building Code Official(s) has served a notice of violation and the notice of violation is not complied with by the deadline prescribed, summary enforcement proceedings may be initiated by the Building Code Official(s) against the violator. Additionally, appropriate proceedings at law or in equity may be instituted by the Township to restrain, correct, or abate a violation, to prevent unlawful construction or to prevent illegal occupancy of a building, structure, or premises.

(4) Any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, extend, repair, remove, demolish, use or occupy, or permit the use or occupancy of, any building, structure, or equipment regulated by this code in violation of the provisions of this code or of an approved plan or of a directive of the Building Code Official(s) or of a permit or certificate issued under the provision of this code or who shall permit the use, occupancy, erection, construction, alteration, extension, removal, demolition, or repair of the building, structure, or equipment in violation thereof, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 454]

(Ord. 415, 6/7/2004, §5; as amended by Ord. 454, 9/2/2008)
§5-201. Adoption of International Property Maintenance Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked at the International Property Maintenance Code, 2006 edition, as published by the International Code Council, be and is adopted as the Property Maintenance Code of West Lebanon Township, in the Commonwealth of Pennsylvania 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 within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Mechanical Code on file in the Township Building of West Lebanon Township 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.

(Ord. 439, 1/3/2007, §1)


The following sections of the International Property Maintenance Code, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 103.5 shall be amended to indicate that the fee charges shall be $50 per hour.

C. Section 106.3 shall be amended to indicate that an individual shall be guilty of a summary offence rather than a misdemeanor.

D. Section 106.4 shall be amended to indicate that any person, firm, corporation, organization or equitable interest violation any provision of this Part, or fail to comply therewith, within 10 days shall be guilty of a summary offence punishable by a fine not to exceed $1,000 and/of imprisonment of up to 90 days. Each day during which any person violates any provision of this Part shall constitute a separate offence with a cumulating fine of $50 per day.

E. Section 107.1 shall be amended to indicate that the term, “or Township Commissioner,” shall be inserted following the term, “code official,” in the first sentence of this Section.

F. Section 111.2.1 shall be amended to indicate that the Board of Appeals shall consist of three individuals, all of whom shall be:

1. At least 21 years of age.
2. A registered voter.
§5-202 Township of West Lebanon §5-203

(3) A resident of West Lebanon Township for at least 2 years.

G. Section 202 shall be amended to indicate that the following definitions shall be either amended or inserted as follows:

(1) “Debris” - building rubbish and building construction or reconstruction rubbish, street refuse, industrial refuse, dead animals, dilapidated machinery, appliances, automobile engine blocks or engine parts, home furnishings such as but not restricted to, sofas, chairs, lamps, tables, box springs, mattresses or any other home furnishings not commonly used or stored outside.

(2) “Refuse” - all solid waste including but not limited to garbage, rubbish and debris. For the purpose of this Part, all fecal material generated by any animal shall be termed refuse.

(3) “Code Official” - the individual who is charged with the administration and enforcement of this Code, and any duly authorized representative or Township Commissioner.

(4) “Motor Vehicle” - shall include any and all motor vehicles as defined in the Pennsylvania Motor Vehicle Code (75 Pa.C.S.A. §1 et seq.)

H. Section 302.4 shall be amended to indicate that the proper measurement shall be 12 inches.

I. Section 302.8 shall be amended to indicate that except as provided for in other regulations, no inoperative or unlicensed unregistered motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is strictly prohibited unless otherwise conducted inside an approved spray booth.

J. Section 304.14 shall be amended to indicate that the dates shall be March 1 to October 31.

K. Section 307.3 shall be amended to include that garbage collection shall be picked up on no less that a weekly basis from every establishment producing garbage. Garbage collection shall be conducted by a duly licensed garbage hauler and approved by the Township.

L. Section 602.3 shall be amended to indicate that the dates shall be March 1 to October 31.

M. Section 602.4 shall be amended to indicate that the dates shall be March 1 to October 31.

(Ord. 439, 1/3/2007, §2)

§5-203. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 439, 1/3/2007, §5)
§5-301. Adoption of International Mechanical Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the International Mechanical Code, 2006 edition, including certain Appendix Chapters (see International Mechanical Code and §101.2.1, 2006 edition), as published by the International Code Council, be and is adopted as the Mechanical Code of West Lebanon Township, in the Commonwealth of Pennsylvania, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems within the Township, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of the Mechanical Code on file in the Township Building of West Lebanon Township 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 §5-302 of this Part.

(Ord. 437, 1/3/2007, §1)

§5-302. Additions, Insertions and Changes.

The following sections of the International Mechanical Code, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 106.5.2 shall be amended to indicate that all fees and costs shall be maintained at the Township's Municipal Building as approved by the Commissioners.

C. Section 106.5.3 shall be amended to indicate that all fees and costs shall be maintained at the Township's Municipal Building as approved by the Commissioners.

D. Section 108.4 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

E. Section 108.5 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

(Ord. 437, 1/3/2007, §2)

§5-303. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 437, 1/3/2007, §5)

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the International Energy Conservation Code, 2006 edition, as published by the International Code Council, be and is adopted as the Energy Conservation Code of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing energy efficient building envelops and installation of energy efficient mechanical, lighting and power systems within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Energy Conservation Code on file in the Township Building of West Lebanon Township 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 §5-402 of this Part.

(Ord. 438, 1/3/2007, §1)

§5-402. Additions, Insertions and Changes.

The following sections of the International Energy Conservation Code, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

(Ord. 438, 1/3/2007, §2)

§5-403. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 438, 1/3/2007, §5)
§5-501. Adoption of International Fire Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the *International Fire Code*, 2006 edition, as published by the International Code Council, be and is adopted as the Fire Code of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Fire Code on file in the Township Building of West Lebanon Township 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 §5-502 of this Part.

(Ord. 440, 1/3/2007, §1)

§5-502. Additions, Insertions and Changes.

The following sections of the *International Fire Code*, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 109.3 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

C. Section 111.4 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

(Ord. 440, 1/3/2007, §2)

§5-503. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 440, 1/3/2007, §5)

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the *International Electric Code - Administrative Provisions*, 2006 edition, as published by the International Code Council, be and is adopted as the Electric Code - Administrative Provisions of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Electric Code - Administrative Provisions on file in the Township Building of West Lebanon Township 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 §5-602 of this Part.

*(Ord. 441, 1/3/2007, §1)*

§5-602. Additions, Insertions and Changes.

The following sections of the *International Electric Code - Administrative Provisions*, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 404.2 shall be amended to indicate that all fees associated with this Part shall be maintained at the Township's Municipal Building as approved by the Township Commissioners.

*(Ord. 441, 1/3/2007, §2)*

§5-603. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

*(Ord. 441, 1/3/2007, §5)*
§5-701. Adoption of International Existing Building Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the *International Existing Building Code*, 2006 edition, as published by the International Code Council, be and is adopted as the Existing Building Code of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Existing Building Code on file in the Township Building of West Lebanon Township 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 §5-702 of this Part.

*(Ord. 442, 1/3/2007, §1)*

§5-702. Additions, Insertions and Changes.

The following sections of the *International Existing Building Code*, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 1301.2 shall be amended to indicate that this Part shall be applicable to all structures located within the corporate limits of the Township.

*(Ord. 442, 1/3/2007, §2)*

§5-703. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

*(Ord. 442, 1/3/2007, §5)*
Part 8

International Residential Code

§5-801. Adoption of International Residential Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the *International Residential Code*, 2006 edition, as published by the International Code Council, be and is adopted as the Residential Code of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Residential Code on file in the Township Building of West Lebanon Township 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 §5-802 of this Part.

(Ord. 443, 1/3/2007, §1)

§5-802. Additions, Insertions and Changes.

The following sections of the *International Residential Code*, 2006 edition, are hereby revised, deleted or otherwise amended: [Ord. 454]

A. Section R101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Table R301.2(1) shall be amended to indicate that as recommended by the Pennsylvania Department of Labor and Industry standards or supplemented by Township guidelines.

C. Section P2603.6.1 shall be amended to indicate that as recommended by the Pennsylvania Department of Labor and Industry standards or supplemented by Township guidelines.

(Ord. 443, 1/3/2007, §2; as amended by Ord. 454, 9/2/2008)

§5-803. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 443, 1/3/2007, §5)
§5-901. Adoption of International Plumbing Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the International Plumbing Code, 2006 edition, as published by the International Code Council, be and is adopted as the Plumbing Code of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Plumbing Code on file in the Township Building of West Lebanon Township 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 §5-902 of this Part.

(Ord. 444, 1/3/2007, §1)

§5-902. Additions, Insertions and Changes.

The following sections of the International Plumbing Code, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 106.6.2 shall be amended to indicate that all fee schedules shall be maintained at the Township's Municipal Building as approved by the Township Commissioners.

C. Section 106.6.3 shall be amended to indicate that all fee schedules shall be maintained at the Township's Municipal Building as approved by the Township Commissioners.

D. Section 108.4 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

E. Section 108.5 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

F. Section 305.6.1 shall be amended to indicate that as recommended by the Pennsylvania Department of Labor and Industry standards or supplemented by Township guidelines.

G. Section 904.1 shall be amended to indicate that as recommended by the Pennsylvania Department of Labor and Industry standards or supplemented by
§5-902 Township of West Lebanon

§5-903. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 444, 1/3/2007, §5)
§5-1001. Adoption of International Fuel Gas Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the *International Fuel Gas Code*, 2006 edition, as published by the International Code Council, be and is adopted as the Fuel Gas Code of West Lebanon Township, in the Commonwealth of Pennsylvania regulating and governing gas systems and gas-fired appliances within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Fuel Gas Code on file in the Township Building of West Lebanon Township 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 §5-1002 of this Part.

(Ord. 445, 1/3/2007, §1)

§5-1002. Additions, Insertions and Changes.

The following sections of the *International Fuel Gas Code*, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 106.5.2 shall be amended to indicate that all fee schedules shall be maintained at the Township's Municipal Building as approved by the Township Commissioners.

C. Section 106.5.3 shall be amended to indicate that all fee schedules shall be maintained at the Township's Municipal Building as approved by the Township Commissioners.

D. Section 108.4 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

E. Section 108.5 shall be amended to indicate that violation of this Part shall be a summary offense, subject to fine not to exceed $1,000 and/or imprisonment of up to 90 days. Each day during which a person violates any provision of this Part shall constitute a separate offense with a fine of $50 per day.

(Ord. 445, 1/3/2007, §2)

§5-1003. Savings Clause.

Nothing in this Part or in the 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; nor shall any just or legal right or remedy of any character be lost, impaired
or affected by this Part.

(Ord. 445, 1/3/2007, §5)
§5-1101. Adoption of International Building Code.

A certain document, three copies of which are on file in the Township Building of West Lebanon Township, being marked as the International Building Code, 2006 edition, as published by the International Code Council, be and is adopted as the Building Code of West Lebanon Township, in the Commonwealth of Pennsylvania 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 the use and the demolition of such structures within the Township, and providing for the issuance of permits and collection of fees therefore, and repealing all other ordinances in conflict therewith; and each and all of the regulations, provisions, penalties, conditions and terms of the Building Code on file in the Township Building of West Lebanon Township 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 this §5-1102 of this Part.

(Ord. 446, 1/3/2007, §1)

§5-1102. Additions, Insertions and Changes.

The following sections of the International Building Code, 2006 edition, are hereby revised, deleted or otherwise amended:

A. Section 101.1 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

B. Section 1612.3 shall be amended to indicate that the jurisdiction is that of West Lebanon Township, Lebanon County, Commonwealth of Pennsylvania.

(Ord. 446, 1/3/2007, §2)

§5-1103. Savings Clause.

Nothing in this Part or in the code hereby adopted shall be construed to affect any suit or proceeding impending 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

(Ord. 446, 1/3/2007, §5)
Chapter 6

Conduct

Part 1

Curfew

§6-101. Curfew Established
§6-102. Unlawful for Parents to Permit Curfew Violations
§6-103. Penalty for Violation
§6-104. Repeat Violators
§6-105. Determination of Age

Part 2

Disorderly Conduct

§6-201. Disorderly Conduct Prohibited
§6-202. Penalty for Violation

Part 3

Disorderly Conduct Toward a Police Officer

§6-301. Definition of Disorderly Conduct Toward a Police Officer
§6-302. Penalty

Part 4

Discharge of Firearms

§6-401. Discharge of Firearms Prohibited
§6-402. Use of Air Rifles, Bows and Arrows, or Similar Devices Regulated
§6-403. Penalty for Unlawful Use of Firearms, Air Rifles, Bows and Arrows, or Similar Devices

Part 5

Noise

§6-501. Definition
§6-502. Annoying Noise or Disturbance Prohibited; Exception
§6-503. Noises or Mechanical Devices for Advertising Purposes Prohibited
§6-504. Devices or Apparatus Emitting Loud Noises for Commercial Purposes Prohibited
§6-505. Offensive Noise from Machinery or Mechanical Devices Prohibited
§6-506. Penalty for Violation

Part 6

Loitering

§6-601. Loafing, Loitering and Similar Acts Prohibited
§6-602. Law Enforcement Officers to Order Persons to Move on or to Disperse
§6-603. Penalty for Violation

Part 7
Protection of Public Property

§6-701. Definition and Interpretation
§6-702. Tampering with Public Property or Property on Streets, Alleys or Public Ground Prohibited
§6-703. Tampering with Stakes, Posts, and Monuments Prohibited
§6-704. Tampering with Warning Lamps, Signs, or Barricades Prohibited
§6-705. Removal of Material from Streets, Alleys or Public Grounds Prohibited
§6-706. Harmful Substances not to be Deposited on Streets, Alleys, Sidewalks or Public Grounds
§6-707. Exceptions
§6-708. Penalty for Violation

Part 8
Transportation, Possession or Consumption of Alcoholic Beverages in Public Places Prohibited

§6-801. Transportation, Possession or Consumption in Public Places Prohibited
§6-802. Penalty

Part 9
Theft of Water and Sewer Services

§6-901. Payment for Service Required
§6-902. Penalty

No minor under the age of 17 years shall be upon any of the streets, highways, alleys, parks or public places in the Township between the hours of 10 p.m. and 5 a.m., unless such minor is accompanied by his parent, guardian or other person having legal care or custody of such minor person, or is accompanied by a responsible person of good repute over 21 years of age, or is in the performance of an errand, activity or duty directed by his or her parent, guardian or legal custodian, when such minor returns directly to home after completing the errand, activity or duty, or whose legally recognized employment makes it necessary for such minor person to be in or about such streets, highways, alleys, parks or public places after 10 p.m., in which case the minor shall provide proof in such form as approved by the police department with jurisdiction that the minor was employed on the dates and times in question.


§6-102. Unlawful for Parents to Permit Curfew Violations.

It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any of the children of the ages designated, to allow or permit any such child, ward or other person under such age, while in such custody, to go or be in and upon any of the streets, highways, alleys, parks or public places in the Township after the time prohibited in §6-101 of this Part, except as therein provided.

(Ord. 253-A, 3/6/1970, §2)

§6-103. Penalty for Violation.

Policemen finding any such minor under the age of 17 years in or upon any of the streets, highways, alleys, parks or public places of the Township in violation of any of the provisions of this Part, shall issue a written notice and warning to the parent or guardian or other person having legal custody of the said minor, and after the first written notice, the parent, guardian or other person having legal care or custody of said minor child shall be issued a citation under the provisions of this Part. The minor shall be released to the parent, guardian or other person having legal care or custody of the said minor, which may include a relative of the minor in such cases where the parent, guardian or other person having legal care or custody cannot be found. If the minor is under 10 years of age and if a parent, guardian or other person having legal care or custody of the minor child cannot be located, the child may be turned over to the appropriate public agency.

(Ord. 253-A, 3/6/1970, §3; as amended by Ord. 295, 10/1/1979; and by Ord. 454, 9/2/2008)

§6-104. Repeat Violators.

Any child who shall violate this Part more than three times shall be reported to the
Juvenile Court authorities of Lebanon County whose purpose is to take charge of incorrigibles and delinquents, and proceedings shall then be taken in the proper court for their permanent welfare. A like procedure shall be taken in cases where the arrest of the parent, guardian or legal custodian shall not be effective, or where by any other reason the provisions of §6-101 of this Part cannot be made effective by fines and penalties imposed thereunder.


§6-105. Determination of Age.

The police officers of the Township in taking children into custody under this Part shall use their discretion in determining age, and in doubtful cases may require positive proof, and until such proof is furnished, the officer's judgement shall prevail.

§6-201. Disorderly Conduct Prohibited.

Disorderly conduct is hereby prohibited within the Township of West Lebanon. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he: (A) engages in fighting or threatening, or in violent or tumultuous behavior; (B) makes unreasonable noise; (C) uses obscene language, or makes any obscene gesture; (D) or creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor. Provided, as used in this Section, the word “public” means affecting or likely to affect persons in a place to which the public or a substantial group has access; among the places included are streets, alleys, sidewalks, transport facilities, schools, prisons, apartment houses, places of business, or amusement, any neighborhood, or any premises which are open to the public.

(Ord. 295, 10/1/1979)


Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)
§6-301. Definition of Disorderly Conduct Toward a Police Officer.

A person commits the crime of disorderly conduct towards a police officer if he engages in any of the following conduct:

A. By violent, tumultuous or obstreperous conduct or carriage, or by loud and unusual noises or by abusive language disturbs any police officer in the discharge of his/her duty.

B. By any person assaulting, striking or fighting with any police officer in the discharge of his/her duty; or, knowingly permitting such conduct in or about any house or premises owned or possessed by any person or under that person's management or control.

C. By any person interfering willfully with, resisting, delaying, obstructing, molesting or threatening to molest any police officer in the exercise of his/her official duties.

(Ord. 382, 1/4/1999)

§6-302. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 382, 1/4/1999; as amended by Ord. 454, 9/2/2008)
§6-401. Discharge of Firearms Prohibited.

Except in necessary defense of person and property, it shall be unlawful, within the Township of West Lebanon, for any person to use, fire or discharge any gun or other firearm.

(Ord. 383, 1/4/1999, §1)

§6-402. Use of Air Rifles, Bows and Arrows, or Similar Devices Regulated.

It shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, B-13 gun, bow and arrow, paint ball gun, potato gun, or similar device, or any implement that is not a firearm, which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm, at any place, within the Township of West Lebanon except on a properly constructed target range or no closer than 450 feet to any dwelling or public building to correspond with the safety zone established by §2505(c) of the Game Code, 34 Pa.C.S.A. §2505(c).

(Ord. 383, 1/4/1999, §2; as amended by Ord. 454, 9/2/2008)

§6-403. Penalty for Unlawful Use of Firearms, Air Rifles, Bows and Arrows, or Similar Devices.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 383, 1/4/1999, §3; as amended by Ord. 454, 9/2/2008)
§6-501. Definition.

The word “person,” as used in this Part, shall mean any natural person, partnership, firm, association, organization, firm or corporation. The singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 250, 9/3/1968, §1)

§6-502. Annoying Noise or Disturbance Prohibited; Exception.

No person within the Township shall wilfully make or cause to be made any loud, boisterous or unseemly noise or disturbance, to the annoyance of any other person. Provided: nothing contained in this Section shall restrict or limit the normal use to be made of parks, recreation places, playing fields and playgrounds in the Township.

(Ord. 250, 9/3/1968, §2)

§6-503. Noises or Mechanical Devices for Advertising Purposes Prohibited.

No person shall make or cause to be made or permit to be made any noise of any kind, by crying, calling or shouting, or by means of any whistle, rattle, gong, horn, drum or similar mechanical device, for the purpose of advertising any goods, wares or merchandise, or of attracting the attention or inviting the patronage of any person to any business whatever, in the Township of West Lebanon.

(Ord. 250, 9/3/1968, §3)

§6-504. Devices or Apparatus Emitting Loud Noises for Commercial Purposes Prohibited.

No person in the Township shall, for commercial purposes, or in connection with any commercial enterprise, erect or locate any device or apparatus in front of or in the exterior of premises owned or occupied by him which, by mechanical or electrical means, emits any loud sounds or noises, so as to annoy or disturb passersby on the street or the general public. Provided, the provisions of this Section shall not apply, in time of emergency, to any announcement or broadcast of any current event of public interest.

(Ord. 250, 9/3/1968, §4)

§6-505. Offensive Noise from Machinery or Mechanical Devices Prohibited.

No person shall operate, or cause or allow to be operated, upon the premises owner or occupied by such person, within the Township of West Lebanon, any gas engine, gasoline engine or steam engine, with an exhaust, or any compressor, or any other machinery or mechanical device of any kind whatsoever, making a noise that shall be offensive to any of the inhabitants of the Township. Any person operating any such engine or machine or mechanical device shall cause the exhaust therefrom to be so muffled, controlled or insulated that it shall make no noise that will be offensive to any
§6-505 Township of West Lebanon §6-506

of the inhabitants of the Township.

(Ord. 250, 9/3/1968, §5)

§6-506. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 250, 9/3/1966, §6; as amended by Ord. 295, 10/1/1979; and by Ord. 454, 9/2/2008)

It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle, either alone and/or in consort with others, in a public place in such manner so as to:

A. Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians.

B. Commit in or upon any public street, public highway, public sidewalk, or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress, and regress, therein, thereon and thereto.

(Ord. 295, 10/1/1979)

§6-602. Law Enforcement Officers to Order Persons to Move on or to Disperse.

When any person causes or commits any of the conditions enumerated in §6-601 of this Part, a police officer or any law enforcement officer shall order such person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such orders shall be guilty of a violation of this Part.

(Ord. 295, 10/1/1979)

§6-603. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)
§6-701. Definition and Interpretation.

As used in this Part, the term “person” shall include any individual, corporation, firm, partnership, association, or other legal entity. The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

(Ord. 295, 10/1/1979)

§6-702. Tampering with Public Property or Property on Streets, Alleys, or Public Grounds Prohibited.

No person shall destroy or injure in any way whatsoever or tamper with or deface any public property of the Township of West Lebanon, within or without the Township, or any grass, walk, lamp, ornamental work, building or street light on or in any of the streets, alleys, sidewalks or public grounds in the Township.

(Ord. 295, 10/1/1979)

§6-703. Tampering with Stakes, Posts, and Monuments Prohibited.

No person 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 Township, made, placed or set, or hereafter made, placed or set, or caused to be done by the authorities of the Township in any survey of or in any street, alley, or public ground in the Township, to evidence the location, elevation, line, grade, corner, or angle of any public street, alley, sidewalk, curb, gutter, drain, or other public work, matter, or thing.

(Ord. 295, 10/1/1979)

§6-704. Tampering with Warning Lamps, Signs, or Barricades Prohibited.

No person shall destroy or remove or deface or obliterate or cover up any lamp, warning sign or barricade erected by the authorities of the Township or by any person doing work by permission of the authorities of the Township on any of the streets, alleys, sidewalks, or bridges in the Township or on any public grounds of the Township, within or without the Township, as a warning of danger.

(Ord. 295, 10/1/1979)

§6-705. Removal of Material from Streets, Alleys or Public Grounds Prohibited.

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

(Ord. 295, 10/1/1979)

§6-706. Harmful Substances not to be Deposited on Streets, Alleys, Sidewalks
or Public Grounds.

No person shall, at any time, pour, throw or deposit any deleterious, harmful, destructive, noxious or pernicious substance or matter on any of the streets, alleys, sidewalks or public grounds in the Township.

(Ord. 295, 10/1/1979)

§6-707. Exceptions.

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 or therein, or to incidental results of work done thereon or therein upon permit from or by authority of the Township.

(Ord. 295, 10/1/1979)

§6-708. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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. The fact that a violator has been penalized, after hearing as herein provided, shall not preclude the Township or other injured party from taking proper legal action to recover damages resulting from such violation.

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)
§6-801. **Transportation, Possession or Consumption in Public Places Prohibited.**

1. No person shall transport or possess in open containers on his person or in a motor vehicle any beer, wine or alcoholic beverage in or upon the streets, sidewalks, alleys or public ways of West Lebanon Township, nor in or upon the parking areas of shopping centers under the jurisdiction of the police department with jurisdiction. [Ord. 454]

2. No person shall possess, carry or transport any beer, wine or alcoholic beverage in an open container nor consume any beer, wine or alcoholic beverage in or upon a park or playground or other public property of West Lebanon Township.

(Ord. 379, 12/7/1998, §1; as amended by Ord. 454, 9/2/2008)

§6-802. **Penalty.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 379, 12/7/1998, §2; as amended by Ord. 454, 9/2/2008)
Part 9

Theft of Water and Sewer Services

§6-901. Payment for Service Required.

It shall be unlawful to use or by any means consume water and sewer services provided by the Township of West Lebanon or any other authority or municipality within the boundaries of West Lebanon Township without proper and adequate payment for such use or consumption at the applicable rate or fee at the time of such use or consumption by any or all of the following means:

A. Tapping, attaching, inserting, connecting, affixing or by any other means fastening any machine, instrument, appliance, apparatus, contraption or any other device to the water service feed line at any point on such feed line preceding the water meter.

B. Tampering, opening, adjusting, disconnecting, altering or by any means interfering with the proper and intended operation of a water meter.

(Ord. 396, 6/4/2001, §1)

§6-902. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 396, 6/4/2001, §1; as amended by Ord. 454, 9/2/2008)
Chapter 7

Fire Prevention and Fire Protection

Part 1
Outdoor Fires

§7-101. Outdoor Fires Prohibited
§7-102. Recreational Outdoor Fires
§7-103. Penalty for Violation

Part 2
Alarm Systems

§7-201. Purpose
§7-202. Scope
§7-203. Definitions
§7-204. Restrictions on Audible or Visual Alarms
§7-205. False Alarms
§7-206. Notice
§7-207. Owner Responsibility
§7-208. Confidentiality
§7-209. Enforcement
§7-210. Other Legal Action
Part 1

Outdoor Fires


No person or persons shall set or maintain any fire upon any streets, sidewalks, alleys or public grounds in the Township of West Lebanon, or burn or cause to be burned outdoors at any place within the limits of said Township any paper, boxes, rubbish, leaves, garbage, refuse, or any other material or substance of any kind.

(Ord. 459, 11/2/2009, §1)

§7-102. Recreational Outdoor Fires.

Recreational outdoor fires unless otherwise prohibited above shall be permitted upon private property in the Township of West Lebanon under the following conditions:

A. Recreational outdoor fires shall not be conducted within 25 feet (7620mm) of any structure or combustible material.

B. Conditions that could cause a fire to spread (i.e., leaves, grass clippings) shall be removed prior to ignition.

C. Portable outdoor fireplaces shall be used in accordance with the International Fire Code as adopted by the Township and the manufacturer's instructions.

D. Recreational outdoor fires shall not be conducted within 10 feet (7620mm) of any property line.

E. Recreational outdoor fires shall be attended at all times by a person of over the age of 18 and said person shall remain until said fire has been extinguished.

F. A minimum of one portable fire extinguisher with at least a 4-A rating, or other approved fire extinguishing equipment (i.e., dirt, sand, water bucket, garden hose) shall be available for use.

G. All portable outdoor fireplaces shall be in good working order and shall have attached to them proper stands, covers, handles and mesh screens.

H. No portable outdoor fireplace shall be used on any wooden deck, pool decks, or any other combustible material.

(Ord. 459, 11/2/2009, §2)

§7-103. Penalty for Violation.

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not 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.

2. Each day that a violation of this Part continues shall constitute a separate offense.

3. The enforcement of this Part is given to any Law Enforcement Officer or Code Enforcement Officer of the Township to order the extinguishment of the recreational outdoor fire and cause to be issued a citation for said violation.
(Ord. 459, 11/2/2009, §3)
§7-201. Purpose.

The purpose of this Part is to provide standards and regulations for various types of intrusion, burglar, fire and other emergency alarm device which require response thereto by the Police Department, Fire Department or other Township agencies.

(Ord. 395, 4/2/2001, §1)


The provisions of this Part shall apply to any person who operates, maintains or owns any alarm device, dial alarm or local alarm designed to summon the police, fire department or other agencies to any location in response to any type of alarm signal.

(Ord. 395, 4/2/2001, §2)

§7-203. Definitions.

Alarm owner - any person or persons under whose direction and control the alarm system is installed, operated or maintained and for whom the alarm system is intended to protect.

Alarm system - any type of alarm device, dial alarm or local alarm or combination of same designed to automatically activate in cases of fire, smoke, intrusion, flood or other event.

Central alarm station - the receiving point of any type of alarm signal, transmitted electronically or otherwise, wherein action is initiated to summon police, fire or other emergency Township services.

Central station alarm - any alarm system or device which, when activated, causes a signal of any type to be transmitted to a central alarm station. Combinations of local alarms and central station alarms shall be considered central station alarms.

False alarm - any alarm actuated by inadvertence, negligence or unintentional act of someone or something other than the actual case of intrusion, fire, smoke or other event. False alarm shall also include alarms caused by malfunction of the alarm system. False alarms shall not include alarms actuated and caused by events outside of the control of the alarm owner including, but not limited to, wind, electrical storms, lightning, fire, flood or other acts of nature; damage to or maintenance of electrical or telephone poles or transmission lines outside of the owner's premises. False alarms shall also not include alarms actuated during installation, repair or modification of the alarm system provided that notice of such work has been made in a timely manner to the responding alarm station or agency. False alarms shall also not include alarms actuated by vehicles, birds or animals outside the protected premises.

Person - includes any natural person, partnership, corporation or association.

(Ord. 395, 4/2/2001, §3)

§7-204. Restrictions on Audible or Visual Alarms.
§7-204 Township of West Lebanon §7-206

Any alarm system containing audible or visual signals shall be designed and installed so that such signal(s) will automatically deactivate after a continuous period of 20 minutes or less, thereby terminating such signals. Audible and visual signals shall not automatically reactivate until manually reset or repaired. Failure to comply with this Section shall constitute authorization to the Chief of Police, or his designee, to take such steps as may be necessary to terminate the audible or visual signal if unable to do so by way of the emergency notification list, in order to mitigate a public nuisance.

(Ord. 395, 4/2/2001, §4)

§7-205. False Alarms.

In the case of a false alarm, the chief of the public agency responding or his designee shall cause an investigation to be made and keep a record of said false alarms on file. For such false alarms, the Board of Township Commissioners prescribes the following provisions: [Ord. 454]

A. All administrative fees established under this Part shall be payable to West Lebanon Township within 15 days of the date of invoice. Administrative fees shall be in addition to any fines imposed by this Part. [Ord. 399]

B. For the second false alarm an administrative fee in an amount as established from time to time by resolution of the Board of Commissioners shall be imposed. [Ord. 454]

C. For the third and subsequent false alarm an administrative fee in an amount as established from time to time by resolution of the Board of Commissioners shall be imposed. [Ord. 454]

D. All administrative fees established under this Part shall be payable to West Lebanon Township within 15 days of the date of invoice. Administrative fees shall be in addition to any fines imposed by this Part.

(Ord. 395, 4/2/2001, §5; as amended by Ord. 399, 11/5/2001; and by Ord. 454, 9/2/2008)

§7-206. Notice.

Notice as required by this Part shall be given by the chief of the public agency responding, or his designee, to the person occupying the premises upon which the alarm system is located by mailing a copy of the notice, and a monthly activity report hereinafter attached and marked as “Exhibit A,” to such person at the address where the alarm system is located within not less than 10 days following the end of each calendar month. A notice may also be given by personal service of the notice by handing a copy of the same to the occupant of the premises upon which the alarm system is located or to an adult resident thereof or an employee located thereon. If notice is made by personal service, the Chief of Police, or his designee, shall file a proof of service, which shall be under oath and which shall designate the person and title upon whom service was made.

(Ord. 395, 4/2/2001, §6; as amended by Ord. 454, 9/2/2008)

---

1 Editor’s Note: The form of the monthly activity report, Exhibit “A,” is on file at the Township office.
§7-207. **Owner Responsibility.**

It shall be the responsibility of the alarm owner to comply with the established rules of the central alarm station regarding the emergency notification list of persons to be notified in the event of alarm activation. In the case of central station alarms, such list shall be furnished to the Township Chief of Police and shall contain the names of at least three persons with addresses and telephone numbers. In all cases, changes in the notification list shall be made within 5 days of the change. Persons on the notification list shall be informed of their position on the list and have sufficient knowledge and authority to terminate the alarm activation if requested. Failure to comply with the requirements of this Section may result in the imposition of an administrative fee in an amount as established from time to time by resolution of the Board of Commissioners.

*(Ord. 395, 4/2/2001, §7; as amended by Ord. 454, 9/2/2008)*

§7-208. **Confidentiality.**

The information furnished and secured pursuant to this Part shall be confidential in character and shall not be subject to public inspection, and all records shall be so maintained that the contents thereof shall not be divulged to anyone except to those persons charged with the administration of this Part.

*(Ord. 395, 4/2/2001, §8)*

§7-209. **Enforcement.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

*(Ord. 395, 4/2/2001, §10; as amended by Ord. 454, 9/2/2008)*

§7-210. **Other Legal Action.**

This Part shall not prevent the Township from taking other legal action to prevent the abuse of alarm systems by the owner.

*(Ord. 395, 4/2/2001, §11)*
Chapter 8

Floodplains

Part 1
Rules and Regulations

§8-101. Statement of Intent
§8-102. Applicability
§8-103. Municipal Liability
§8-104. Definition
§8-105. Issuance of Permit
§8-106. Application Procedures
§8-107. Fees
§8-108. Start of Construction
§8-109. Inspection and Revocation
§8-110. Notices
§8-111. Penalties
§8-112. Appeals
§8-113. No Construction or Development
§8-114. Variances
§8-115. Definitions
§8-116. Abrogation and Greater Restrictions

The intent of this Part is to promote the general health, welfare, and safety of the community by:

A. Lessening the exposure of life and property to the danger of flooding.
B. Preventing the unnecessary obstruction of floodwaters and alteration of natural drainage.
C. Minimizing health hazards which result from the damage to sewage systems, the contamination of water supplies and the general unsanitary and unhealthful conditions which result from flooding.
D. Reducing financial burdens imposed on the community, its governmental units, and its residents by minimizing flood damage in the future.
E. Providing for the availability of flood insurance through participation in the National Flood Insurance Program.

(Ord. 330, 2/17/1986, §1)

§8-102. Applicability.

1. It shall be unlawful for any person, partnership, business, or corporation to undertake, or cause to be undertaken, any construction or development, renovation of existing facilities and structures anywhere within West Lebanon Township which has been designated as a floodplain area unless an approved permit for such activities has been obtained from the Township.
2. A permit shall not be required for minor repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

(Ord. 330, 2/17/1986, §2)

§8-103. Municipal Liability.

1. The degree of flood protection sought by the provisions of this Part is considered reasonable for regulatory purposes in the identified floodplain area(s). Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Part does not imply that areas outside any identified floodplain area, or that land uses permitted within such areas will be free from flooding or flood damages.
2. This Part shall not create liability on the part of West Lebanon Township or any officer or employee thereof for any flood damages that result from reliance on this Part or any administrative decision lawfully made thereunder.

(Ord. 330, 2/17/1986, §4)

§8-104. Definition.

1. For the purposes of this Part, the identified floodplain area shall be those areas
of West Lebanon Township which have been identified as being subject to flooding by a 100-year flood. These areas are shown on the most current Flood Hazard Boundary Map (FHBDM) or Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency for the municipality.

2. The identified floodplain area may be revised or modified by the Board of Commissioners where studies or information provided by a qualified agency or person documents the need for such revision or modification. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency.

3. Should a dispute concerning any identified floodplain boundary arise, any party aggrieved by such determination may appeal to the Board of Commissioners. The burden of proof shall be on the appellant.

(Ord. 330, 2/17/1986, §5)

§8-105. Issuance of Permit.

1. The Township 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 and only after all other required permits have been obtained.

2. No permit shall be issued for any proposed alteration or relocation of any watercourse or water area within the municipality unless:

   A. A permit has been obtained from the Pennsylvania Department of Environmental Protection. [Ord. 454]

   B. All affected adjacent municipalities have been duly notified.

   C. Copies of such notifications have been forwarded to both the Federal Emergency Management Agency and the Pennsylvania Department of Community and Economic Development. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels of any watercourse, drainage ditch, or any other drainage facility or system. [Ord. 454]

3. After the issuance of a permit, 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 Township.

4. In addition to the permit, the Township shall issue a placard which shall be displayed on the premises during the time permitted activity is in progress. This placard shall show the number of the permit, the date of its issuance and be signed by a Township Official.

(Ord. 330, 2/17/1986, §6; as amended by Ord. 454, 9/2/2008)

§8-106. Application Procedures.

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

   A. Name and address of applicant.

   B. Name and address of owner of land on which proposed construction and/or development is to occur.

   C. Name and address of contractor.
§8-106. Floodplains

D. Site location.

E. Brief description of proposed work and estimated cost.

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

(Ord. 330, 2/17/1986, §7)

§8-107. Fees.

Applications for a permit shall be accompanied by a fee, payable to the Township based on the estimated cost of the proposed construction and/or development as determined by the Township official in an amount as established from time to time by resolution of the Board of Commissioners.

(Ord. 330, 2/17/1986, §8; as amended by Ord. 454, 9/2/2008)

§8-108. Start of Construction.

1. Work on the proposed construction and/or development shall begin within 6 months and shall be completed within 12 months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the Township. Construction and/or development shall be considered to have started with the preparation of land, land clearing, grading, filling, excavation for 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. Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Officer to approve such a request.

(Ord. 330, 2/17/1986, §9)

§8-109. Inspection and Revocation.

During the construction and/or development period, the Township official or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable Township laws and ordinances, or that there has not been a false statement or misrepresentation by any applicant. If the inspection determines that there has been a violation, then the Township official shall revoke the permit and report such fact to the Commissioners for whatever action they think necessary.

(Ord. 330, 2/17/1986, §10)

§8-110. Notices.

Whenever the authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Part, or of any regulations adopted pursuant thereto, such authority 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 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
§8-110 Township of West Lebanon §8-114

to have been properly served upon such owner or agent when a copy thereof has been
served with such notice by any other method authorized or required by the laws of this
State; (E) contain an outline of remedial action which, if taken, will affect compliance
with the provision of this Part, or any part thereof, and with the regulations adopted
pursuant thereto.
(Ord. 330, 2/17/1986, §11)

§8-111. Penalties.

1. Any person, firm or corporation who shall violate any provision of this Part, or
who fails to or refuses to comply with any notice, order, or direction of the Township or
any authorized employee of the Township, upon conviction thereof, shall be sentenced
to pay 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 shall constitute a separate. [Ord. 454]

2. In addition to the above penalties all other actions are hereby reserved
including an action in equity for the proper enforcement of this Part. The imposition of
a fine or penalty for any violation of, or noncompliance with, this Part shall not excuse
the violation or noncompliance or permit it to continue; and all such persons shall be
required to correct or remedy such violations and noncompliances within a reasonable
time. Any structure or building construction, reconstructed, enlarged, altered, or
relocated, in noncompliance with this Part may be declared by the Township
Commissioners to be a public nuisance and abatable as such.
(Ord. 330, 2/17/1986, §12; as amended by Ord. 454, 9/2/2008)

§8-112. Appeals.

Any person aggrieved by an action or decision of the Township Official may appeal
to the Township Commissioners. Such appeal must be filed, in writing, within 30 days
after the decision or action of the Township official. Upon receipt of such appeal, the
Commissioners shall set a time and place, within not less than 10 nor more than 30
days, for the purpose of hearing the appeal. Notice of the time and place of the hearing
of the appeal shall be given to all parties, at which time they may appear and be heard.
Any person aggrieved by any decision of the Commissioners may seek relief therefrom
in any court of competent jurisdiction, as provided by the laws of this Commonwealth.
(Ord. 330, 2/17/1986, §13)

§8-113. No Construction or Development.

No construction or development shall take place within any identified floodplain
area of the Township.
(Ord. 330, 2/17/1986, §14)

§8-114. Variances.

1. If compliance with any of the requirements of this Part would result in an
exceptional hardship to a prospective builder, developer, or landowner, the Board may,
upon request, grant relief from the strict application of the requirements. Requests for
variances shall be considered by the Board in accordance with the procedures contained
in §8-112 and the following:

A. Notwithstanding the provisions of this Section, no variance shall be granted for:

   (1) The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
      (a) Hospitals.
      (b) Nursing homes.
      (c) Jails or prisons.

   (2) The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvement to an existing mobile home park or mobile home subdivision.

   (3) Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances) or any of the following dangerous materials or substances on the premises:
      (a) Acetone.
      (b) Ammonia.
      (c) Benzene.
      (d) Calcium carbide.
      (e) Carbon disulfide.
      (f) Celluloid.
      (g) Chlorine.
      (h) Hydrochloric acid.
      (i) Hydrocyanic acid.
      (j) Magnesium.
      (k) Nitric acid and oxides of nitrogen.
      (l) Petroleum products (gasoline, fuel oil, etc.).
      (m) Phosphorus.
      (n) Potassium.
      (o) Sodium.
      (p) Sulphur and sulphur products.
      (q) Pesticides (including insecticides, fungicides, and rodenticides).
      (r) Radioactive substances, insofar as such substances are not otherwise regulated.

B. If granted, a variance shall involve only the least modification necessary to provide relief. If it should become necessary to grant any variance, the applicant shall be required to comply with all applicable requirements of the National Flood Insurance Program Regulations (§60.3 a and b) including
§8-114 Township of West Lebanon §8-115

the requirements for elevation, floodproofing, and anchoring. The applicant must also comply with any other requirements considered necessary by the Township.

C. In granting any variance, the Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Part.

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

(1) The granting of the variance may result in increased premium rates for flood insurance.

(2) Such variances may increase the risks to life and property.

E. In reviewing any request for a variance, the Board shall consider, at a minimum, the following:

(1) That there is good and sufficient cause.

(2) That failure to grant the variance would result in exceptional hardship to the applicant.

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

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

2. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the 100-year flood.

(Ord. 330, 2/17/1986, §15)

§8-115. Definitions.

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

Construction - the construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.

Development - any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations.

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.

Mobile home - a transportable single family dwelling intended for permanent
§8-115 Floodplains

occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term does not include recreational vehicles or travel trailers.

Mobile home park - a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.

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

Structure - anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, mobile homes, and other similar items.

Substantial improvement - any modification, alteration, reconstruction or improvement of any kind to an existing structure, to an extent or amount of 50 percent or more of its market value either (1) before the improvement, modification or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred.

(Ord. 330, 2/17/1986, §16)


This Part supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other 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 Part, the more restrictive shall apply.

(Ord. 330, 2/17/1986, §17)
Chapter 9

[Reserved]
Chapter 10

Health and Safety

Part 1
Administration of Health Laws Delegated to Commonwealth

§10-101. State Requested to Take Over Duties

Part 2
Controlled Substance Paraphernalia Prohibition

§10-201. Short Title
§10-202. Definitions
§10-203. Possession, Manufacture, and Sale of Drug Paraphernalia
§10-204. Violations and Penalties

Part 3
Prohibiting Nuisances on Private or Public Property

§10-301. Definitions
§10-302. Nuisances
§10-303. Written Notice to Violators Required
§10-304. Penalty for Violation
Administration of Health Laws Delegated to Commonwealth

§10-101. State Requested to Take Over Duties.

The Department of Health of the Commonwealth of Pennsylvania be and is by this Resolution requested, under the provisions of the Administrative Code of 1929, Article 21, §2102, 71 P.S. §532, to take over the administration of the health laws within the Township of West Lebanon, Lebanon County, Pennsylvania, at the expense of the Department of Health.

(Res. 4/5/1954, 4/5/1954 §1)
§10-201. **Short Title.**

This Part shall be known as the “West Lebanon Township Controlled Substance Paraphernalia Prohibition Ordinance.”

(Ord. 300, 12/15/1980, §1)

§10-202. **Definitions.**

1. The term “drug paraphernalia” means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Controlled Substance, Drug Device and Cosmetic Act, 35 P.S. §780-101 et seq. It includes, but is not limited to:

   A. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.

   B. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

      (1) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls.

      (2) Water pipes.

      (3) Carburetion tubes and devices.

      (4) Smoking and carburetion masks.

      (5) Roach clips: meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.

      (6) Miniature cocaine spoons, and cocaine vials.

      (7) Chamber pipes.

      (8) Carburetor pipes.

      (9) Electric pipes.

      (10) Air-driven pipes.

      (11) Chillums.

      (12) Bongs.

      (13) Ice pipes or chillers.

2. In determining whether an object is “drug paraphernalia,” a court or other authority should consider, in addition to all other logically relevant factors, the following:

   A. Statements by an owner or by anyone in control of the object concerning
its use.

B. Prior convictions, if any, of an owner, or of anyone in control of the object, under any Township, State, or Federal law relating to any controlled substances.

C. The proximity of the object, in time and space, to a direct violation of this Part.

D. The proximity of the object to controlled substances.

E. The existence of any residue of controlled substances on the object.

F. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of this Part the innocence of an owner or of anyone in control of the object, as to a direct violation of this Part shall not prevent a finding that the object is intended for use, or designed for use as “drug paraphernalia.”

G. Instruction, oral or written, provided with the object concerning its use.

H. Descriptive materials accompanying the object which explain or depict its use.

I. National and local advertising concerning its use.

J. The manner in which the object is displayed for sale.

K. Expert testimony concerning its use.

(Ord. 300, 12/15/1980, §2)


1. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Part.

2. It is unlawful for any person to deliver, sell, possess with intent to deliver, or sell, or manufacture with intent to deliver or sell, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to inject, ingest, or otherwise introduce into the human body a controlled substance in violation of this Part.

3. It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects intended for use as drug paraphernalia.

4. Any person 18 years of age or over who violates subsection .2 above by delivering drug paraphernalia to a person under 18 years of age who is at least 3 years his junior is guilty of a special offense.

5. This Section does not apply to manufacturers, practitioners, pharmacists, and owners of pharmacies whose conduct is in accordance with State law. This Section shall not be construed to prohibit any lawful possession, manufacture or use of hypodermics.

6. Any drug paraphernalia used in violation of this Section shall be seized and forfeited to the Township.

(Ord. 300, 12/15/1980, §3)
§10-204. Violations and Penalties.

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 $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 shall constitute a separate offense.

(Ord. 300, 12/15/1980, §4; as amended by Ord. 454, 9/2/2008)
§10-301. Definitions.

For the 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 in the singular number include the plural number, and the word “shall” is always mandatory and not merely directory:

Board of Commissioners - the Board of Commissioners of West Lebanon Township, Lebanon County, Pennsylvania.

Code - shall refer to the Code of Ordinances of West Lebanon Township.

Debris - is any building construction or reconstruction rubbish, stone, industrial refuse, dead animals, dilapidated machinery, appliances, automobile engine blocks and engine parts, all in-home furnishings that would not normally be stored out of doors including, but not limited to, sofas, chairs, lamps, tables, box springs, mattresses, etc.

Domestic animal - includes all dogs, cats, or other domestic animals, as defined in §2-201 of Ord. 424, 6/6/2005 [Chapter 2]. [Ord. 454]

Junkyard - a lot, land, or structure, or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discarded material, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

Nuisance - the unreasonable, unwarrantable, or unlawful use of public or private property which causes injury, damage, hurt, inconvenience, annoyance, or discomfort to any person in the legitimate enjoyment of his reasonable rights of person or property.

Owner - a person owning, leasing, occupying, or having charge of any premises within the Township, and when applied to the proprietorship of a domestic animal, includes every person having a right or property in such dog and every person who keeps or harbors such domestic animal or has it in his care or custody, and every person who permits such domestic animal to remain on or about any premises owned or acquired by him. [Ord. 454]

Person - any natural person, firm, partnership, association, corporation, company, or organization of any kind.

Refuse - any animal carcass, fish, oyster shells, garbage, slaughter house offal, broken glass, crockery, china, cuttings of tin, sheet iron or metal, nails, or any other kind of material calculated to wound, bruise or maim man or beast, or vegetables, fruit peelings or rinds and shells thereof, ashes, dirt, grass, leaves, weeds, rubbish of any kind or garbage, pasteboard boxes, paper advertisements and handbills, show bills, waste paper or sweepings.

Township - the Township of West Lebanon, Lebanon County, Pennsylvania.

(Ord. 414, 6/7/2004, §1; as amended by Ord. 454, 9/2/2008)
§10-302. Nuisances.

Nuisances and activities which are contrary to the health, cleanliness, comfort, and safety of the citizens including, but not limited to, the following, are prohibited:

A. Storing, accumulating, or dumping the following:
   (1) Refuse or debris.
   (2) Junk material (including, but not limited to, unused or abandoned machinery, equipment, or appliances).
   (3) Other junk (including, but not limited to, any and all forms of waste and refuse of any type of material, including scrap metal, glass, industrial waste and other salvable materials).

B. Storing or accumulating abandoned or junked motor vehicles.

C. The establishment and maintenance of a junkyard except where permitted upon application to West Lebanon Township under applicable rules and regulations as may be adopted by resolution.

D. Storing or accumulating more than three antique or collector motor vehicles for restoration neither sheltered by a minimum height of 8 feet; or storing or accumulating in a disorderly fashion three or less antique or collector motor vehicles for restoration.

E. Drainage 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, wash stands, lavatories, water closets, swimming pools, privies or cesspools of any kind or nature whatsoever, or any other 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 any from any property into or upon any adjoining property.

F. Draining or flowing, or allowing to drain or flow, any water or drainage from within dwellings situate upon property along any public highway, road, street, avenue, lane, or alley in the Township into or upon the cartway or traveled portion of any said highway, road, street, avenue, lane, or alley, except where provision has been made in said cartway or traveled portion for said drainage by means or a drainage ditch or otherwise.


H. Maintaining or causing to be maintained any dangerous structure including, but not limited to, abandoned or occupied buildings or parts of buildings in a state of dilapidation or disrepair.

I. Refusing or failing to cut and destroy grass, Canadian thistle, dandelion, ragweed, chicory, thistle, golden rod, poison ivy, sumac, or other vegetation which has grown above the height of 12 inches, as required by Ord. 295, 10/1/1979 (Chapter 10, Part 2).

Exception - the provisions of this subsection pertaining to the permissible height of vegetation within the Township shall not apply to any property which is utilized predominantly for agricultural purposes within the Township.

J. Permitting or allowing any well or cistern to be or remain uncovered.
§10-302  Health and Safety

K. Interfering with the flow of a stream, creek, or other waterway, by means of dam construction or otherwise.

L. Removing the embankment of a stream so as to alter the natural flow of the stream.

M. Pushing, shoveling, or otherwise depositing snow upon the cartway or traveled portion of any public highway, road, or street which is maintained by this Township or by the Commonwealth of Pennsylvania, and allowing same to remain thereon and to remain upon sidewalks for a longer period of time than 24 hours.  [Ord. 429]

N. 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.

O. To conduct or carry on any offensive manufacturing or business.

P. To drive, or cause to be driven, park, or store any cart, wagon, or truck containing garbage, earth, dung, filth, or rubbish of any kind, or which is used for such purposes, unless such cart, wagon, or truck has a good and sufficient tailboard and body, tight and closed at the sides and bottom to prevent the contents from dropping from the vehicle, or to park such vehicles in or about any highway, street, or alley near any property where the odors from the same may be annoying or offensive.


§10-303.  Written Notice to Violators Required.

Whenever a condition constituting a nuisance or condition contrary to the health, cleanliness, comfort, and safety of its citizens as hereinbefore set forth is permitted or maintained, the Board of Commissioners shall cause written notice to be served upon the owner in one of the following ways:

A. By making personal delivery of the notice to the owner.

B. By handling 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 premises in violation.

D. By mailing a copy of the notice to the last known address of the owner by certified mail.

E. By publishing a copy of the notice in the local newspaper once a week for 3 successive weeks. Such notice shall set forth in what respects such condition constitutes a nuisance, and whether removal is necessary and required by the
§10-303 Township of West Lebanon §10-304

Township, or whether the situation can be corrected by repairs, alterations, or by fencing or boarding or in some way confining and limiting the nuisance. Such notice shall require the owner to commence action in accordance with the terms thereof within 10 days and thereafter to comply fully with its terms with reasonable dispatch, all material to be supplied and work done at the owner's expense; provided, however, that if the violation charged is under §10-302.G, .J, .N, or .M, and if the circumstances require immediate corrective measures, such notice shall require the owner to immediately comply with the terms thereof.

(Ord. 414, 6/7/2004, §3)

§10-304. Penalty for Violation.

If the owner after receiving due notice refuses to comply with the terms thereof, or in the case of a violation of the domestic animal regulations [Chapter 2] or outdoor fires [Chapter 7, Part 2], where notice is not required: [Ord. 454]

A. 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. [Ord. 454]

B. The Board of Commissioners may direct the removal, repairs, or alterations, as the case may be, to be done by the Township and the cost thereof with a penalty of 10 percent may be collected from the owner of the premises by an action of assumpsit or may file a municipal claim or lien therefore against such real estate.

C. The Township by means of a complaint in equity may compel the owner to do so or seek such other relief as such court is empowered to afford.

(Ord. 414, 6/7/2004, §6; as amended by Ord. 454, 9/2/2008)
Chapter 11

Housing

Part 1
Residential Rental Licensing and Inspection

§11-101. Purposes and Findings
§11-102. Definitions
§11-103. Owner’s Duties
§11-104. Occupant’s Duties
§11-105. Licenses and Inspections
§11-106. Non-renewal, Suspension or Revocation of License
§11-107.Violations and Penalties

Appendix 11-1-A West Lebanon Township’s Required Addendum to Residential Rental Agreement

1. Purposes. This Part is intended to serve the following purposes:
   A. To assist the Township of West Lebanon (the “Township”) in protecting and promoting the public health, safety and welfare of its citizens.
   B. To establish rights and obligations of owners and occupants relating to the rental of certain residential units in the Township of West Lebanon and to seek that owners and occupants properly maintain rental housing within the Township.
   C. To ensure that owners, managers and occupants share responsibilities to comply with codes, to prevent over-crowding, and to avoid nuisances for neighboring residents.
   D. To provide for a system of inspections; issuance and renewal of licenses; and establish penalties for violations.

2. Findings. In considering the adoption of this Part, the Township of West Lebanon makes the following findings:
   A. This Part is enacted under the authority of the First Class Township Code of Pennsylvania.
   B. There is a greater incidence and greater severity of violations of various Codes of the Township at rental residential properties than at owner-occupied residential properties.
   C. There is a greater incidence of problems with the maintenance and upkeep of rental residential properties than at owner-occupied residential properties.
   D. There is a greater incidence of disturbances which adversely affect the peace and quiet of the neighborhood at rental residential properties than at owner-occupied residential properties.
   E. A systematic inspection process can avoid life-threatening problems, such as a lack of functioning smoke detectors.

(Ord. 455, 10/6/2008, §2)

§11-102. Definitions.

As used in this Part, the following terms shall have the following meanings. If a term is not defined in this Part, but is defined in the Township Existing Building Code or Construction Code, then that definition shall apply to this Part. If a term is not defined in any of those codes, but is defined in the Township Planning and Zoning Code, then the definition in such Code shall apply to this Part.

Business days - days in which the offices of the Township of West Lebanon are open for public business.

Code - any code or ordinance adopted, enacted, and/or in effect in and for the Township of West Lebanon concerning fitness for habitation or the construction, maintenance, operation, occupancy, use, vermin or rodent control, or public health
matters of any premises or dwelling unit. This shall include, but not be limited to, the Township Existing Building Code, the Electrical Code, the Construction Codes, the Property Maintenance Code, solid waste ordinances, public health ordinances, and noise control ordinances.

**Code Enforcement Officer** - the duly appointed Code Enforcement Officer(s) having the duty to enforce this Part, the Township Existing Building Code and similar codes of the Township of West Lebanon, and any assistants or deputies thereof.

**Common area** - in multi-unit buildings, space which is not part of an individual regulated rental unit and which is shared among occupants of the dwellings. Common areas shall be considered as part of the premises for purposes of this Part.

**Disruptive conduct** - a form of conduct, action, incident or behavior perpetrated, caused or permitted by an occupant or guest of a regulated rental unit that is:

1. In a violation of ordinances of the Township of West Lebanon and that is so loud, untimely as to time of the day, offensive and/or nuisance-causing that it unreasonably interferes with the peaceful enjoyment by other persons of their premises or causes damage to property that is owned by others.
2. Involves music or noise that is disruptive to persons occupying a different dwelling unit.
3. Involves music that is audible from a street, sidewalk or dwelling from a minimum distance of 50 feet away from the premises where the sound is originating.
4. Is the subject of a criminal citation for disorderly conduct.
5. Is the subject of a criminal citation under the Pennsylvania Crimes Code or the Pennsylvania Liquor Code.
6. In order for such disruptive conduct to constitute an offense under this Part, a written report must be issued by a sworn police officer or a Township Code Enforcement Officer and notice must be sent to an occupant and the owner or manager.

**Disruptive conduct report** - a written report of “disruptive conduct” that is completed by a police officer or Township Codes Enforcement Officer who investigated the matter.

**Dwelling** - a building including one or more dwelling units.

**Dwelling unit** - a residential living area for one household that is used for living and sleeping purposes, and that has its own cooking facilities, and a bathroom with a toilet and a bathtub and/or shower.

**Guest** - a person on the premises of a regulated rental unit with the actual or implied consent of an occupant.

**Landlord** - this term shall have the same meaning as “owner.”

**Manager** - an adult individual designated by the owner of a regulated rental unit under this Part. The manager shall be the agent of the owner for service of process and receiving notices or demands and to perform the obligation of the owner under this Part and under rental agreements with occupants.

**Multi-unit building** - a building containing two or more dwelling units that are
not completely separated from each other by vertical party walls.

_Occupant_ - an individual who resides in a regulated rental unit.

_Owner_ - one or more person, jointly or severally, in whom is vested all or part of the legal title to the premises, or all or part of the beneficial ownership and a right to present use and enjoyment of the premises including, but not limited to, a mortgage holder who is in possession of a regulated rental unit.

_Owner-occupied dwelling unit_ - a dwelling unit in which at least one owner of record of the property resides as his/her primary dwelling.

_Person_ - a natural person, partnership, corporation, unincorporated association, limited partnership, trust, or any other entity.

_Police_ - sworn law enforcement officers of the Police Department of the Township of West Lebanon or the Pennsylvania State Police.

_Premises_ - any parcel of real property in the Township, including the land and all buildings and structures, on which one or more regulated rental units is located.

_Regulated rental unit_ - a dwelling unit or rooming house unit that is occupied for residential purposes and that is not: (1) an owner-occupied dwelling unit and (2) exempted by this Part from needing a residential rental license. A college fraternity or sorority used for residential purposes shall be considered regulated rental units, unless it is within a dormitory that is owned by a college.

_Rental agreement_ - a written agreement or other legally enforceable agreement between owner and tenant, which is required to be supplemented by the addendum provided in this Part, embodying the terms and conditions concerning the use and occupancy of a specified regulated rental unit.

_Residential rental license_ - the license issued to the owner of regulated rental units under this Part, which is required in order to lawfully rent and occupy regulated rental units.

_Rooming house unit_ - a living unit that does not meet the definition of a dwelling unit and that is not within a Township-permitted hotel or bed and breakfast inn.

_Tenant_ - an occupant of a regulated rental unit with whom a legal relationship with the owner is established by a lease or other enforceable agreement under the laws of the Commonwealth of Pennsylvania.

_Township_ - the Township of West Lebanon, Lebanon County, Pennsylvania.

_Unrelated persons_ - two or more persons who reside in a dwelling unit and who are not related to each other through blood, adoption, marriage or formal foster relationship. A person who is only related as a cousin shall be considered unrelated for the purposes of this Part. The term “related” shall be restricted to the following relationships: spouse, parent, child, sister, brother, grandchild, great grandchild, grandparent, great grandparent, aunt, uncle, or any of these same relationships in a “step-“ or “in-law” situation.

(Ord. 455, 10/6/2008, §3)

§11-103. Owner’s Duties.

1. General.
§11-103 Township of West Lebanon §11-103

A. It shall be the duty of every owner to keep and maintain all regulated rental units in compliance with the IPMC, 2003 Edition, as amended, and to keep such property in good and safe condition.

B. As provided for in this Part, every owner shall be responsible for regulating the proper and lawful use and maintenance of every dwelling which he, she or it owns. Every owner shall be responsible to act to minimize disruptive conduct, through the rental contract and through its enforcement of leases, on the premises by the occupants of regulated rental units.

C. A residential rental license is required by §11-105 for each regulated rental unit. If a valid license has not been issued within the time-frame established by this Part, or the license has been suspended or revoked, then the rental unit shall not be rented for residential use. If a regulated rental unit is rented for residential use without a valid residential rental license, such action shall be a violation of this Part.

D. This Part shall not be construed as diminishing or relieving, in any way, the responsibility of occupants or their guests for their conduct or activity; nor shall it be construed as an assignment, transfer, or projection over or onto any owner of any responsibility or liability which occupants or their guests may have as a result of their conduct or activity under any private cause of action, civil or criminal enforcement proceeding, or criminal law; nor shall this Part be construed so as to require an owner to indemnify or defend occupants or their guests when any such action or proceeding is brought against the occupant based upon the occupant’s conduct or activity. Nothing herein is intended to impose any additional civil/criminal liability upon owners other than that which is imposed by existing law.

E. This Part is not intended to, nor shall its effect be, to limit any other enforcement remedies which may be available to the Township against an owner, occupant, or guest thereof.

F. The owner and/or owner’s agent shall accompany the Code Enforcement Officer in all scheduled inspections at the property conducted under this program.

2. Designation of Manager.

A. If the owner is not a full-time resident of the Township of West Lebanon or a 20-mile radius of the Township of West Lebanon, then the owner shall designate a person to serve as manager who does reside or work on a daily basis within a 20-mile radius of the Township of West Lebanon. If the owner is a corporation, a separate manager shall be appointed unless an officer of the corporation is appointed as the manager and such officer lives within a 20-mile radius of the Township of West Lebanon. If the owner is a partnership, a manager shall be required if a partner does not reside within a 20-mile radius of the Township of West Lebanon. Said partner shall perform the same function as a Manager. The Manager shall be the agent of the owner for service of process and receiving of notices and demands, as well as for performing the obligations of the owner under this Part and under rental agreements with occupants.

B. The legal name, mailing address, daytime physical address (not a post office box), and day time and evening telephone number(s) of a person who is designated as the manager shall be provided in writing by the owner to the Township, and such information shall be kept current and updated within 5
business days after it changes.

C. The manager shall be authorized to accept service of process on behalf of the owner.

D. In addition, an owner may designate an agent to serve all of the same purposes of the owner. If an agent is designated, then the Township is not required to provide separate notice to the owner.

3. Disclosure.

A. The owner or manager shall disclose to the occupant in writing on or before the commencement of the tenancy the name, address and telephone number of the manager; or the name, address and telephone number of the owner of the premises if a manager is not required to be designated.


A. The owner shall maintain the premises in compliance with the International Property Maintenance Code, 2003 Edition, as amended, and shall regularly perform all routine maintenance, including lawn mowing and ice and snow removal, and shall promptly make any and all repairs necessary to fulfill this obligation.

B. However, the owner and occupant may agree that the occupant is to perform specified repairs, maintenance tasks, alterations, or remodeling if such responsibilities are established in writing. Such an agreement may be entered into between the owner and occupant only if entered into in good faith and not for the purpose of evading the obligations of the owner or occupant.

C. The existence of an agreement between owner and occupant shall not relieve an owner of any responsibility under this Part or other Township codes for proper repair and maintenance of a building or premises.

5. Rental Agreement and Addendum.

A. All rental agreements for regulated rental units shall be in writing or otherwise legally enforceable.

B. The owner and occupant shall not include text in a rental agreement that is contrary to the provisions of this Part.

C. Addendum to Rental Agreement. An addendum to each rental agreement for regulated rental units shall be provided by the owner to the occupant before a rental agreement is presented for signing by an occupant, after the effective date of this Part. The text of the addendum shall be consistent with Appendix 11-1-A. The owner shall secure a written acknowledgment from occupants that the occupants have received the addendum. Upon oral or written request by the Township of West Lebanon, the owner, within 10 days of the request, shall furnish to the Township copies.

6. The owner and occupants shall comply with all provisions of the Pennsylvania Landlord-Tenant Act.

7. Common Areas. The owner shall be responsible to minimize disruptive conduct by occupants and guests in any common area and the premises and to maintain proper physical conditions in such areas. The owner shall be required to ensure that common areas and the outside premises are in compliance with Township codes.
§11-103 Township of West Lebanon §11-103

8. **Eviction.** In the event that an occupant(s) of a regulated rental unit is involved in a first disruptive conduct violation within any 1-year period during which a residential rental license was required, the Code Enforcement Officer shall provide a written statement to the owner or his manager that the property shall be vacated. If the disruptive conduct was caused by only one occupant, then the owner or his manager officer shall limit the vacate order to that person. Occupants shall be responsible to prevent their guests from engaging in disruptive conduct on the premises.

The owner shall begin eviction proceedings within 15 days after receiving such statement and shall continue such proceedings to completion, without interruption, unless the occupants vacate the premises. Once an eviction is ordered, those occupant(s) shall not be permitted to occupy any area on the same lot for a minimum period of 2 years. In addition, once an eviction is ordered, those occupant(s) shall not be permitted to occupy any dwelling unit or boarding/rooming house unit that is owned by the same person or entity within the Township of West Lebanon for a minimum period of 2 years.

A. Failure of an owner to comply vacate the premises shall result in the suspension or revocation of the residential rental license and shall be a violation of this Part.

B. This Part shall not limit the ability of an owner to evict tenants in compliance with State law for reasons other than violations of this Part.

C. A requirement to evict occupants shall not apply if a successful appeal is made to the Property Maintenance Board of Appeals, or if the district magistrate rules in the occupant’s favor during eviction proceedings, or where a court appeal or other legal action has been filed that would lawfully prevent eviction.

D. The Code Enforcement Officer shall maintain a list of occupants who were ordered to be evicted and the affected addresses. Such list shall be maintained for a minimum of 3 years and shall be available for public review.

9. **Code Violations.** Upon receiving notice of any code violations from the Code Enforcement Officer, the owner shall take necessary action, or cause such action to be taken, to eliminate the violation within the time limit provided on the notice or citation.

10. **Township Can Make Repairs.**

A. In case the owner of premises shall neglect, fail or refuse to comply with any notice from the Township or its Code Enforcement Officer to correct a violation relating to maintenance and repair of the premises under any code within the period of time stated in such notice, the Township may cause the violation to be corrected. There shall be imposed upon the owner a charge of the actual costs involved, plus 25 percent of said costs or $50 whichever is greater, for each time the Township shall cause a violation to be corrected. The owner of the premises shall be billed after such work has been completed. Any such bill which remains unpaid and outstanding after the time specified therein for payment shall be grounds for the imposition of interest and a municipal lien upon the premises as provided by law. Such a lien may be reduced to judgment and enforced and collected as provided by law, together with interest at the legal rate, attorney’s fees and court costs.

B. The remedies provided by this subsection are not exclusive and the Township and its Code Enforcement Officer may invoke such other remedies available under this Part or other applicable codes, ordinances or statutes,
including where appropriate, condemnation proceedings or declaration of premises as unfit for habitation; or suspension, revocation, or non-renewal of the residential rental license.

11. The owner or manager shall allow and schedule inspections by a Code Enforcement Officer of the premises during Township business hours, after a minimum of 7 calendar days notice have been provided to the owner or manager. The owner or manager shall provide a minimum of 3 calendar days advance notice to at least one adult occupant of each rental unit of the time and date of the inspection. These advance notice requirements shall not apply when the Code Enforcement Officer has reason to believe that an imminent threat to public health and safety may exist. See also §11-106.2.C.

(Ord. 455, 10/6/2008, §4)

§11-104. Occupant’s Duties.

1. General.
   A. The occupant shall comply with all obligations imposed upon occupants by this Part, all applicable codes and ordinances of the Township and all applicable provisions of State law.
   B. A regulated rental unit shall not be occupied by more than three “unrelated persons” (as defined in §11-102) unless specifically permitted otherwise by the Township Zoning Ordinance [Chapter 27]. A regulated rental unit shall also comply with the occupancy limits of other Township codes.

2. Health Regulations. Occupants shall collect and dispose of all rubbish, garbage, and other waste in a clean and sanitary manner, and comply with Township solid waste and recycling regulations.

3. Illegal Activities. Occupants shall not engage in, nor tolerate nor permit guests on the premises to engage in, any conduct declared illegal under any Federal criminal statute, and/or under the Pennsylvania Crimes Code (18 Pa.C.S.A. §101 et seq.) or Liquor Code (47 P.S. §1-101 et seq.), or the illegal sale or distribution of controlled substances under the Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §780-101 et seq.), or their successor laws.

4. Disruptive Conduct. (See definition in §11-102.)
   A. Occupants shall not engage in, nor tolerate nor permit guests on the premises to engage in, disruptive conduct, or other violations of this Part.
   B. When police investigate an alleged incident of disruptive conduct, the police officer shall complete a disruptive conduct report upon a finding that the reported incident did, in his or her judgment, constitute “disruptive conduct” as defined herein. The information provided in this report shall include, if possible, the identity or identifies of the alleged perpetrator(s) of the disruptive conduct and the factual basis for the disruptive conduct.
   C. When a police officer issues a disruptive conduct report concerning a regulated rental unit, a copy shall be provided by the police to the Code Enforcement Officer, who shall maintain records of such reports. The Code Enforcement Officer shall mail a copy of the disruptive conduct report to an occupant and the owner or manager after his/her receipt of the report.
§11-104 Township of West Lebanon §11-105

D. A criminal or civil citation is not required in order for a disruptive conduct report to be issued.

E. If a citation is issued and successfully prosecuted or a guilty plea entered before a district justice, such citation may automatically be considered a disruptive conduct report. However, if an appeal of a citation is filed from a decision of a district justice, the matter shall not be deemed to constitute disruptive conduct unless a finding of guilty is affirmed by a final decision on appeal.

5. **Damage to Premises.** The occupant shall not intentionally cause, nor permit nor tolerate others to cause damage to the premises. Conduct which results in damages in excess of $500 shall be considered disruptive conduct under this Part.

6. **Inspection of Premises.** Occupants shall permit inspections by a Code Enforcement Officer of the premises during Township business hours, after receiving notice from the owner, manager or the Township. See also §§11-105 and 11-102.

(Ord. 455, 10/6/2008, §5)

§11-105. **Licenses and Inspections.**

1. **License Requirement.**

   A. A residential rental license shall be required for all occupied regulated rental units. Within 120 days after the effective date of this Part, the owner or his duly authorized agent shall be required to apply for a license for each regulated rental unit. A license is required to be in possession of the owner or manager within 180 days after the effective date of this Part for each regulated rental unit. For a rooming house, a single license is allowed for all units within a rooming house building.

   (1) A residential rental license shall not be issued or renewed until:

      (a) All overdue real estate taxes and business license, water, sewage and other outstanding fees that are owed to the Township of West Lebanon or its authorities have been paid in full.

      (b) The owner has provided information concerning a manager if applicable and has provided a list of names of occupants age 18 or older.

   B. The following shall not be considered regulated rental units for the purposes of this Part:

      (1) Owner-occupied dwelling units, provided that not more than two unrelated individuals, in addition to the owner and his/her relatives, occupy the dwelling unit at any given time.

      (2) Hotels and motels used for transient visitors to the area, but without units that serve the same purposes as rooming house units.

      (3) Hospitals and State-licensed nursing homes and personal care homes.

      (4) Bed and breakfast homes as defined in the Township’s Zoning Ordinance [Chapter 27].

      (5) One dwelling unit that is on the same lot as a second dwelling unit, provided the two dwellings are only occupied by the owner and persons who are “related” to the owner.

      (6) On-campus dormitories owned by an accredited college or university.
C. The applicant for the license shall use a form provided by the Township.

D. The owner or manager shall:
   
   (a) Maintain a current list of all occupants age 18 or older in each regulated rental unit, which shall include their name, address and telephone number.
   
   (b) Furnish such list to the Township annually in writing before April 15 of each year.
   
   (c) Notify the Township in writing of any changes in the number or names of occupants age 18 or older within 30 days after a change.

2. Licenses and Fees.

A. Each residential rental license shall have an annual term and each regulated rental unit shall be subject to a minimum of at least one inspection every 4 years, based upon a schedule established by the Chief Code Enforcement Administrator. The Chief Code Enforcement Administrator shall establish four geographic areas and require that regulated rental units in each of those geographic areas be made available for inspection in the designated year and then re-inspected on a schedule of one inspection every 4 years. The Township is not obligated to complete all inspections within this schedule. If the Township, through no fault of the owner, manager or tenant, was not able to complete an inspection in a regulated rental unit in the designated year, the Township may inspect the unit in one or more following years.

B. The following time extensions shall apply for the requirements to have a rental unit inspection, unless there is evidence of a possible code violation on the property. These time extensions shall only apply after the first initial inspection and if the property has not been subject of any code enforcement actions (other than items that were satisfactorily corrected within 30 days), and has no outstanding taxes, fines or fees due to the Township of West Lebanon or a Township authority.

   (1) If an owner or manager provides evidence that a rental unit has been occupied by the same occupants for the last 3 years, then a Code Enforcement Officer may allow an inspection to be delayed to once every 5 years.
   
   (2) If a regulated rental unit was inspected by the Township for code compliance within the previous 4 years, then an inspection under this Part may be delayed to result in a minimum of 4 years until the next inspection.

C. Upon application for a license and prior to issuance or renewal thereof, each applicant shall pay to the Township an annual license and inspection fee.

   (1) The annual fee for a residential rental unit shall be $50 per dwelling unit, $20 per each rooming house unit and $10 for each sleeping room in a fraternity or sorority. The fee for a calendar year shall be paid by April 1 of each year. If the annual fee is not paid by April 1, an additional fee of $20 shall apply for each subsequent month. The annual fee for non-profit for a residential rental unit owned by a non-profit organization shall be $25. This fee is intended to cover the Township’s actual costs for administering the program and for inspections and related vehicle, office, administrative and overhead expenses.
(2) If a second inspection is needed for a dwelling unit or rooming house unit because the unit was found to be in violation of Township codes during the initial inspection, then an additional fee of $25 shall apply. For each subsequent inspection that is needed in any 4-year period, an additional fee of $75 shall apply.

(3) The fee to reinstate a revoked residential rental license shall be $100 per dwelling unit or $100 per rooming house building.

(4) The fees provided in this Part may be revised by written ordinance of Township Council.

(5) A residential rental license shall not be issued or renewed if the owner has not paid any monies owed to the Township of West Lebanon, or has not paid any fines and costs arising from enforcement of this Part or any codes of the Township of West Lebanon relating to land use and/or code enforcement or if any licensing fees under this Part are past due to the Township.

(6) If a second or subsequent inspection is needed for a dwelling unit or rooming house unit because the Codes Enforcement Officer was not able to enter the unit at the time that had been scheduled with the owner or manager, then an additional fee of $75 shall apply.

D. A license or inspection by itself shall not warrant that a rental unit is lawful, safe, habitable or in compliance with all Township codes.

3. Inspection.

A. Each regulated rental unit shall be subject to inspection by the Code Enforcement Officer or another duly authorized agent of the Township under the schedule outlined in this Part.

B. Township Code Enforcement Officers are the officials authorized to enforce this Part and to take appropriate measures to abate violations hereof, for and on behalf of the Township of West Lebanon.

C. This Part shall not be construed as to limit the Code Enforcement Officer’s authority to conduct inspections or enforcement actions under other Township codes or to require that a property be made available for inspection whenever there is probable cause that a violation of Township codes may be present.

D. To minimize disruption to occupants, owners and managers are encouraged to ask to attempt to schedule inspections during times when a rental unit is unoccupied between tenants.

4. Warrant. Within the limitations of Federal and State law, a Code Enforcement Officer may apply to a district justice having jurisdiction for an administrative search warrant to enter and inspect a regulated rental unit and the premises. Such warrant is only required where access to a regulated rental unit or common areas is denied to the Code Enforcement Officer after a request.

(Ord. 455, 10/6/2008, §6)

§11-106. Non-renewal, Suspension or Revocation of License.

1. General. A Code Enforcement Officer may initiate the following enforcement actions against an owner for violating any provision of this Part that imposes a duty upon the owner and/or for failing to regulate the breach of duties by occupants as
§11-106 Housing

2. Responses to Violations of this Part and Other Township Codes.

A. Notice of Violations. A Code Enforcement Officer shall provide written notification of violations of Township codes and require that they be corrected within a reasonable maximum time period that the Code Enforcement Officer establishes in the enforcement notice.

(1) A Code Enforcement Officer may determine that the rental unit is unfit for human habitation, in which case it shall be vacated and remain vacated until such situation is corrected.

(2) For serious violations that do not require the property to be immediately vacated, a Code Enforcement Officer may require that the violations be corrected within 24 hours, or another time period stated on the notice or citation.

B. Non-renewal. A Code Enforcement Officer shall delay or deny the renewal of a residential rental license if there are any monies owed to the Township of West Lebanon or if there are outstanding violations of Township codes for that rental unit that have not been corrected at the time of license renewal. If the violations are not a threat to safety of occupants or other members of the public, a Code Enforcement Officer shall permit the current occupants to continue to reside in the premises for a reasonable period of time established by a Code Enforcement Officer in the notice of non-renewal, with the time limit removed when the violations of Township codes are corrected. A Code Enforcement Officer may issue a temporary license that is conditioned upon certain actions being taken within a maximum time period.

C. Revocation. The immediate revocation of the license to rent a regulated rental unit shall occur if a Code Enforcement Officer determines that violations of Township codes present a threat to the safety of occupants or other members of the public. Such revocation shall occur until violations of Township codes are corrected and the property has been re-inspected. Upon revocation, the owner shall take immediate steps to evict the occupants and/or to locate alternative housing for the occupants.

D. Suspension. A Code Enforcement Officer may suspend the license to rent a regulated rental unit if violations of Township codes have not been corrected within a time limit established by a Code Enforcement Officer. Such suspension shall continue until such time as a violation(s) of Township codes is corrected.

(1) If the violations are not a threat to safety of occupants or other members of the public, a Code Enforcement Officer shall permit the current occupants to continue to reside in the premises for a reasonable period of time established by a Code Enforcement Officer in the notice of suspension.

(2) A Code Enforcement Officer may suspend the license to rent a regulated rental unit if the owner or his/her designated manager are not available or do not respond to contacts by a Code Enforcement Officer, or if the name and contact information for the owner or manager are no longer valid, or if the manager no longer represents the owner.

E. Reinstatement. A residential rental license shall be reinstated if the owner
of a regulated rental unit corrects the reason for the revocation of the residential rental license and has paid the residential rental license reinstatement fee.

3. **Criteria for Applying Sanctions.**
   A. The Code Enforcement Officer, when deciding upon the sanctions provided in subsection .2 above, shall consider the following:
      (1) The effect of the violation on the health and safety of occupants of the regulated rental unit, other residents of the premises, and neighboring residents.
      (2) Whether the owner has prior violations of this code and whether those violations were satisfactorily corrected in a timely manner.
      (3) The effect of sanctions upon the occupants, particularly when the occupants did not cause the violation.
      (4) The actions taken by the owner to remedy the violation and to prevent future violations, including any written plan submitted by the owner and good faith efforts of the owner to bring the property into compliance.

4. In addition to enforcing sanctions set forth above, a Code Enforcement Officer may establish reasonable conditions upon a residential rental license that will fulfill purposes of this Part.

5. **Grounds for Imposing Sanctions.** Any of the following may subject an owner to sanctions as provided for in this Part:
   A. Failure to abate a violation of Township codes and ordinances that apply to premises within the time directed by the Code Enforcement Officer.
   B. Refusal to permit the inspection of the premises by a Code Enforcement Officer as required by this Part.
   C. Failure to take steps to remedy and prevent violations of this Part by occupants of regulated rental units as required by this Part.
   D. Failure to evict occupants after having been directed to do so by a Code Enforcement Officer as provided for in this Part.

6. **Procedure for Non-renewal, Suspension or Revocation of License.** Following determination that grounds for non-renewal, suspension or revocation of a license exist, a Code Enforcement Officer shall notify the owner or manager of the action to be taken and the reason therefore. Such notification shall be in writing addressed to the owner or manager in question, and shall contain the following information:
   A. The address of the premises in question and identification of the affected regulated rental unit(s).
   B. A description of the violation which has been found to exist.
   C. A statement that the license for said regulated rental unit(s) shall be suspended, revoked, or will not be renewed for the next license. Time deadlines shall be provided in the notice. In the case of a revocation, the notice shall state the date upon which such revocation will commence.
   D. A statement that during the license non-renewal or revocation, the property shall not be rented for occupancy, except for any temporary conditional license extension that a Code Enforcement Officer may issue.
§11-106 Housing §11-107

E. Information regarding the appeal process.

7. Appeals.

A. Any person affected by a decision, notice or order of a Code Enforcement Officer under this Part or any issuance of a disruptive conduct report or any eviction order under this Part shall have the right to appeal to the Township of West Lebanon Housing Board of Appeals. An application for appeal may be made when it is claimed that the provisions of this Part have been improperly applied or administered or that factual errors were made by the Code Enforcement Officer, or for such other grounds under this Part as the applicant may allege.

B. Other Boards. The Township of West Lebanon Board of Health shall continue to hear appeals concerning health regulations. The Township of West Lebanon Zoning Hearing Board shall continue to hear appeals concerning the Zoning Ordinance [Chapter 27]. The Township of West Lebanon Housing Board of Appeals shall continue to hear appeals as provided in Housing Code section of the Codified Ordinances of the Township of West Lebanon.

8. Notifications.

A. Notices of violations and license suspensions, revocations and non-renewals shall be sent to the owner, and manager if applicable, by certified mail.

   (1) In the event that the notice is returned by the postal authorities marked “unclaimed” or “refused,” then the Code Enforcement Officer shall attempt delivery by personal service on the owner or manager if applicable. The Code Enforcement Officer shall also post the notice at a conspicuous place on the premises.

B. The Township shall not be responsible for failing to provide notice where the owner has not provided an up-to-date name and address for the owner or the manager for the rental unit.

C. For purposes of this Part, any notice required hereunder to be given to a manager shall be deemed as notice given to the owner.

D. There shall be a presumption that any notice required to be given to the owner under this Part shall have been received by such owner if the notice was given to the owner in the manner provided by this Part.

E. A claimed lack of knowledge by the owner of any violation hereunder cited shall not be a defense to rental license non-renewal, suspension or revocation or an eviction order as long as all required notices involving such proceedings have been sent to the last known address of the owner.

(Ord. 455, 10/6/2008, §5)

§11-107. Violations and Penalties.

1. Basis for Violation. It shall be unlawful for any person, as either owner or manager of a regulated rental unit, to operate without a valid, current residential rental license issued by the Township authorizing such operation. It shall also be unlawful for any person, either owner or manager, to allow the number of occupants of a regulated rental unit to exceed the maximum number allowed by Township codes, or to violate any other provision of this Part. It shall be unlawful for any owner, manager or occupant to violate this Part.
2. **Penalties.**
   A. The penalties and remedies for a violation of Township Construction Codes or the Township Existing Building Code shall be as established in such other code.
   B. Any person who violates a provision of this Part shall upon conviction thereof before a district magistrate be liable to pay the following penalties:
      1. First violation on a lot in a calendar year—a fine of $200.
      2. Second violation on a lot in a calendar year—a fine of $500.
      3. First and each subsequent violation on a lot in a calendar year—a fine of $1,000.
      4. For each week that a violation continues to exist after the time limit established for correction of the violation by a Code Enforcement Officer, a separate violation shall have been deemed to occur, requiring an additional fine.
   C. In addition, as, eviction of occupants of a regulated rental unit may be required under provisions of this Part, and the residential rental license that grants the privilege to rent a regulated rental unit may be revoked, suspended or withdrawn.

3. **Non-exclusive Remedies.** The penalty provisions of this Part and the license non-renewal, suspension and revocation procedures provided in this Part shall not limit the ability of the Township to enforce other Township ordinances and to utilize the penalties, remedies and procedures provided under such other Township ordinances and State law.

(Ord. 455, 10/6/2008, §7)

§11-108. **Miscellaneous Provisions.**

1. **Changes in Ownership/Occupancy.**
   A. Each owner of a regulated rental unit shall notify the Code Enforcement Officer in writing within 5 business days after any change in ownership of the premises or of the number of regulated rental units on the premises, and to submit new contact information.
   B. The owner shall notify the Code Enforcement Officer in writing within a maximum of 5 business days after the changing of a dwelling unit from owner-occupied to being a regulated rental unit for purposes of this Part. Failure to so notify the Code Enforcement Officer shall be considered a violation of this Part.

2. **Owners Separately Responsible.** If any regulated rental unit is owned by more than one person, in any form of joint tenancy, as a partnership, or otherwise, each person shall be jointly and separately responsible for the duties imposed under the terms of this Part, and shall be separately subject to prosecution for the violation of this Part.

(Ord. 455, 10/6/2008, §8)
Appendix 11-1-A

West Lebanon Township’s Required Addendum to Residential Rental Agreement

This Addendum to Residential Rental Agreement is made this _____ day of ________________, 2008, and is incorporated into and shall be deemed to amend and supplement the Residential Rental Agreement made by the undersigned Tenant and Owner, their heirs, successors and assigns, dated ________________, 20____.

The Residential Rental Agreement and this Addendum pertain to the Premises described in said Agreement and located at ________________. This Addendum is required by the Residential Rental Licensing and Inspection Ordinance of the Township of West Lebanon.

ADDITIONAL COVENANTS AND OBLIGATIONS

In addition to the covenants and obligations set forth in the aforementioned Residential Rental Agreement, Tenant and Landlord hereby covenant and agree as follows:

A. Landlord’s Obligations:

1. The Landlord shall keep and maintain the leased Premises in compliance with all applicable Codes and Ordinances of the Township of West Lebanon and all applicable State laws and shall keep the leased Premises in good and safe condition.

2. The Manager for the Rental Unit shall be as follows:

   Name: ____________________________________________

   Mailing Address: ________________________________

   ________________________________

   Physical Address: ________________________________

   Daytime Telephone Number: _______________________

3. The Landlord shall be responsible for regularly performing all routine maintenance, including lawn mowing and ice and snow removal, and for making any and all necessary repairs in and around the leased Premises, except for any specific tasks which the parties hereby agree shall be delegated to the Tenant and which are identified as follows:

B. Tenant’s Obligations:

1. The Tenant shall comply with all applicable Codes and Ordinances of the Township of West Lebanon and all applicable State laws.
2. The Tenant agrees that the maximum number of unrelated persons permitted within the Regulated Rental Unit at any time shall be 3, unless a more restrictive provision is established in the lease, or unless a higher number has specifically been allowed in a Township Zoning Permit.

3. The Tenant shall dispose of all rubbish, garbage and other waste from the leased Premises by a GLRA-permitted refuse hauler in a clean and safe manner, and shall separate and place for collection all recyclable materials in compliance with applicable Township of West Lebanon ordinances.

4. The Tenant recognizes that three or more Disruptive Conduct Reports in a one-year period will result in eviction from the property under the Township of West Lebanon Residential Rental Licensing and Inspection Ordinance. The Tenant recognizes that they are responsible for the behavior of the guests on the property and shall not permit them to engage in disruptive conduct.

   a. Disruptive Conduct is defined as a form of conduct, action, incident or behavior perpetrated, caused or permitted by an Occupant or Guest of a Regulated Rental Unit that:

      1) is a violation of Ordinances of the Township of West Lebanon and that is so loud, untimely as to time of the day, offensive and/or nuisance-causing that it unreasonably interferes with the peaceful enjoyment by other persons of their premises or causes damage to property that is owned by others,

      2) involves music or noise that is disruptive to persons occupying a different dwelling unit,

      3) involves music that is audible from a street, sidewalk or dwelling from a minimum distance of 50 feet from the premises where the sound is originating,

      4) is the subject of a criminal citation for Disorderly Conduct, or

      5) is the subject of a criminal citation under the Pennsylvania Crimes Code or the Pennsylvania Liquor Code.

5. The Tenant shall not cause, nor permit nor tolerate to be caused, damage to the premises that is beyond standard wear and tear.

6. The Tenant agrees to make the Rental Unit available for a scheduled inspection by Township Code Enforcement Officers during reasonable hours, after the Tenant receives advance notice from the Owner or Manager of the Rental Unit that the Township has requested an inspection.

7. The Tenant acknowledges and agrees that this tenancy is subject to the provisions of the Residential Rental License and Inspection Ordinance of the Township of West Lebanon, and that failure to comply with such ordinance may result in eviction of occupants or suspension or revocation of the Owner’s privilege to rental a residential unit.
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Witness  
Tenant

Witness  
Tenant

Witness  
Tenant
Chapter 12

[Reserved]
Chapter 13

Licenses, Permits and General Business Regulations

Part 1

Junkyards

§13-101. Definition
§13-102. Accumulation of Junk, Etc., Declared Nuisance
§13-103. Junkyards Declared Nuisance
§13-104. Penalty for Violation

Part 2

Transient Retail Business

§13-201. Permits Required
§13-202. Definitions
§13-203. Exceptions
§13-204. Permit Applications
§13-205. Nontransferability of Applications or Permits
§13-206. Fees
§13-207. Terms of Engaging in Peddling or Transient Retail Business
§13-208. Permit Refusal
§13-209. Permit Suspension
§13-210. Penalty
§13-211. Limitation on Permits

Part 3

Sale of Real Estate

§13-301. Definitions
§13-302. Certificates
§13-303. Agreements of Sale
§13-304. Nonconforming Uses
§13-305. Penalties
Part 1

Junkyards


Junkyard - a lot, land, or structure, or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discarded material or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

(Ord. 226, 10/5/1959, §1)


It shall be unlawful for any person, firm or corporation to accumulate or to permit to accumulate any junk, waste material, scrap metal, rags, paper or any other matter of such nature whatsoever on private or public land in the Township of West Lebanon, and any such act is hereby declared a public nuisance.

(Ord. 226, 10/5/1959, §2)


The establishment, maintenance or conduct of any junkyard within the limits of the Township of West Lebanon is hereby declared to be a public nuisance and liable to be abated as provided by law.

(Ord. 226, 10/5/1959, §3)

§13-104. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 226, 10/5/1959, §4; as amended by Ord. 454, 9/2/2008)
§13-201. Permits Required.

Except as hereinafter described, it shall be unlawful for any person to be a peddler as defined in §13-202 of this Part.

(Ord. 361, 12/5/1994, §I)


Peddler - any person who engages in peddling.

Transient retail business and/or peddling - includes the following:

A. Traveling either by foot, wagon, automobile, truck or any other type of conveyance, from place to place, from house to house, or from street to street, selling or attempting to take orders for the sale of goods, wares, merchandise, books, magazines, periodicals or personal property of any nature whatsoever for immediate or future delivery or for services to be furnished or performed immediately or in the future. Also encompassed within this definition is the employment of a telephone solicitation followed by a personal visit for the sole purpose of attaining a signed order or contract or to deliver goods.

Person - any individual, association, partnership, firm or corporation.

(Ord. 361, 12/5/1994, §II)

§13-203. Exceptions.

1. No license fee shall be charged:
   A. To farmers selling their own produce.
   B. For the sale of goods, wares, and merchandise, donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.
   C. To any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk and milk products.
   D. To children under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy, bakery products and the like, or who represent the Boy Scouts or Girl Scouts or similar organizations.
   E. To the seeking or taking of orders by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania.
   F. To a person who has complied with the provisions of the Solicitation of Funds for Charitable Purposes Act, 10 P.S. §162.1 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.
   G. For taking orders for merchandise, by sample, from dealers or merchants for individuals or companies who pay a license or business privilege tax at their chief place of business.

2. But all persons exempted hereby from the payment of the license fee shall be
required to register with the Township Clerk and obtain a license without fee; provided, any person dealing in one or more of the above mentioned exempted categories, and dealing with other goods, wares, or merchandise not so exempted, shall be subject to the payment of the license fee fixed by this Section for his activities in connection with the sale of goods, wares, and merchandise not in such exempted categories. Provided, further, the Township Clerk may similarly exempt from payment of the license fee, but not from registering with him, persons working without compensation and selling goods, wares, or merchandise for the sole benefit of a nonprofit corporation. Provided, further, every license issued under the provisions of this Part shall be issued on an individual basis to any person or persons engaging in such business; every individual shall obtain a separate license, issued to him in his name, and the license fee hereby imposed shall be applicable to every such individual license, except that a representative of a charitable organization may obtain licenses for the applicants.

(Ord. 361, 12/5/1994, §III; as amended by Ord. 454, 9/2/2008)

§13-204. Permit Applications.

At least 7 days prior to engaging in peddling or transient retail business within the limits of West Lebanon Township an application for permit must be filed with the Township Clerk at the West Lebanon Township Municipal Building, 22nd and Church Streets, on Monday through Thursday, between the hours of 9 a.m. to 1 p.m.

(Ord. 361, 12/5/1994, §IV; as amended by Ord. 454, 9/2/2008)

§13-205. Nontransferability of Applications or Permits.

All persons desiring to engage in peddling or transient retail business shall complete an application required by the terms of this Part and an individual permit shall be issued for each person so applying. No permit issued pursuant to the terms of this Part shall be transferable.

(Ord. 361, 12/5/1994, §V)

§13-206. Fees.

1. An application fee in an amount as established from time to time by resolution of the Board of Commissioners shall be paid by each applicant at the time of resubmission for permit application. [Ord. 454]

2. The permits issued pursuant to such an application shall specify the dates upon which the activities covered by this Part shall be engaged in within the Township. No permit shall be issued for activities exceeding 30 days and no permit shall be valid for a period in excess of 6 months.

3. Application fees paid hereunder shall be nonrefundable.

(Ord. 361, 12/5/1994, §VI; as amended by Ord. 454, 9/2/2008)

§13-207. Terms of Engaging in Peddling or Transient Retail Business.

Any person issued a permit for engaging in peddling or transient retail business in West Lebanon Township shall be subject to the following terms and conditions:

A. Permits shall be carried on the person at all times and shall be exhibited upon request to any police officer or Township official.
§13-207. Licenses, Permits and General Business Regulations

B. No person issued a permit to engage in peddling or transient retail business in West Lebanon Township shall shout, cry his wares nor use any loudspeaker, horn or any other device by which the public is annoyed for announcing his presence.

C. No person issued a permit to engage in peddling or transient retail business in West Lebanon Township shall occupy any fixed location upon any street or sidewalk of West Lebanon Township for the purpose of peddling, with or without any stand or counter.

D. No person issued a permit to engage in peddling or transient retail business shall peddle before 9 a.m. or after 5 p.m. unless otherwise approved and specified at the time of issuance of said permit. Peddling is totally prohibited on Sundays, New Years Day, Christmas Day, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Election Day.

(Ord. 361, 12/5/1994, §VII)

§13-208. Permit Refusal.

The Board of Commissioners of West Lebanon Township reserves the right to refuse issuance of a permit to any individual whom they deem to be a possible nuisance or danger to anyone living within the Township, or if the product being peddled is not in the best interests of the residents of the community.

(Ord. 361, 12/5/1994, §VIII)

§13-209. Permit Suspension.

All police officers and Township Commissioners are duly authorized to immediately suspend any permit issued under this Part if he or she deems such suspension to be beneficial to public health, safety or morals, or for any violation of any of the provisions of this Part, or for giving false information upon application for said permit.

(Ord. 361, 12/5/1994, §IX)


Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 361, 12/5/1994, §X; as amended by Ord. 454, 9/2/2008)

§13-211. Limitation on Permits.

The Board of Commissioners of West Lebanon Township reserves the right to limit the number of permits issued to peddlers during special events, celebrations, parades and large gatherings, so as to prevent crowding and congestion and to maintain orderly control.

(Ord. 361, 12/5/1994, §XI)
§13-301. Definitions.

Agreement of sale - any agreement, or written instrument, which provides that title to any property shall thereafter be transferred from one owner to another owner, and shall include, inter alia, written leases which contain options to purchase the leased property, and leases which provide that the lessee of the property shall acquire title thereto after the payment of the stipulated number of regular rent payments or after a stipulated period of time.

Owner - any person, co-partnership, association, corporation or fiduciary having legal or equitable title, or any interest in any real property. Whenever used in any clause, prescribing or imposing a penalty, the term “owner,” as applied to co-partnerships and associations, shall mean the partners, or members thereof, and as applied to corporations, the officers thereof.

Property - any building or structure situate in the Township of West Lebanon, except buildings or structures used, designed or intended to be used, exclusively, for single-family or two-family occupancy, churches or other places of religious worship, except that for the purpose of certifications or statements regarding notices of housing, building, safety, health or fire violations, the word “property” shall include all buildings or structures.

(Ord. 292, 7/11/1978, §1)


1. In the Township of West Lebanon it shall be unlawful for any owner to sell his property, or any interest therein, unless the owner shall first deliver to the purchaser at or prior to the time for settlement a certification of the district classification, issued by the Township, indicating the zoning classification and the legality of the existing use of the property to be sold.

2. It shall be unlawful for an owner to sell his property, or any interest therein, unless the owner shall first deliver to the purchaser at or prior to the time for settlement a certificate issued by the Township disclosing whether there exists any notice of an uncorrected violation of the housing, building, safety, health or fire ordinances. Included in said certificate shall be a notice as to whether or not the subject property is in compliance with the curbing ordinance¹ of this Township. Should said property not be in compliance with said ordinance the certificate issued shall be signed in the appropriate location by the purchaser of the subject property acknowledging receipt of a copy of said certificate and evidencing willingness to comply with the Township’s curbing ordinance. A true and correct copy of said signed certificate shall be returned to the Township Clerk or Secretary within 10 days following the date of transfer for retention with the Township records. [Ord. 367]

¹ Editor’s Note: Ord. 256, 2/1/1993 [Chapter 21, Part 5]

1. Every owner shall insert in every agreement for the sale of property a provision showing the zoning classification of such property, and stating whether the present use of the property is in compliance with or in violation of zoning laws and ordinances, and every owner shall insert in every agreement for the sale of property a provision disclosing whether there exists any notice of an uncorrected violation of the housing, building, safety, health or fire ordinances.

2. If any owner fails to include any provision required by this Section in an agreement for the sale of property, then in any action, at law or in equity, instituted by a purchaser against the owner, it shall be conclusively presumed that the owner at the time of the signing of such agreement, represented and warranted to the purchaser that the property was being used in compliance with the then existing zoning laws and ordinances, and that there was no uncorrected violation of the housing, building, safety, health or fire ordinances.

(Ord. 292, 7/11/1978, §2.1)


A certificate from the Township certifying that the property has been approved or designated as a nonconforming use shall be deemed compliance with this Section.

(Ord. 292, 7/11/1978, §3)

§13-305. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 292, 7/11/1978, §4; as amended by Ord. 454, 9/2/2008)
Chapter 14

[Reserved]
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. Temporary and Emergency Regulations
§15-104. Experimental Regulations
§15-105. Authority of Police Officers

Part 2
Traffic Regulations

§15-201. Motor Vehicles Not to Be Driven on Sidewalks
§15-202. Speed Limits Established
§15-203. Stop Intersections Established
§15-204. Certain Classes of Vehicles Prohibited on Certain Highways
§15-205. Certain Classes of Trucks Restricted to Local Deliveries Only
§15-206. Unlawful to Operate Motor Vehicles or Tractors on Highways Closed for Construction or Repair
§15-207. Accident Reports Required
§15-208. Mechanical Braking Devices

Part 3
Parking Regulations

§15-301. Vehicles to Be Parked Within Marked Spaces
§15-302. Parking Prohibited at All Times in Certain Locations
§15-303. Parking Time Limited in Specific Locations Certain Days and Hours
§15-304. Vehicle Parking on Private Property
§15-305. Penalty for Violation
§15-306. Street Sweeping; Schedule
§15-307. Declaration of Snow Emergency
§15-308. Parking Prohibitions in Specific Places; Penalty

Part 4
Removal and Impounding of Illegally Parked Vehicles

§15-401. Authority; State Law Applicable

Part 5
Interpretation

§15-501. Provisions to Be a Continuation of Prior Regulations
Part 6
Parking Spaces for Handicapped in Residential Areas;
Procedure and Policy

§15-601. Application for Parking Space
§15-602. Fees
§15-603. Damage to Handicapped Parking Signs

Part 7
Bicycles on Public Sidewalks

§15-701. Operation of Bicycles on Public Sidewalks
§15-702. Penalty

1. Words and phrases, when used in this Chapter, shall have the meanings ascribed to them in the “Vehicle Code of Pennsylvania,” as now in force, or as hereafter amended, enacted or reenacted, except where the context clearly indicates a different meaning.

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.

3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. 295, 10/1/1979)


All traffic and parking regulations of a permanent nature shall be enacted as ordinances or parts of ordinances or as amendments to this Chapter of the Township of West Lebanon.

(Ord. 295, 10/1/1979)

§15-103. Temporary and Emergency Regulations.

1. The Board of Commissioners 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 Board of Commissioners and the Police Department in the same manner as permanent regulations.

3. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be liable 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 and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than 1 day for each $10 of the unpaid balance of the fine and costs.

(Ord. 295, 10/1/1979)
§15-104. Experimental Regulations.

The Board of Commissioners may, from time to time, designate places upon and along the highways in the Township 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 just as if they had been specified in this Chapter. No person shall operate or park a vehicle or tractor in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be liable 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 and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than 1 day for each $10 of the unpaid balance of the fine and costs. Provided, the purpose of this Section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.

(Ord. 295, 10/1/1979)

§15-105. Authority of Police Officers.

The police officers of the Township are hereby given authority to direct traffic on the highways of the Township, and at intersections thereof.

(Ord. 295, 10/1/1979)
§15-201. **Motor Vehicles Not to Be Driven on Sidewalks.**

No person shall operate a motor vehicle or tractor upon any sidewalk in the Township nor shall any person operate a motor vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such locations where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose. Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of $25 and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for 1 day for each $10 of such fine and costs.

(Ord. 295, 10/1/1979)

§15-202. **Speed Limits Established.**

1. The following speed limits are hereby established:

<table>
<thead>
<tr>
<th>Street Between</th>
<th>Speed Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>All highways in the Township</td>
<td>25 mph</td>
</tr>
</tbody>
</table>

2. Any person who shall operate a vehicle or tractor at a speed over that established therefor, upon any highway or portion thereof specified in this Section, shall, upon conviction thereof, be sentenced to pay a fine of $35 and costs of prosecution, plus an additional fine of $2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit. [Ord. 454]

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)

§15-203. **Stop Intersections Established.**

1. The following intersections are hereby established as stop intersections, and official stop signs shall be erected (or are hereby confirmed if heretofore erected) in such a position as to face traffic approaching the second-named highway upon the first-named highway, in the direction or directions hereby indicated. Official stop signs shall also be erected, where deemed necessary by the Board of Commissioners of West Lebanon Township, to improve the safety of Township residents and ensure the proper flow of traffic throughout the Township. All vehicles and tractors approaching any such intersections upon the first-named highway, in the direction or directions hereby indicated in each case, shall come to a full stop, within a reasonable distance, before entering any such intersection:

<table>
<thead>
<tr>
<th>Stop Street</th>
<th>Intersecting or Through Street</th>
<th>Direction of Travel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Church Street</td>
<td>18th Street</td>
<td>East</td>
</tr>
<tr>
<td></td>
<td>19th Street</td>
<td>East and west</td>
</tr>
<tr>
<td></td>
<td>20th Street</td>
<td>East and west</td>
</tr>
</tbody>
</table>
2. Any operator of a vehicle or tractor who shall fail to come to a full stop, within a reasonable distance, before entering any stop intersection, as hereinabove required, shall, upon conviction thereof, be sentenced to pay a fine of $25 and costs of prosecution. [Ord. 454]

(Ord. 295, 10/1/1979; as amended by Ord. 298, 8/18/1980, §51-2; by Ord. 307, 6/7/1982, §1; by Ord. 401, 9/4/2001; and by Ord. 454, 9/2/2008)
§15-204. Certain Classes of Vehicles Prohibited on Certain Highways.

1. It shall be unlawful for any person to operate a truck or truck tractor upon any of the following portions of the highways in the Township:

<table>
<thead>
<tr>
<th>Highway</th>
<th>Between</th>
</tr>
</thead>
<tbody>
<tr>
<td>Church Street</td>
<td>22&lt;sup&gt;nd&lt;/sup&gt; Street and 25&lt;sup&gt;th&lt;/sup&gt; Street</td>
</tr>
<tr>
<td>Guilford Street</td>
<td>22&lt;sup&gt;nd&lt;/sup&gt; Street and 25&lt;sup&gt;th&lt;/sup&gt; Street</td>
</tr>
<tr>
<td>Lehman Street</td>
<td>22&lt;sup&gt;nd&lt;/sup&gt; Street and 25&lt;sup&gt;th&lt;/sup&gt; Street</td>
</tr>
<tr>
<td>Mifflin Street</td>
<td>22&lt;sup&gt;nd&lt;/sup&gt; Street and 25&lt;sup&gt;th&lt;/sup&gt; Street</td>
</tr>
</tbody>
</table>

2. Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of $75 and costs of prosecution. Provided, nothing herein shall prohibit the operation of any authorized vehicle, truck or truck tractor upon any highway or portion thereof listed hereinabove where such operation thereon shall be necessary in order to pick up or deliver any goods, wares, merchandise or material from or to any residence located upon such highway or portion thereof. [Ord. 454]

(Ord. 295, 10/1/1979; as amended by Ord. 338, 3/21/1988, §3; by Ord. 354, 7/6/1992, §24; and by Ord. 454, 9/2/2008)

§15-205. Certain Classes of Trucks Restricted to Local Deliveries Only.

It shall be unlawful for any person to operate any truck or truck tractor on any street in the Township, except for local deliveries, or as otherwise designated by the Township.

(Ord. 295, 10/1/1979; as amended by Ord. 354, 7/6/1992, §25; and by Ord. 454, 9/2/2008)

§15-206. Unlawful to Operate Motor Vehicles or Tractors on Highways Closed for Construction or Repair.

It shall be unlawful for any person to operate vehicle or tractor upon any highway in the Township that is under construction, resurfacing or repair, in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic. Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of $25 and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for 1 day for each $10 of such fine and costs.

(Ord. 295, 10/1/1979)

§15-207. Accident Reports Required.

The operator of any motor vehicle involved in an accident in the Township and required by law to report such accident to any department or agency of the Commonwealth of Pennsylvania, or any other person required to make such report, shall, at the time of making such report to the Commonwealth, make a written report to the Chief of Police of the Township containing the same information. Any person failing to make the report to the Chief of Police hereby required shall, upon conviction thereof, be sentenced to pay a fine of $25 and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than 10 days.
§15-208. Mechanical Braking Devices.

1. West Lebanon Township, Lebanon County, Pennsylvania, finds as a fact that the operation of an engine brake on a gasoline-powered or diesel-powered motor vehicle, so as to create excessive noise through the use of said engine brake, adversely affect the public health, safety and welfare of the residents of the Township of West Lebanon, and therefore, is a nuisance.

2. No gasoline-powered or diesel-powered motor vehicles shall be operated on the streets, roads, alleys or highways within West Lebanon Township utilizing said engine brake, thereby permitting excessive noise to be created by said motor vehicle.

3. This Section shall not apply to emergency driving situations requiring the utilization of an engine brake to protect the safety and property of the residents of West Lebanon Township, other motor vehicle operations, pedestrians and the operation and passengers of the motor vehicle involved in said emergency situation.

4. Penalty. Any person, firm, corporation or organization violating any of the provisions of this Section shall be guilty of a summary offense punishable by a fine of up to $300 and/or imprisonment up to 90 days.

(Ord. 295, 10/1/1979; as added by Ord. 422, 6/6/2005)
§15-301. Vehicles to Be Parked Within Marked Spaces.

Wherever a space shall be marked off on any highway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

(Ord. 295, 10/1/1979)


1. Parking shall be prohibited at all times in the following locations:

<table>
<thead>
<tr>
<th>Street</th>
<th>Side</th>
<th>Between</th>
</tr>
</thead>
<tbody>
<tr>
<td>All streets less than 16</td>
<td>Both</td>
<td>Entire length</td>
</tr>
<tr>
<td>feet in width</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Church Street [Ord. 452]</td>
<td>North</td>
<td>Westwardly from the intersection with 22nd</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Street 64 feet</td>
</tr>
<tr>
<td>Lebanon Valley Mall</td>
<td>All</td>
<td>In an area 20 feet wide and immediately</td>
</tr>
<tr>
<td></td>
<td></td>
<td>adjacent to and extending as follows:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Beginning at the south curb line along the</td>
</tr>
<tr>
<td></td>
<td></td>
<td>structures constituting the Lebanon Valley</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mall as erected in West Lebanon Township,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lebanon County, Pennsylvania. [Ord. 454]</td>
</tr>
<tr>
<td>20th Street</td>
<td>East</td>
<td>A point 98 feet north from the northeast</td>
</tr>
<tr>
<td></td>
<td></td>
<td>corner of 20th Street and Church Street, and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a point 38 feet south of Lincoln Alley</td>
</tr>
<tr>
<td>22nd Street</td>
<td>East</td>
<td>On the east side of 22nd Street between</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Church and Lehman Streets</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>Lehman Street and South Alley</td>
</tr>
<tr>
<td></td>
<td>West</td>
<td>Northwardly with the intersection with Church</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Street 195 feet [Ord. 452]</td>
</tr>
<tr>
<td>Union Canal</td>
<td>South</td>
<td>22nd and 25th Street</td>
</tr>
</tbody>
</table>

2. An exception to this item shall be for the loading and unloading of vehicles, but said permitted loading and unloading shall be limited to actual physical loading and unloading while the driver of said vehicle is in actual attendance.

3. An additional exception shall be the stopping for physical loading or unloading or dropping off or picking up of handicapped persons. However, it shall be a violation of this ordinance in all instances where any vehicle is left unattended for any period of time whatsoever.

4. Any person or persons, firm or corporation violating the provision of this Section, shall upon formal conviction thereof before a magisterial district judge of West Lebanon Township, be liable to and pay a fine or penalty of $5 for every such violation,
for the use of the Township; in the event of failure or default in the payment of such fine or penalty and costs, any person so violating the terms of this Section shall be charged before the proper magisterial district judge by a traffic citation under §3353 of the Pennsylvania Motor Vehicle Code, and subject to a fine of $15, plus costs. Upon the default in payment of such fine or penalty or costs, such person so convicted may be committed to the Lebanon County Prison for a period of 1 day for each dollar of the fine or penalty or costs so imposed and not paid. [Ord. 454]


No person shall park a vehicle, or allow the same to remain parked, for longer than the time herein indicated, in any of the following locations, at any time on the days and between the hours herein indicated:

<table>
<thead>
<tr>
<th>Street</th>
<th>Side</th>
<th>Between</th>
<th>Days</th>
<th>Hours</th>
<th>Time Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lehman Street</td>
<td>Both</td>
<td>21st Street and 22nd</td>
<td>Monday to Friday</td>
<td>8 a.m. to 4 p.m.</td>
<td>2 hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22nd Street</td>
<td>West</td>
<td>North Alley and South</td>
<td>Every day</td>
<td>All hours</td>
<td>2 hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Ord. 295, 10/1/1979; as amended by Ord. 315, 2/20/1984)


No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property, except in the case of emergency or disablement of the vehicle, in which case the operator shall arrange for the removal of the vehicle as soon as possible and shall immediately notify the Township Police and/or the property owner, and furnish operator and vehicle information.

(Ord. 338, 3/21/1988, §2)

§15-305. Penalty for Violation.

1. Any person violating any of the parking provisions of this Part shall be fined not more than $15 and/or be imprisoned not more than 5 days. [Ord. 454]

2. However, any person who has been issued a parking violation ticket may discharge such obligation at the Township Office by voluntarily entering a plea of guilty by paying the specified amount on the ticket not to exceed $15 within 48 hours from the time of issuance of the parking ticket.

(Ord. 338, 3/21/1998, §2; as amended by Ord. 454, 9/2/2008)

§15-306. Street Sweeping; Schedule.
1. No parking of motor vehicles shall be allowed on the public streets of West Lebanon Township in order to accommodate the orderly sweeping of the Township streets as hereinafter set forth on the following schedule of streets. No parking shall be allowed 8 a.m. to 12 p.m. on the designated days. The schedule of no parking shall be as follows:

A. On the first Wednesday in the months of April, May, June, July, August, September and October no parking shall be allowed on the north and east side of the following streets from 8 a.m. to 12 p.m.:

   (1) 18th Street.
   (2) 19th Street.
   (3) 20th Street.
   (4) 21st Street.
   (5) 22nd Street.
   (6) 23rd Street.
   (7) 24th Street.
   (8) 25th Street.
   (9) Scull Street.
   (10) Church Street.
   (11) Lehman Street.
   (12) Mifflin Street.
   (13) Guilford Street.

B. On the second Wednesday in the months of April, May, June, July, August, September and October no parking shall be allowed on the south and west side of the following streets from 8 a.m. to 12 p.m.

   (1) 18th Street.
   (2) 19th Street.
   (3) 20th Street.
   (4) 21st Street.
   (5) 22nd Street.
   (6) 23rd Street.
   (7) 24th Street.
   (8) 25th Street.
   (9) Scull Street.
   (10) Church Street.
   (11) Lehman Street.
   (12) Mifflin Street.
   (13) Guilford Street.

C. **Penalty.** Any owner of a motor vehicle parked on the public streets of West Lebanon Township in violation of the restrictions provided for in this Section shall be guilty of a summary offense and shall be sentenced to pay a fine of $15.

1. In the event a snow emergency is declared by the Lebanon County Emergency Management Agency the Board of Commissioners of West Lebanon Township shall have the power and authority to restrict the parking of motor vehicles on the public streets of the Township during the period of said emergency in order to facilitate the cleaning up of said snow.

2. During the period of any snow emergency as declared by the Lebanon County Emergency Agency no parking shall be allowed on the east or south sides of the streets of the Township during the first and third week of each month. No parking shall be allowed on the west and north sides of the streets of this Township during the second, fourth, fifth weeks of each month of a declared snow emergency.

3. Penalty. Any owner of a motor vehicle parked on the public streets of West Lebanon Township in violation of the restrictions provided for in this Part shall be guilty of a summary offense and shall be sentenced to pay a fine of $12. [Ord. 384]

§15-308. Parking Prohibitions in Specific Places; Penalty.

Except when necessary to avoid conflict with other traffic or protect the safety of any person or vehicle or in compliance with law or the direction of a police officer or official traffic-control device, no person shall:

A. Stop, stand or park a vehicle:

   (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street except that:

      (a) A pedacycle may be parked as provided in §3509(b)(a) (relating to parking) of the Pennsylvania Vehicle Code.

      (2) On a sidewalk, to include motorcycles, except that a pedacycle may be parked as provided in §3509(a)(2) of the Pennsylvania Vehicle Code.

      (3) Within an intersection.

      (4) On a crosswalk.

      (5) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.

      (6) On any railroad tracks.

      (7) Upon any roadway for public vehicular traffic within a park or upon any pathway not designated for motor vehicle traffic.

      (8) Upon a roadway within a business or residential district when it is practicable to stop, park or stand the vehicle off the roadway, except when a vehicle becomes disabled and it is impossible to avoid stopping, it temporarily may be left in that position.

      (9) Upon any street or highway for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of
§15-308 Motor Vehicles and Traffic §15-308

(10) At any place where official sign(s) prohibit stopping.

B. Stand or park a vehicle:

(1) In front of a public or private driveway or so close thereto to constitute a traffic hazard.

(2) Within 15 feet of a fire hydrant.

(3) Within 20 feet of a crosswalk.

(4) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal.

(5) Within 20 feet of the driveway entrance to any fire station or, when properly sign-posted, on the side of a street opposite entrance to any fire station within 75 feet of the entrance.

(6) In a parking area within a park unless the vehicle is within a parking space so designated or in any undesignated parking areas within a park.

(7) On any part of a roadway solely designated for vehicle traffic.

(8) On a highway within a business or residential district, other than parallel with the edge of the highway headed in the direction of traffic and with the curb side of the vehicle within 12 inches of the edge of the highway or curb. Vehicle(s) which, because of type or construction, cannot load or unload parallel to the curb shall be exempt, while loading or unloading, from the requirement of stopping parallel to the curb.

(9) Upon any street or highway less than 16 feet in width, provided that commercial vehicles may park in streets of 16 feet in width for a period of time, not longer than necessary, to load and unload. When so parked, such commercial vehicles shall park as close as possible to one side of the street of less than 16 feet in width in order to let other vehicles pass.

(10) Upon any of the streets in one location for a period of time exceeding the posted time limit, or in nonposted locations for a period exceeding 48 hours.

(11) Ordinarily used for the carrying and transporting for hire of passengers, baggage or freight upon the streets in such areas zoned to be residential when such vehicles are not actively engaged in the purpose for which they are designed.

(12) Upon any street or sidewalk for the purpose of greasing, maintaining, repairing, painting or doing body work, except in case of emergency repairs.

(13) Upon any street or highway 30 feet in width so as to completely obstruct the flow of traffic when such parked or stopped vehicles are commercial vehicles. Commercial vehicles which may park in streets 30 feet in width for a period of time not longer than necessary to load and unload, and when so parked, such commercial vehicles shall park as close as possible to one side of a street 30 feet in width in order to let other vehicles pass.

(14) Any place where official signs prohibit stopping or standing.

C. Park a vehicle:

(1) Within 50 feet of the nearest rail or railroad crossing.
(2) At any place where official signs prohibit parking.

D. Vehicles on private property:

(1) No persons shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property except in the case of emergency or disablement of the vehicle, in which case the operator shall arrange for the removal of the vehicle as soon as possible and shall immediately notify the Police Department and/or the property owner and furnish operator and vehicle information.

E. Penalty. Any person(s) violating any of the provisions of this Section shall be fined $15 for each violation and/or be imprisoned not more than 3 days. Each day shall constitute a separate offense. [Ord. 394]

(Ord. 295, 10/1/1979; as added by Ord. 389, 6/5/2000; and as amended by Ord. 394, 2/5/2001)
Part 4

Removal and Impounding of Illegally Parked Vehicles

§15-401. Authority; State Law Applicable.

The Police Department of the Township is hereby authorized to remove and impound, or to order the removal and impounding, of any vehicle parked on any of the streets, highways or public property in the Township in violation of any provision of the law or of any ordinance of the Township. Provided: no such violation shall be removed or impounded except in strict adherence to the provisions of 75 Pa.C.S.A. §3352.

(Ord. 295, 10/1/1979)
Part 5

Interpretation


The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately prior to the adoption of this Chapter, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this Chapter shall not affect any act done or liability incurred, nor shall they affect any suit of prosecution pending or to be instituted to enforce any of these repealed ordinances or regulations.

(Ord. 295, 10/1/1979)
Part 6
Parking Spaces for Handicapped in Residential Areas;
Procedure and Policy

§15-601. Application for Parking Space.

Any resident of West Lebanon Township, after acquiring a handicapped or disabled veteran license plate from the State, any other commonly recognized handicapped designation or certification from an attending physician, may make application to the Township Secretary for a parking space for the handicapped. All applications will be reviewed by the West Lebanon Township Commissioners who, in having the flexibility to use their discretion in all cases, will be the individuals responsible for making the final determination on whether or not an individual claiming handicapped status should be granted a parking space for the handicapped.

(Ord. 351, 9/3/1991, §1)

§15-602. Fees.

Approved applicants will be required to pay a fee in an amount as established from time to time by resolution of the Board of Commissioners for the materials and labor involved in the installation of the sign. Also, a renewal fee in an amount as established from time to time by resolution of the Board of Commissioners will be charged on a yearly basis to all applicants who have a temporary disability in order to insure that all signs are current. If said renewal fee is not paid within 30 days of the due date the sign will be removed.

(Ord. 351, 9/3/1991, §2; as amended by Ord. 454, 9/2/2008)

§15-603. Damage to Handicapped Parking Signs.

In the event a handicapped parking sign duly erected pursuant to this Part is damaged, the following fees shall be imposed for the repair of said sign:

A. A fee in an amount as established from time to time by resolution of the Board of Commissioners shall be incurred. Such fee will be paid to West Lebanon Township to be placed in the proper account in which the cost was incurred. This fee is imposed for either loss or damage to the sign or post and/or removal of same. This fee is not returnable and, in the event of issue or transfer, the sign and post shall be removed without notice. [Ord. 454]

B. It is understood that such space may be utilized by any vehicle of the general public displaying a State license plate for the handicapped or disabled veteran.

(Ord. 351, 9/3/1991, §3; as amended by Ord. 454, 9/2/2008)

It shall be unlawful to operate or be a passenger upon a bicycle operated upon any public sidewalk by an individual 10 years of age or older.

(Ord. 398, 10/1/2001, §1)

§15-702. Penalty.

Any person or persons found to be in violation of any provision of this Part shall be fined $25.

(Ord. 398, 10/1/2001, §1)
Chapter 16

[Reserved]
Chapter 17

[Reserved]
Chapter 18

Sewers and Sewage Disposal

Part 1

Sewage Enforcement Officer

§18-101. Sewage Enforcement Officer

Part 2

Individual or Community Sewage Systems

§18-202. Permit Required for Individual or Community Sewage Disposal System

Part 3

Sewer System

A. Sewer Connection Regulation

§18-301. Definitions
§18-302. Use of Public Sewers Required
§18-303. Building Sewers and Connections
§18-304. Rules and Regulations Governing Building Sewers and Connections to Sewers
§18-305. Enforcement

B. Sewer Rates and Regulations

§18-311. Definitions
§18-312. User Charges
§18-313. Time and Method of Payment
§18-314. Liens for User Charges; Filing and Collecting of Liens
§18-315. Sanitary Sewer Regulations
§18-316. Building Sewers and Connection Methods
§18-317. Use of Public Sewers
§18-318. Prohibited Wastes
§18-319. Pretreatment
§18-320. Connection Charge and Connection Permits
§18-321. Sewer Extensions
§18-322. Industrial Waste Discharge Permit
§18-323. Enforcement
§18-324. Adoption of Additional Rates and Charges, Classification, Rules and Regulations

C. Industrial Waste

§18-331. General Provisions
§18-332. Regulations
§18-333. Fees
§18-334. Administration
§18-335. Enforcement
§18-336. Penalty; Costs
§18-337. Industrial Sewer Connection Application
§18-101. Sewage Enforcement Officer.

1. The certified sewage enforcement officer(s) employed by the Lebanon County Planning Department is (are) hereby appointed, authorized and directed to:

   A. Administer and enforce the provisions of the Sewage Facilities Act, 35 P.S. §750.1 et seq., and all standards applicable thereto, in compliance with the procedure in §§7 and 8 of the Act, 35 P.S. §§750.7, 705.8.

   B. Collect reasonable fees for work performed, in accord with the fee schedule and permit procedure established by the Township.

   C. Make such inspections and tests as may be necessary to carry out the provisions of the Act, and enter upon lands for said inspection purposes.

   D. With the prior approval of the Board of Commissioners, initiate legal actions where necessary to restrain, abate or correct violations of the Act.

(Ord. 290, 5/23/1978, §1)
Part 2

Individual or Community Sewage Systems

§18-202. Permit Required for Individual or Community Sewage Disposal System.

A sewage disposal permit shall be required prior to the installation of any treatment tank, subsurface absorption area or any holding tank constituting the installation of an individual or a community sewage system, or the repair, replacement or enlargement of any portion of an individual or community sewage system. Permits shall, therefore, be required for rural residences and all applicable Department of Environmental Protection standards shall be satisfied in the installation of sewage disposal facilities for said rural residence.

(Ord. 291, 5/23/1978, §1; as amended by Ord. 454, 9/2/2008)
Part 3

Sewer System

A. Sewer Connection Regulation

§18-301. Definitions.

Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Part 4A shall be as follows:

Building sewer - the extension from the sewage drainage system of any structure to the lateral of a sewer.

Commonwealth - the Commonwealth of Pennsylvania.

Improved property - any property within this Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

Industrial establishment - any improved property located within this Township and used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article, or any other improved property located within this Township, from which wastes, in addition to or other than sanitary sewage, shall be discharged.

Industrial wastes - any and all wastes discharged from an industrial establishment, other than sanitary sewage.

Lateral - part of the sewer system extending from a sewer to the curb line or, if there shall be no curb line, 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, trust, corporation, municipality authority or other group or entity.

Sanitary sewage - normal water-carried household and toilet wastes from any improved property.

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, transmitting, treating and disposing of sanitary sewage or industrial wastes, situate in or adjacent to this Township and owned by this Township.

Street - any street, road, lane, court, cul-de-sac, alley, public way or public square.

Township - the Township of West Lebanon, Lebanon County, Pennsylvania, a Township of the first class of the Commonwealth, acting by and through its Board of Commissioners or, in appropriate cases, acting by and through its authorized
§18-302. **Use of Public Sewers Required.**

1. The owner of any improved property benefitted, improved or accommodated by the sewer system shall connect such improved property with and shall use the sewer system, in such manner as this Township may require, within 60 days after notice to such owner from this Township to make such connection, for the purpose of discharge of all sanitary sewage and industrial wastes from such improved property; subject, however, to such limitations and restrictions as shall be established herein or otherwise be established by this Township, from time to time.

2. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under subsection .1, shall be conducted into a sewer; subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township, from time to time.

3. No person shall place, shall deposit or shall permit to be placed or to be deposited upon public or private property within this Township any sanitary sewage and industrial wastes in violation of subsection .1. No person shall discharge or shall permit to be discharged to any natural outlet within this Township and sanitary sewage or industrial wastes in violation of subsection .1, except where suitable treatment has been provided which is satisfactory to this Township.

4. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained at any time upon any improved property which has been connected to a sewer or which shall be required under subsection .1 to be connected to a sewer. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and shall be cleansed and shall be filled, at the expense of the owner of such improved property, under the direction and supervision of this Township; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and not cleansed and filled, shall constitute a nuisance, and such nuisance may be abated, as provided by law, at the expense of the owner of such improved property.

5. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.

6. The notice by this Township to make a connection to a sewer, referred to in subsection .1, shall consist of a copy of this Part 4A, including any amendments or supplements at the time in effect, or a summary of each Section hereof, and a written or printed document requiring the connection in accordance with the provisions of this Part 4A and specifying that such connection shall be made within 60 days after the date such notice is given or served. Such notice may be given or served at any time after a sewer is in place which can receive and can convey sanitary sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be given or served upon the owner in accordance with law.

(Ord. 311, 6/30/1982, Art. II)
§18-303 Sewers and Sewage Disposal

1. No person shall uncover, shall connect with, shall make any opening into or shall use, shall alter or shall disturb, in any manner, any sewer or any part of the sewer system without first obtaining a permit, in writing, from this Township.

2. Application for a permit required under subsection 1 shall be made by the owner of the improved property served or to be served by the duly authorized agent of such owner.

3. No person shall make or shall cause to be made a connection of any improved property with a sewer until such person shall have fulfilled each of the following conditions:

   A. Such person shall have notified the Secretary of this Township of the desire and intention to connect such improved property to a sewer.

   B. Such person shall have applied for and shall have obtained a permit as required by subsection 1.

   C. Such person shall have given the secretary of this Township at least 24 hours notice of the time when such connection will be made so that this Township may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing.

   D. If applicable, such person shall have furnished satisfactory evidence to the Secretary of this Township that any connection charge may be charged and imposed by this Township against the owner of each property who connects such improved property to a sewer, payable prior to such connection, has been paid.

4. Except as otherwise provided in this subsection, 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 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 Township, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by this Township.

5. 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 shall save harmless this Township 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.

6. A building sewer shall be connected to a sewer at the place designated by this Township and where, if applicable, 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.

7. If the owner of any improved property located within this Township benefited, improved or accommodated by the sewer system, after 60 days notice from this Township, in accordance with §18-302.1, shall fail to connect such improved property, as required, this Township may enter upon such improved property and construct such connection and may collect from such owner the costs and expenses thereof in the manner permitted by law.

1. Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or sewage disposal device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or sewage disposal device attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.

2. No building sewer shall be covered until it has been inspected and approved by this Township. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection, at the cost and expense of the owner of the improved property to be connected to a sewer.

3. Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

4. Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk and other public property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to this Township.

5. If any person shall fail or shall refuse, upon receipt of a notice of this Township, in writing, to remedy any unsatisfactory condition with respect to a building sewer, within 60 days of receipt of such notice, this Township may refuse to permit such person to discharge sanitary sewage and industrial wastes into the sewer system until such satisfactory condition shall have been remedied to the satisfaction of this Township.

6. This Township reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and with the sewer system, which additional rules and regulations, to the extent appropriate, shall be construed as part of this Part 4A.

(Ord. 311, 6/30/1982, Art. IV)

§18-305. Enforcement.

Any person, firm or corporation who shall violate any provision of this Part 4A, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part 4A continues shall constitute a separate offense.

(Ord. 311, 6/30/1982, Art. V; as amended by Ord. 454, 9/2/2008)
B. Sewer Rates and Regulations

§18-311. Definitions.

Unless the context specifically and clearly shall indicate otherwise, the meaning of terms and phrases used in this Part 4B shall be as follows:

*Ammonia nitrogen* - all nitrogen that exists in aqueous solution as either the ammonium ion or ammonia.

*Building unit* - as applicable, each of the following: a “commercial establishment,” a “dwelling unit,” an “industrial establishment” and an “institutional establishment.”

*Board of Commissioners* - the group of elected officials acting as the Board of Commissioners of the Township.

*BOD (Biochemical Oxygen Demand)* - the quantity of oxygen, expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for 5 days at 20 degrees centigrade. The standard laboratory procedure shall be that found in the latest edition of *Standard Methods of the Examination of Water and Sewage*, published by the American Public Health Association.

*Building drain or sewer* - the sewer or sewers of a building used to convey sewage and/or industrial waste to the lateral or laterals from the respective building(s) served.

*City* - the City of Lebanon, Lebanon County, Pennsylvania.

*Collection sewer* - a municipal sewer main whose primary purpose is to collect wastewater from individual point source discharges.

*Color* - of an industrial waste shall mean the color of the light transmitted by the waste solution after removing the suspended material, including the pseudocolloidal particles.

*Commercial establishment* - any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system and used or intended for use in the operation of one business enterprise for the sale and distribution of any product, commodity, article, or service.

*Chlorine demand* - the quantity of chlorine absorbed in water, sewage or other liquids, allowing a residual of 0.1 milligrams per liter after 15 minutes of contact.

*Dissolved solids* - the anhydrous residues of the dissolved constituents in water or wastewater.

*Domestic waste* - the normal water-carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.

*Dwelling unit* - any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as a commercial establishment or separate living quarters by a family or other group of persons living together or by a person living alone; interchangeable with residential unit.

*Equivalent dwelling unit* - the volume of sewage flow which is equivalent to the average amount of water consumed by a single residential unit, or 12,000 gallons per quarter. The number of equivalent dwelling units (EDU’s) assigned to a
residential unit, regardless of water consumption, is one. The number of equivalent dwelling units assigned to any commercial establishment shall be equal to the quarterly water consumption divided by 12,000 gallons, but shall not be less than one.

Garbage - solid waste resulting from the domestic and commercial preparation, cooking and dispensing of food and from handling, storage and sale of produce.

Ground garbage or properly chopped garbage - garbage that has been shredded to such a degree that all its particles will be carried freely under normal sewer flow conditions, with no particle greater than ½ inch in any dimension.

Ground water - water which is standing in or passing through the ground.

Improved property - any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes shall be or may be discharged.

Industrial establishment - any user discharging other than sanitary sewage to the sewer system.

Industrial wastes - any liquid or gaseous substance, whether or not solids are contained therein, discharged from any industrial establishment during the course of any industrial, manufacturing, trade, or business process or in the course of the development, recovery, and/or processing of natural resources, as distinct from domestic waste.

Institutional establishment - any room, group of rooms, building or other enclosure connected directly or indirectly to the sewer system which does not constitute a commercial establishment, a dwelling unit or an industrial establishment.

Lateral - part of the sewer system extending from a sewer to the curb line, or if there be no curb line, to the property line. If no such lateral shall be provided, then “lateral” shall mean that portion of, or place in which a sewer is provided for connection of any building sewer.

Manhole - a shaft or chamber leading from the surface of the ground to a sewer; large enough to enable a man to gain access to the latter.

May - is permissive; shall is mandatory.

Mg/l - is milligrams per liter; equal to ppm.

Multiple dwelling unit - any improved property on which shall be located more than one dwelling unit.

Multiple unit - any improved property on which shall be located more than one billing unit.

Nonresidential property - an improved property not used for residential purposes.

Operating expenses - all expenses required in operating and maintaining the sewer system.

Owner - person vested with ownership, legal or equitable, sole or partial, of any property located in the Township or served by the sewer system.

Person - individual, partnership, company, association, society, corporation or
other group or entity.

**pH** - the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance. A stabilized pH will be considered as a pH which does not change beyond the specific limits when the waste is subjected to aeration. It shall be determined by one of the accepted methods described in the latest edition of *Standard Methods for Examination of Water and Sewage*, published by the American Public Health Association.

**Phosphorus** - elemental phosphorus in its combined or uncombined forms as determined by using standard laboratory procedures.

**Ppm** - parts per million; equal to mg/l.

**Residential unit** - a dwelling unit.

**Sanitary sewer** - any pipe or conduit constituting a part of the sewer system, or usable for collection purposes, which carries sewage and to which storm, surface and ground waters are not admitted.

**Sanitary sewage** - the normal water-carried, household and toilet wastes discharged from residence, business buildings, commercial, institutional and industrial establishments. Any and all discharges from an industrial establishment other than sanitary sewage shall be considered industrial wastes.

**Sewage** - sanitary sewage.

**Sewer rental** - the same as user charge.

**Sewer system** - all facilities, as of any particular time, for collecting, pumping, treating or disposing of domestic waste and/or industrial wastes of, for, or in the Township.

**Shall** - is mandatory; **may** is permissive.

**Stormwater** - that portion of precipitation which runs off over the surface during a storm and for a short period following a storm.

**Surface water** - that portion of the precipitation which runs off over the surface of the ground.

**Suspended solids** - solids that either settle to the bottom of, float on the surface of, or are in suspension in water, sewage or other liquids and which are largely removable by laboratory filtration.

**Total solids** - solids that either float on the surface of or are in suspension or dissolved in water, sewage or other liquids, and which are determined by appropriate procedures found in the latest edition of *Standard Methods for the Examination of Water and Sewage* published by American Public Health Association.

**Total expenses** - the Township's total costs in connection with the sewer system including, bonded indebtedness plus operation, maintenance, and administration expenses.

**Township** - the Township of West Lebanon, Lebanon County, Pennsylvania, or, in appropriate cases, acting by and through its authorized representatives.

**Toxic substance** - any noxious and/or deleterious substance in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere
with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in any sewer system or in the receiving stream of the sewage treatment plant.

*User* - the owner whose property is connected to the sewer system.

*User charge* - the system of charges levied on users of the system for the cost of operation, maintenance, administration, debt service and reserve funds for wastewater collection and conveyance facilities.

*Water system* - all facilities, as of any particular time, used for the supply of water to the public in and adjacent to the Township.

*Wastewater* - sanitary sewage.

*Wastewater treatment works* - the structures, equipment, and process required to collect, transport, and treat domestic and industrial wastes and to dispose of the effluent and accumulated residual solids.

(Ord. 312, 6/20/1983, §1)

§18-312. **User Charges.**

1. User charges are imposed upon and shall be collected from the owner of each improved property which shall be connected to the sewer system, for use of the sewer system, whether such use shall be direct or indirect, and for the services rendered by this Township in connection therewith, which user charges shall commence and shall be effective as of the date of connection of each such improved property to the sewer system, and shall be payable as provided herein.

2. **Meter Requirements.**

   A. Each improved property connected to the sewer system shall be considered one or more billings units and shall be required to install a water meter or meters to measure water consumption, except by prior arrangement with the Township. User charges shall be computed based on water consumption.

   B. Exclusion from the sewer system of noncontaminated waste waters may be required by the City or the Township, or such exclusion may be optional with the property owner if not required by the City or the Township.

   C. When such waste waters are excluded, user charges shall be based upon total water consumed, less waste waters excluded. Waste waters excluded from the sewer system may be determined from meters installed and maintained by the City and/or the Township at the property owner's expense.

   D. The City or the Township shall require any industrial establishment, or the industrial establishment may elect to install, pay for and maintain a meter approved by the City and the Township for measuring the volume of waste water discharged to the sewer system. Any premises used wholly or in part for the manufacture, processing, cleaning, laundering or assembly of any product, commodity or article, or any premises from which industrial wastes in addition to sanitary sewage are discharged therefrom, shall be classified as an industrial establishment for sewer user charge purposes.

3. **User Charges.**

   A. All owners of improved property which shall be connected to the sewer
system shall pay a user charge based upon the actual metered water consumption or water consumption less waste waters excluded. All user charges shall be in an amount as established, from time to time, by resolution of the Board of Commissioners. [Ord. 454]

B. The volume of water to be used for billing user charges under this subsection shall include any and all water obtained from the water system or any other private or public water source, any source discharging to sewer system to be metered.

C. Multiple dwelling units and structures with multiple billing units, with more than one residential, commercial, industrial or institutional unit each having use of the sewer system shall be charged the rates herein provided as though unit had a direct and separate connection to the sewer system.

D. Where a user is connected to the sewer system during the interval included by any billing quarter, the user charge shall be in an amount as established, from time to time, by resolution of the Board of Commissioners. [Ord. 454]

4. **Industrial Surcharges.**

A. Industrial establishments discharging sewage and industrial wastes to the sewer system having an average 5-day biochemical oxygen demand (BOD) greater than 215 parts per million (ppm), a suspended solids content greater than 250 ppm, a total phosphorus (as P) content greater than 11 ppm or a total ammonia nitrogen (as N) content greater than 20 ppm shall pay a strength of waste surcharge, in addition to applicable volume charges, equal to $\frac{1}{10}$ of 1 percent for each part per million by which the BOD exceeds 215 ppm, plus $\frac{1}{10}$ of 1 percent for each part per million by which the suspended solids exceeds 250 ppm, plus $\frac{11}{10}$ of 1 percent for each part per million by which the phosphorus exceeds 11 ppm, plus seven-tenths of 1 percent for each part per million by which the ammonia nitrogen exceeds 20 ppm. Surcharges shall be applicable to billing for user charges. The strength of sewage and industrial wastes to be used for establishing the amount of surcharge shall be determined at least quarterly either:

B. By suitable sampling and analyses of the industrial wastes for a 3-day period, during which time the strength of waste discharged or production is at a maximum, sampling to be done the Township's authorized representatives and charged to the industrial establishment.

C. By relating production of industrial waste strength at the time of sampling to industrial waste strength at maximum production if sampling is not performed at the time of maximum production.

D. From estimates made by the City or the Township.

E. From known relationships of products produced to strengths of industrial waste for those industries where such factors have been established.

F. In establishing industrial waste strengths for surcharge purposes, analyses shall be made in accordance with procedures outlined in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association.

5. **Review of Charges.** The Township shall annually prepare an estimate of anticipated costs for the forthcoming year, and, if necessary to generate sufficient
revenues to pay anticipated total expenses, shall revise the user charges. Pursuant to
Federal regulation, the Township shall review, not less often than every 2 years, the
waste water contribution of users and user classes, the total cost of operation and
maintenance of the treatment works, and its user charge system; and, shall revise the
charges for users or user classes, if necessary, to maintain the proportionate
distribution of indebtedness, operation, maintenance and administrative costs among
user and user classes as required by Federal regulation, and to apply excess revenues
collected from a class of users to the operations expenses attributable to that class for
the next year and adjust the rate accordingly.

6. **Nonresidential Flow Measurement and Sampling.** The Township shall require
the owner of a nonresidential property to install, pay for, and maintain a suitable
control manhole with sampling chambers, meters, and other appurtenances as
approved by the Township for measuring quarterly sanitary sewage volumes discharged
to the Township system. Sewer user charges shall be based upon the actual volume of
sanitary sewage as metered, using rates set forth in subsection .3 or subsection .4 as
applicable.

7. **Waste Contribution Report.** Ten days prior to the first day of April, July,
October, and January, each nondomestic contributor of wastewater with characteristics
requiring fees calculated in accord with the industrial surcharge as contained in
subsection .4, shall file with the Township a report on the wastewater characteristics
and quantity of discharge on Form EPA 7550-22 or equivalent supplied by the
Township.

8. **Estimation of Flows and Charges.** If the owner of any improved property
(including and school) shall fail to provide this Township with complete information
required to compute the sewer user charge and industrial surcharge to such improved
property, this Township may estimate a reasonable applicable user charge and
industrial surcharge shall be the actual user charge and industrial surcharge payable
until the required information is filed; provided, however, that no rebates will be paid
by this Township if the information filed reveals a lower indicated user charge and
industrial surcharge than that estimated by this Township.

9. **Additional Charges.** Additional charges shall be billed, as required, for the
following to owner of nonresidential properties subject to user charges and/or industrial
surcharges:

   A. Actual costs incurred by the Township for user-requested samplings and
      analyses.
   
   B. Actual costs incurred by the Township to obtain samples, analyses, and
      meter readings, resulting from nonreceipt of .information as required in subsection
      .4 or subsection .6.

   C. Actual costs incurred for water meter inspection requested by the user or
      as required because of improper maintenance.

   D. Actual costs incurred for special handling not provided for elsewhere in
      this Part 4B.

   E. Actual costs incurred for handling a user's check returned because of
      insufficient funds.

   F. Extraordinary costs for administering the user charge system.

18-16
10. **Minimum Non-Metered Sewer Rentals.** Notwithstanding any other provisions contained herein, all nonmetered residential users shall be required to pay a minimum user charge of $75 per quarter and all nonmetered nonresidential users shall be required to pay a minimum user charge of $1,000 per quarter.  

*(Ord. 312, 6/20/1983, §2; as amended by Ord. 454, 9/2/2008)*

§18-313. **Time and Method of Payment.**

1. **Quarterly Payment.**

   A. All bills for user charges and industrial surcharges shall be rendered to property owners in calendar quarters, on the first days of January, April, July and October, respectively, in each year, or on such other dates as this Township, by ordinance, shall specify, and shall cover a quarter annum billing period consisting of the immediately preceding 3 complete calendar months. All bills for user charges and industrial surcharges which shall be based on estimates of this Township shall be rendered for each calendar quarter annum billing period promptly after the estimates are made.

   B. Each owner of an improved property which shall be connected to the sewer system during any calendar quarter shall pay a pro rata sewer rental and charge for service for the balance of the calendar quarter and shall be billed for service for the balance of the calendar quarter and shall be billed in conjunction with the next regular quarter annum billing or by a special billing, in accord with paragraph .A or as this Township may determine.

2. **Payment Period.** User charges and industrial surcharges shall be due and payable upon the applicable billing date as provided for in subsection .1, at the office of the Township, or at such other location as this Township may designate, and the appropriate amount, computed in accordance with this Part 4B shall constitute the net bill. Any water and sewer bill tendered by this Township which remains due and unpaid for a period of 60 days shall have a $20 late payment penalty imposed thereon and said bill shall thereafter not be considered paid in full unless and until said late payment penalty is also paid in full. Payment made or mailed and received on or before the last day of such 60 calendar day period shall constitute payment within such period. If the end of such 60 calendar day period shall fall on a legal holiday or Sunday, payment made or mailed and received on the next succeeding week day which is not a legal holiday shall constitute payment within such period. Any bill not paid within said 60 calendar period day shall be deemed delinquent. *(Ord. 373)*

3. **Right to Cut Off Water or Sewer Service.** If the owner of improved property connected to the sewer system shall neglect or fail to pay, for a period of 30 days from the due date thereof, any user charge or industrial surcharge for sewage service imposed by the Township:

   A. The Township shall have the right to cut-off sewer services for such premises and not to restore the same until all bills against the same and the cost of cutting off and restoring service shall have been paid.

   B. The Township shall have the right to request that the public water supply be shut off to such improved property until all such overdue rates and charges, together with any penalty and interest thereon shall be paid. In no case shall the water supply be shut off to any premises until 10 days after written notice of an
§18-313 Township of West Lebanon §18-316

intention so to do has been mailed to the person liable for the payment of the charges, and, in addition thereto, there has been posted a written notice of such intention at a main entrance to the improved property.

(Ord. 312, 6/20/1983, §3; as amended by Ord. 373, 2/3/1997, §1)

§18-314. Liens For User Charges; Filing and Collection of Liens.

Property Liens. User charges and industrial surcharges imposed by this Part 4B shall be a lien on the improved property connected to the sewer system; and any such sewer user charges and/or industrial surcharges are delinquent shall be filed as a lien against the improved property so connected to the sewer system, which lien shall be filed in the office and shall be collected in the manner provided by law for the filing and collecting of municipal claims.

(Ord. 312, 6/20/1983, §4)

§18-315. Sanitary Sewer Regulations.

Prohibitions Against Noncentral Sewage Disposal. Except as hereinabove; provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage, within the sewer service.

(Ord. 312, 6/20/1983, §5)

§18-316. Building Sewers and Connection Methods.

1. Permit Requirement. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a permit from the Township as described in §18-320.

2. Separate Connections. Each mobile home and/or trailer unit or other residential unit used for residential purposes, and having domestic water and/or sanitary facilities therein, shall be considered a separate and independent building, and as such shall have its own separate and independent building drain and building sewer, except where the Township permits connection to serve two joined properties in common ownership, or where the configuration of property lines renders service to one residential unit impossible except by common use of a single building sewer and sewer lateral, in which case each property shall be charged and make required payments as separate units.

3. Re-use of Existing Laterals. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Township, to meet all the requirements of this Part 4B.


A. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Uniform Construction Code [Chapter 5, Part 1] and/or other applicable rules and regulations of the Township. [Ord. 454]

B. The minimum pipe size permitted for the building sewer shall be 4 inches, and the minimum slope of the building sewer pipe shall be 1/4 inch per foot. The building sewer shall be constructed of polyvinyl chloride (PVC) pipe (ASTM D 2665;
§18-316 Sewers and Sewage Disposal

ASTM D 2949; ASTM D 3033; ASTM D 3034) or of vitrified clay pipe (ASTM C4; ASTM C700). The building sewer material shall be of the same material as the sewer lateral and sewer main. The vent piping shall be of PVC material meeting the above referenced ASTM requirements or of cast iron meeting the requirements of ASTM A74. Building sewer shall be laid on a bedding of crushed stone.

5. **Service to Basement Level of Structures.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the sewer system, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. The capital and operating cost for lifting waste water shall be the responsibility of the user.

6. **Exclusion of Surface and Groundwater Drainage.** No person shall discharge or cause or permit to be discharged, any stormwater, foundation drainwater, groundwater, roof runoff, surface drainage, or industrial cooling water to any sewer connected to the sewer system.

7. **Safety Compliance During Construction.** All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Township or the Township's authorized representative at the property owner's expense.

8. **Sampling, Flow Measurement Facilities.** The owner of any improved property serviced by a building sewer carrying industrial waste shall install at his expense a suitable control manhole together with such necessary meters and sampling chamber and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the waste.

(Ord. 312, 6/20/1983, §6; as amended by Ord. 454, 9/2/2008)

§18-317 Use of the Public Sewers.

1. **Separation of Sanitary Wastes and Clear Water.** No person shall discharge or cause or permit to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, cellar water or unpolluted industrial process water to any sanitary sewer.

   For the purpose of securing compliance with the provisions of this Section, the employees or representatives of the Township or the City are hereby authorized, at reasonable times, to visit and inspect any improved property connected with the sewer system, provided that such person, upon demand, shall show a card certifying that the bearer of such card is authorized to inspect such improved property connected with the sewer system of the Township.

2. **Stormwater Discharge.** Stormwater and all other unpolluted drainage shall be discharged to such sewers are specifically designated as storm sewers, or to a natural outlet, approved by the Township.

3. **Swimming Pool Drain Lines and Backwash.** Drain lines from all swimming pools in the Township may be connected to storm sewers, where available, and filter back-wash lines shall be discharged to the sewer system as follows:
   A. Sand filter back-wash shall be discharged to the sewer system.
B. Diatomaceous earth filter back-wash shall be connected to the sewer system through tanks with 3 month’s storage capacity of spent diatomaceous earth, which tanks shall be readily accessible for removing solid waste for disposal.

(Ord. 312, 6/20/1983, §7)

§18-318. Prohibited Wastes.

1. Prohibited Wastes. The City and/or Township reserve the right to refuse permission to connect to the sewer system, to compel discontinuance of use of the sewer system or to compel pretreatment of industrial wastes by any industry in order to prevent discharges deemed harmful or to have a deleterious effect upon any portion of the sewer system. The discharge of roof water, stormwater, surface drainage and building foundation drainage to the sewer system is expressly prohibited. No sewage or industrial wastes shall be discharged to the sewer system:
   A. Having a temperature higher than 100 degrees Fahrenheit.
   B. Containing more than 120 parts per million by weight of tar, oil and/or grease.
   C. Containing any gasoline, benzine, naptha, fuel oil or other flammable or explosive liquids, solids or gases.
   D. Containing any garbage which has not been ground by a household type or other suitable garbage grinder.
   E. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, cotton, wool, plastics or other fibers, or any other solid or viscous substances capable of causing interference with proper operation of the sewer system.
   F. Having a pH lower than 6.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewer system.
   G. Containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage or sludge treatment process, constitute hazards to humans or create any hazard in sewer system operation. Toxic wastes shall include, but not by way of limitation, wastes containing cyanide, chromium and/or copper ions.
   H. Containing noxious or malodorous gases or substances capable of creating a public nuisance.
   I. Which interferes with, passes through untreated or otherwise is incompatible with the system.
   J. Containing color from any source that when diluted with distilled water 1:10 will have a luminance of less than 90 percent and purity of greater than 10 percent, at its dominant wave length.

2. Deleterious, Hazardous Wastes. If any waters or wastes are discharged, or are proposed to be discharged to the sewer system, which waters contains the substances or possess the characteristics enumerated in this Section and which in the judgment of the City or the Township may have a deleterious effect upon the sewer system, or which otherwise create a hazard to life or constitute a public nuisance, the Township may
upon giving official notice to the discharger:

A. Reject the waste.
B. Require pretreatment to reduce characteristics to maximum limits permitted by ordinance.
C. Require control over the quantities and rates of discharge.
D. Require immediate discontinuance of the waste discharge until such time as it meets the requirements of this Section.
E. Charge the discharger of an accidental spill of deleterious or hazardous waste(s) for any extra or unusual costs incurred in treatment, handling or clean-up of the waste(s) spilled.

3. **Garbage Grinders.** The use of mechanical garbage grinders producing a finely, properly divided mass, properly flushed with an ample amount of water, shall be permitted upon the condition that no such mechanical garbage grinder to serve improved property used for commercial purposes shall be installed.

*(Ord. 312, 6/20/1983, §8)*

§18-319. **Pretreatment.**

1. **Use of Interceptor Devices.** Grease, oil, and sand interceptors or retainers shall be installed by the user at its own expense when, in the opinion of the Township, such are necessary for the proper handling of liquid wastes containing grease, oils, or sand in excessive amounts, of any inflamable wastes, and of such other harmful ingredients. Such interceptors shall be of a type and capacity approved by the Township and shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the Township. Where installed, all grease, oil, and sand interceptors shall be maintained by the user, at his own expense, and shall be kept in continuous and efficient operation at all times.

2. **Pretreatment Facilities by Industries.** Industries shall, at industry expense, construct, install and operate suitable pretreatment facilities to meet the requirements stipulated herein.

A. **Equalizing Waste Flow; Regulating Devices.** The City and/or the Township reserves the right to require industry having large variations in rates of waste discharge to install suitable regulating devices for equalizing waste flows.

B. **City Right of Inspection.** The City's and/or the Township's representatives shall have access at all reasonable times to industrial establishments and any meters used for establishing or determining water consumption, water excluded from the sewer system and sewage and/or waste waters discharged to the sewer system.

C. **Concurrence of City and Township in Pretreatment.** No preliminary treatment (pretreatment) plant and facility shall be constructed or operated unless all plans, specifications, technical operating data, and other information pertinent to its proposed operation and maintenance shall conform to all City, Township, U.S. Environmental Protection Agency, Commonwealth of Pennsylvania, Department of Environmental Protection, and any other local, state, federal agency regulations, and unless written approval of the plans, specifications, technical operating data, and sludge disposal has been obtained from U.S. Environmental Protection Agency.
§18-319 Township of West Lebanon §18-322

Commonwealth of Pennsylvania, Department of Environmental Protection, and any other local, state, or federal agency having regulatory Authority with respect thereto. [Ord. 454]

D. Maintenance of Pretreatment Facilities. All such preliminary treatment facilities as required shall be maintained continuously in satisfactory and effective operating condition by the user operating and maintaining the facility served thereby, and at the user's expense. 

(Ord. 312, 6/20/1983, §9; as amended by Ord. 454, 9/2/2008)

§18-320. Connection Charge and Connection Permits.

All connection charges, permits, and inspection fees shall be done by resolution by the West Lebanon Township Board of Commissioners.

(Ord. 312, June 30, 1983, §10; as amended by Ord. 413, May 3, 2004; and by Ord. 425, 8/1/2005)

§18-321. Sewer Extensions.

1. Authorization to Extend Sewers. The Township shall have control and authority over any and all extensions of the sewer system on approval and concurrence of the City where necessary. No extension will be made except upon the written request of an owner, or where the Township determines an extension is economically justified.

2. Financial Responsibility for Construction. The owner or owners applying for such extension shall be responsible for the cost of making such an extension. Title to any extension of the sewer system will be vested in the Township, and the sewer system shall at all times remain the sole property of the Township and shall not be trespassed upon or interfered with in any respect. This property shall be maintained by the Township and may be used as the Township deems fit.

3. Submittal and Approval of Plans. When extensions of the sewer system are to be constructed, the owner will furnish plans for review and approval by the Township and all other agencies having jurisdiction. These plans will denote location, profile and any other pertinent details required by agencies having jurisdiction. The Township will also require a public works agreement and bonds spelling out the conditions by which the sewer system will be extended.

4. Security. Before an extension of the sewer system is approved by the Township, the owner or applicant shall post security for the estimated cost of the extension. Final adjustments will be made upon the receipt of all bills and expenses that may be incurred in the extension of the sewer system. Any surplus will be returned to the owner. Any deficit incurred by the Township will be billed to the owner upon final accounting.

5. Additional Connections to Extended Sewer. The Township will not be required to make any reimbursement to the owner who installs extensions to the sewer system or enter into any type of buyback agreements.

(Ord. 312, 6/20/1983, §11)

§18-322. Industrial Waste Discharge Permit.

1. Permit Required.
§18-322 Sewers and Sewage Disposal

A. Prior to discharging any industrial waste to the sewer system, or prior to continuing the discharge of any industrial waste to the sewer system, the owner of the improved property from which such discharge is proposed to be made shall apply to the Township and the City in writing for a permit to make such discharge. Application to continue discharge of industrial waste shall be made within 60 days after passage of this Part 4B.

B. Application shall be made on discharge permit application forms furnished by the Township, which forms shall contain all pertinent data including, but not limited to, estimated quantity of flow, character of waste, maximum rate of discharge, and pretreatment facilities, together with any other information considered pertinent in such judgment of the approving authorities. The costs for obtaining such information shall be borne by the industrial establishment.

2. Application Fee. A fee in an amount as established from time to time by resolution of the Board of Commissioners shall be charged for issuance of a discharge permit. [Ord. 454]

3. Extent of Permit.
   A. Industrial waste discharge permits shall remain in effect so long as the type of waste remains unchanged.
   B. Any owner of an improved property who is discharging industrial waste into the sewer system and who contemplates a change in the method of operation which will alter the type of industrial waste then discharged into the sewer system shall apply for a new industrial waste discharge permit at least 30 days prior to such change.

4. Exclusion of Segregated Domestic Wastes. In the case of complete separation of domestic waste from industrial wastes within an establishment, with the domestic wastes only discharged to the sanitary sewer, no industrial waste discharge permit fee shall be imposed on that portion of the wastes going to the sanitary sewer.

(Ord. 312, 6/20/1983, §12; as amended by Ord. 454, 9/2/2008)

§18-323 Enforcement.

1. Inspection Rights. Any duly authorized employee or agent of the Township bearing proper credentials and identification shall be permitted at any reasonable time to enter upon all properties within the limits of the Township or where the sewer system extends under contract for wastewater treatment service, for the purpose of inspecting, observing, measuring, sampling, and testing, as may be required in pursuance of the implementation and enforcement of the terms and provisions of these regulations. The City shall have the right to inspection equal to the Township's rights as set forth.

2. Prosecution. Any person found to be violating any provision of this Part 4B shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time for correction of the violation. Any person, firm or corporation who shall continue any violation beyond the prescribed time limit, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part 4B continues shall constitute a
§18-323 Township of West Lebanon §18-324

separate offense. [Ord. 454]
(Ord. 312, 6/20/1983, §13; as amended by Ord. 454, 9/2/2008)

§18-324. Adoption of Additional Rates and Charges, Classification, Rules and Regulations.

Right to Promulgate Additional Rates, Charges, Rules and Regulations. The Township reserves the right to adopt, from time to time, such additional rates and charges, classifications, rules and/or regulations as it shall deem necessary or desirable in connection with use and operation of the sewer system, which additional rates and charges, classifications, rules and/or regulations shall be, shall become and shall be construed as part of this Part 4B.
(Ord. 312, 6/20/1983, §14)

1. Purpose and Policy.

A. This Part 4C sets forth uniform requirements for direct and indirect contributors into the wastewater collection system for the Township of West Lebanon and enables the Board of Commissioners to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations, 40 CFR, Part 403.

B. The objectives of this Part 4C are:

(1) To prevent the introduction of pollutants into the Township wastewater system which will interfere with the operation of the system or contaminate the resulting sludge.

(2) To prevent the introduction of pollutants into the Township wastewater system which will pass through the system inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.

(3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.

(4) To provide for equitable distribution of the cost of the municipal wastewater system.

C. This Part 4C provides for the regulation of direct and indirect contributors to the Township wastewater system through the issuance of permits to certain nondomestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

D. This Part 4C shall apply to all users in West Lebanon Township.

E. Except as otherwise provided herein, the enforcement officer of West Lebanon Township shall administer, implement and enforce the provisions of this Part 4C.

2. Definitions. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Part 4C, shall have the meanings hereinafter designated:

Act or the Act - the Federal Water Pollution Control Act, also know as the Clean Water Act, as amended, 33 U.S.C. §1251 et seq.

Ammonia nitrogen - as used in this Part 4C, means all nitrogen that exists in aqueous solution as either ammonium ion or ammonia.

Approval authority - the director in an NPDES state with an approved state pretreatment program and the administrator of the EPA in a nonNPDES state or NPDES state without an approved state pretreatment program.

Authority - refers to the City of Lebanon Authority.

Authorized representative of industrial user - an authorized representative of...
an industrial user may be:

1. A principal executive officer of at least the level of vice president, if the industrial user is a corporation.
2. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively.
3. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

**Biochemical oxygen demand (POD)** - the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures, 5 days at 20 degrees C expressed in terms of weight and concentration (milligrams per liter (mg/l)).

**Board of Commissioners** - the elected officials of West Lebanon Township.

**Building sewer** - a sewer conveying wastewater from the premises of a user to the POTW.

**Categorical standards** - national categorical pretreatment standards or pretreatment standard.

**City** - the City of Lebanon which manages the City of Lebanon Authority's wastewater treatment system.

**Control authority** - the “approval authority,” defined hereinabove, or the Superintendent, if the Authority has an approved pretreatment program under the provisions of 40 CFR §403.11.

**Cooling water** - the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

**Direct discharge** - the discharge of treated or untreated wastewater directly to the waters of the State of Pennsylvania.

**Enforcement officer** - the Superintendent of the wastewater treatment facility operated by the City of Lebanon Authority is hereby designated as the enforcement officer to enforce the terms of this Part 4C in West Lebanon Township.

**Environmental protection agency or EPA** - the U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

**Grab sample** - a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

**Hazardous waste** - any material qualifying as such under any Federal or State regulations or any material responsible for inhibition, pass through or sludge contamination at the POTW.

**Holding tank waste** - any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

**Indirect discharge** - the discharge or the introduction of nondomestic pollutants from any source regulated under §307(b) or (c) of the Act, 33 U.S.C. §1317, into the POTW (including holding tank waste discharged into the system).
Industrial user - a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to §402 of the Act, 33 U.S.C. §1342.

Interference - the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the Authority's NPDES permit. The term include prevention of sewage sludge use or disposal by the POTW in accordance with §405 of the Act, 33 U.S.C. §1345, or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

May - is permissive.

National categorical pretreatment standard or pretreatment standard - any regulation containing pollutant discharge limits promulgated by the EPA in accordance with §307(b) and (c) of the Act, 33 U.S.C. §1317, which applies to a specific category of industrial users.

National Pollution Discharge Elimination System or NPDES permit - a permit issued pursuant to §402 of the Act, 33 U.S.C. §1342.

National prohibitive discharge standard or prohibitive discharge standard - any regulation developed under the authority of §307(b) of the Act and 40 CFR §403.5.

New source - any source, the construction of which is commenced after the publication of proposed regulations prescribing a §308(c), 33 U.S.C. §1317, categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

Pass through - the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirements of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Person - any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

pH - the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solutions.

Phosphorous - the elemental phosphorous in its combined or uncombined forms as determined by using standard laboratory procedures.

Pollutant - any dredged spoil, solid waste, incinerator reside, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and...
industrial, municipal and agricultural waste discharged into water.

Pollution - the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

POTW - publicly owned treatment works. Specifically, the City of Lebanon Authority's wastewater treatment plant.

Pretreatment or treatment - the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes or process changes other than as prohibited by 40 CFR §403.6(d).

Pretreatment requirements - any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

Pretreatment standards or standard - pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards and local limits.

POTW treatment plant - that portion of the POTW designed to provide treatment of wastewater.

Publicly owned treatment works (POTW) - a treatment works as defined by §212 of the Act, 33 U.S.C. §1292, which is owned in this instance by the Authority. This definition includes any sewers that convey wastewater to the POTW, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this Part 4C, “POTW” shall also include any sewers that convey wastewaters to the POTW from persons outside the City who are, by contract or agreement with the Authority, users of the Authority's POTW.

Shall - is mandatory.

Significant industrial user - any industrial user of the Authority's wastewater disposal system who:

1. Has a discharge flow of 25,000 gallons or more per average work day.
2. Has a flow greater than 5 percent of the flow the Authority's wastewater treatment system.
3. Has in his wastes toxic pollutants as defined pursuant to §307 of the Clean Water Act.
4. Is found by the City, State control agency or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.

Significant noncompliance - industrial user violations that meet one or more of the following criteria:

1. Violations of sewer discharge limits:
   a. Chronic violations, 66 percent or more of the measurements exceed the same daily maximum limit or the same average limit in a 6-
§18-331 Sewers and Sewage Disposal

month period.

(b) Technical review criteria (TRC) violations, 33 percent or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a 6-month period.

c) Any other violation(s) of an effluent limit (average or daily maximum) that the control authority believes has caused, along or in combination with other discharges, interference (e.g., slug loads) or pass through; or endangered the health of the sewage treatment personnel or the public.

d) Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment and has resulted in the POTW's exercise of its emergency authority treatment to halt or prevent such a discharge.

(2) Violation of compliance schedule milestones, contained in a local control mechanism or enforcement order, for starting construction, completing construction and attaining final compliance by 90 days or more after the schedule date.

(3) Failure to supply reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports and periodic reports) within 30 days from the due date.

(4) Failure to accurately report noncompliance.

(5) Any other violations or groups of violations that the control authority considers to be significant.

**Slug load** - any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in §18-332.1 of this Part 4C.

**Standard industrial classification (SIC)** - a classification pursuant to the *Standard Industrial Classification Manual* issued by the Executive Office of the President, Office of Management and Budget, 1972.

**State** - State of Pennsylvania.

**Stormwater** - any flow occurring during or following any form of natural precipitation and resulting therefrom.

**Suspended solids** - the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids and which is removable by laboratory filtering.

**Township** - refers to West Lebanon Township, Lebanon County.

**Toxic pollutant** - any pollutant or combination of pollutants listed as toxic in regulation promulgated by the Administrator of the Environmental Protection Agency under the provisions of §307(a) of the Clean Water Act or other acts.

**User** - any person who contributes, causes or permits the contribution of wastewater into the Authority's POTW.

**Wastewater** - the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, whether treated or untreated, which is contributed into or permitted to enter the POTW.
Wastewater contribution permit - as set forth in §18-333.2 of this Part 4C.

Waters of the State - all streams, lakes, ponds, marches, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage system and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the State or any portion thereof.

2. Abbreviations. The following abbreviations shall have the designated meanings:

A. BOD - biochemical oxygen demand.
B. CFR - code of federal regulations.
C. COD - chemical oxygen demand.
D. EPA - environmental protection agency.
E. l - liter.
F. mg - milligrams.
G. mg/l - milligrams per liter.
H. N - ammonia nitrogen.
I. NPDES - National Pollutant Discharge Elimination System.
J. P - phosphorous.
K. pH - the negative log of the hydrogen ion concentration as determined by standard methods.
L. POTW - publicly owned treatment works.
M. SIC - standard industrial classification.
O. T.S. - total suspended solids.

(Ord. 371, 12/2/1996, §1)

§18-332. Regulations.

1. General Discharge Prohibitions.

A. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW or cause pass through. These general prohibitions apply to all such users of a POTW whether or not the user is subject to national categorical pretreatment standards or any other national, State or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:

   (1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause fire or explosion or to be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than 5 percent nor any single reading over 10
percent of the lower explosive limit (LED) of the meter. Nor shall the discharge of a waste stream with a closed cup flash point of less than 140 degrees Fahrenheit be allowed. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substance which the City, the State or the EPA has notified the user is a fire hazard or a hazard to the system.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through, garbage with particles greater than ½ inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt, residues, residues from refining or processing of fuel, mud or glass grinding or polishing wastes.

(3) Any wastewater having a pH less than six or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to §307(a) of the Act.

(5) Any pollutants which result in the production of toxic gases, vapors or fumes within the POTW or collection system in a quantity that may cause acute worker health and safety problems.

(6) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(7) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under §405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or State criteria applicable to the sludge management method being used.

(8) Any substance which will cause the POTW to violate its NPDES and/or State disposal system permit or the receiving water quality standards.
§18-332 Township of West Lebanon §18-332

(9) Any wastewater with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.

(10) Any wastewater having a temperature that will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees centigrade (140 Fahrenheit) unless the POTW treatment plant is designed to accommodate such temperature.

(11) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or qualities or pollutants that exceed for any time period longer than 15 minutes more than five times the average 24-hour concentration, quantities, or flow during normal operation.

(12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the enforcement officer in compliance with applicable State or Federal regulations.

(13) Any wastewater which causes a hazard to human life or creates a public nuisance.

(14) The discharge of roof water, stormwater, surface drainage and building foundation drainage to the sewer system is expressly prohibited.

(15) Any trucked or hauled wastes unless discharged at points designated by the POTW.

(16) Wastewater causing alone or in conjunction with other sources, the POTW's effluent to fail a toxicity test or any requirements of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

B. When the enforcement officer determines that a user is contributing to the POTW, any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the enforcement officer shall:

(1) Advise the user of the impact of the contribution on the POTW.

(2) Develop effluent limitation(s) for such user to correct the interference with the POTW.

2. Federal Categorical Pretreatment Standards. Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal standard, if more stringent than limitations imposed under this Part 4C for sources in that subcategory, shall immediately supersede the limitations imposed under this Part 4C. The enforcement officer shall notify all affected users of the applicable reporting requirements under 40 CFR §403.12.

3. Modification of Federal Categorical Pretreatment Standards. Where the Authority's wastewater treatment system achieves consistent removal of pollutants limited by Federal pretreatment standards, the Authority may apply to the approval authority for modification of specific limits in the Federal pretreatment standards. “Consistent removal” shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or
harmless state in the effluent which is achieved by the system 95 percent of the samples taken when measured according to the procedures set forth in §403.7(c)(2) of Title 40 of the Code of Federal Regulation, Part 403, “General Pretreatment Regulations for Existing and New Sources of Pollution,” promulgated pursuant to the Act. The City may then modify pollutant discharge limits in the Federal pretreatment standards if the requirements contained in 40 CFR, Part 403, §407(7), are fulfilled and prior approval from the approval authority is obtained.

4. **Specific Pollutant Limitations.** Wastewater discharges containing in excess of:
   A. 215 mg/l BOD₅;
   B. 250 mg/l suspended solids;
   C. 11 mg/l phosphates;
   D. 20 mg/l ammonia nitrogen;
   E. pH (std. units) - less than 6 nor greater than 9;

shall be controlled as specified in subsection .7.C, below. Additional discharge limits shall be contained in the industrial waste discharge permits of permitted industrial users.

5. **State Requirements.** State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Part 4C.

6. **Authority’s Right of Revision.** The enforcement officer or an authorized representative reserves the right to establish by ordinance and/or permit, more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in §18-331.1 of this Part 4C.

7. **Excessive Discharge.**
   A. No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal categorical pretreatment standard, or in any other pollutant-specific limitation developed by the Township or State.
   B. The Township reserves the right to require any industry having large variations in rates of waste discharge to install suitable regulating devices for equalizing waste flow.
   C. Industrial establishments discharging sewerage and industrial wastes to the sewer system having an average 5-day biochemical oxygen demand (BOD₅) greater than 215 parts per million (ppm), a suspended solids concentration greater than 250 ppm, a total phosphorous (as P) content greater than 11 ppm or a total ammonia nitrogen (as N) content greater than 20 ppm shall pay a strength of waste surcharge, in addition to applicable volume charges, equal to \( \frac{1}{10} \) of 1 percent for each ppm by which the suspended solids exceeds 250 ppm, plus \( \frac{1}{10} \) of 1 percent for each ppm by which the P concentration excess 11 ppm plus \( \frac{7}{10} \) of 1 percent for each ppm by which the ammonia-nitrogen exceeds 20 ppm. Surcharges shall be applicable to billing for sewer rentals under §§927.03 and 927.04 of Part 9, “Streets, Utilities and Public Service” of the City of Lebanon Code of Ordinances. The strength of sewerage and industrial waste to be used for establishing the amount
of surcharge shall be determined at least once annually either:

(1) By suitable sampling and analyses of the waste for a 3-day period, during which time the strength of waste discharge or production is at a maximum.

(2) By relating production of waste strength at the time of sampling to waste strength at a maximum production if sampling is not performed at the time of maximum production.

(3) From estimates made by the POTW.

(4) From known relationships of products produced to strengths of waste for those industries where such factors have been established.

In establishing waste strengths for surcharge purposes, analysis shall be made in accordance with procedures outlined in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. (City of Lebanon Ord. 82-1976, §5, Passed 6/30/1977)

8. Accidental Discharges.

A. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Part 4C. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner’s or user’s own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the enforcement officer for review and shall be approved by the Township before construction of the facility. All existing users shall complete such a plan by January 1, 1986. No user who commences contribution to the POTW after the effective date of this Part 4C shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Township. Review and approval of such plans and procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Part 4C. In the case of an accidental discharge it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions.

B. Written Notice. Within 5 days following an accidental discharge, the user shall submit to the enforcement officer a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other liability which may be imposed by this Part 4C or other applicable law.

C. Notice to Employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(Ord. 371, 12/2/1996, §2)
§18-333. Fees.

1. *Purpose.* It is the purpose of this Part 4C to provide for the recovery of costs from the users of the Authority's wastewater disposal system for the implementation of the program established herein.

2. *Charges and Fees.* The Township may adopt charges and fees which may include:

   A. Fees for reimbursement of costs of setting up and operating the Township's pretreatment program.
   B. Fees for monitoring, inspections and surveillance procedures.
   C. Fees for reviewing accidental discharge procedures and construction.
   D. Fees for permit application.
   E. Fees for filing appeals.
   F. Fees for consistent removal (by the POTW) of pollutants otherwise subject to Federal pretreatment standards.
   G. Other fees as the Township may deem necessary to carry out the requirements contained herein.

3. These fees relate solely to the matters covered by this Part 4C and are separate from all other fees chargeable by the Board of Commissioners. Should fees as described herein be adopted, the established charges or fees shall be set forth in Attachment “A” of this Part 4C.

(Ord. 371, 12/2/1996, §3)

§18-334. Administration.

1. *Wastewater Discharges.* It shall be unlawful to discharge without a Township permit to any natural outlet within West Lebanon Township, or in any area under the jurisdiction of said Township and/or to the POTW any wastewater except as authorized by the enforcement officer in accordance with the provisions of this Part 4C.

2. *Wastewater Contribution Permits.*

   A. *General Permits.* All significant users proposing to connect to or to contribute the POTW shall obtain a wastewater discharge permit before connecting, to or contributing to the POTW. All existing significant users connected to or contributing to the POTW shall obtain a wastewater discharge permit within 180 days after the effective date of this Part 4C.

   B. *Permit Application.* Users required to obtain a wastewater contribution permit shall complete and file with the enforcement officer, an application in the form prescribed by the Township and accompanied by a fee in an amount as established from time to time by the Board of Commissioners. Existing users shall apply for a wastewater contribution permit within 30 days after the effective date of this Part 4C and proposed users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

   [Ord. 454]

   (1) Name, address and location (if different from the address).
§18-334 Township of West Lebanon §18-334

(2) SIC number according to the *Standard Industrial Classification Manual*, Bureau of the Budget, 1972, as amended.

(3) Wastewater constituents and characteristics including, but not limited to, those mentioned in §18-332 of this Part 4C as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to §304(9) of the Act and contained in 40 CFR, Part 136, as amended.

(4) Time and duration of contribution.

(5) Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any.

(6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.

(7) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged.

(8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any authority, State or Federal pretreatment standards and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O & M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.

(9) If additional pretreatment and/or O & M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standards. The following conditions shall apply to this schedule:

   (a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

   (b) No increment referred to in clause (a) shall exceed 9 months.

   (c) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the enforcement officer including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the enforcement officer.

(10) Each product produced by type, amount, process or processes and rate of production.

(11) Type and amount of raw materials processed or processes and rate of production.
production.

(12) Number and type of employees, and hour of operation of plant and proposed or actual hours of operation of pretreatment system.

(13) Any other information as may be deemed by the enforcement officer to be necessary to evaluate the permit application. The enforcement officer will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the enforcement officer may issue a wastewater contribution permit subject to terms and conditions provided herein.

C. **Permit Modifications.** Within 3 months of the promulgation of a national categorical pretreatment standard, the wastewater contribution permit of users subject to such standards shall be revised to require compliance with such standard within the time frame described by such standard. Where a user, subject to a National categorical pretreatment standard, has not previously submitted an application for a wastewater contribution permit as required by paragraph .B, above, the user shall apply for a wastewater contribution permit within 90 days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater contribution permit shall submit to the enforcement officer within 90 days after the promulgation of an applicable Federal categorical pretreatment standard the information required by paragraphs .B(8) and .B(9), above.

D. **Permit Conditions.** Wastewater discharge permits shall be expressly subject to all provisions of this Part 4C and all other applicable regulations, user charges and fees established by the Township. Permits may contain the following:

(1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer.

(2) Limits on the average and maximum wastewater constituents and characteristics.

(3) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.

(4) Requirements for installation and maintenance of inspection and sampling facilities.

(5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.

(6) Compliance schedules.

(7) Requirements for submission of technical reports or discharge reports (see subsection .3, below)

(8) Requirements for maintaining and retaining plan records relating to wastewater discharge as specified by the enforcement officer, and affording the Township or their designated representative access thereto.

(9) Requirements for approval by the enforcement officer for any new introduction of wastewater constituents or any change in the volume or character of the wastewater constituents being introduced into the wastewater
treatment system before discharge commences.

(10) Requirements for notification of slug discharges as per §18-335.2.

(11) Requirements for the development and submittal of a spill prevention control and countermeasure program.

(12) Other conditions as deemed appropriate by the Township to ensure compliance with this Part 4C.

E. **Permits Duration.** Permits shall be issued for a specified time period, not to exceed 2 years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the enforcement officer during the term of the permit as limitations or requirements as identified in §18-332 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any change or new condition in the permit shall include a reasonable time schedule for compliance.

F. **Permit Transfer.** Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the enforcement officer.

3. **Reporting Requirements for Permittee.**

   A. **Compliance Date Report.**

   (1) Within 90 days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements or any other industrial users who by the nature of the waste discharged is of concern to the enforcement officer shall submit to the enforcement officer a baseline monitoring report indicating the following:

   (a) Identifying information including the name and address of the facility including the name of the operator and owners.

   (b) The user shall submit a list of any environmental control permits held by or for the facility.

   (c) The user shall submit a brief description of the nature, average and current rate of production, and standard industrial classification of the operations conducted by the user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

   (d) The user shall submit information showing the measured average daily and maximum daily flow in gallons per day as defined in 40 CFR §403.12(b)(4).

   (e) The user shall identify the pretreatment standards applicable to each regulated process as defined in 40 CFR §403.12(5).

   (f) This report, reviewed by an authorized representative of the
§18-334 Sewers and Sewage Disposal

§18-39

industrial user and certified to by a qualified professional shall state whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance and/or pretreatment is required for the IU to meet the pretreatment standards.

(g) If additional pretreatment and/or O & M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O & M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standards and requirements.

(2) Further, once in compliance, any industrial user subject to categorical pretreatment standards, or in the case of a new source, after commencement of the discharge into the POTW, shall submit to the control authority during the months of June and December, unless required more frequently by the pretreatment standard or by the control authority, or the approval authority, a report indicating the nature and concentration of the pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period. Where the control authority has imposed mass limitations on industrial users, this report shall include the mass of pollutants regulated by pretreatment standards in the discharge from the industrial user.

(3) All analyses shall be performed in accordance with procedures established by the Administrator pursuant to §304(9) of the Act and contained in 40 CFR, Part 136, and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator.

B. **Periodic Compliance Reports.**

(1) Any user subject to a pretreatment standard after the compliance date of such pretreatment standard or, in the case of a new source, after commencement of discharge into the POTW, and all industrial users classified as significant, shall submit to the enforcement officer during the months of July and January unless required more frequently in the pretreatment standard or by the enforcement officer, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such pretreatment standards. This report shall contain the following oath:

“I have personally examined and am familiar with the information submitted in the attached document and I hereby certify under penalty of law that this information was obtained in accordance with the requirements of §403.6(a). Moreover, based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.”

In addition, this report shall include a record of all daily flows which
during the reporting period exceeded the average daily flow reported in paragraph .B(4) of this Section. At the discretion of the enforcement officer and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the enforcement officer may agree to alter the months during which the above reports are to be submitted.

(2) The enforcement officer may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (1), above, shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. The reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the enforcement officer, or pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established by the Administrator pursuant to §304(9) of the Act and contained in 40 CFR, Part 136, and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator. (Comment: Where 40 CFR, Part 136, does not include a sampling or analytical technique for the pollutant in question–sampling and analysis shall be performed in accordance with the procedures set form in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Administrator.)

(3) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean and maintained in good working order at all times. The failure of a user to keep its facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

(4) If a user subject to the reporting requirements in this Section monitors any pollutant more frequently than required by the enforcement officer, using the procedures described in paragraph .D, below, the results of this monitoring shall be included in this report.

C. Reports from Unpermitted Users. All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Superintendent as may be required for the successful operation of the POTW.

D. Notice of Violation/Repeat Sampling and Reporting. If sampling performed by the user indicates a violation, the user must notify the Superintendent within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent with 30 days after becoming aware of the violation. The user is not required to re-sample if the POTW monitors at the user's facility at least once a month, or if the POTW samples between the user's initial sampling and when the
user receives the results of this sampling.

E. **Reports of Changed Conditions.** Each user must notify the Superintendent of any planned significant changes to the user’s operations or system which might alter the nature, quality or volume of its wastewater at least 30 days before implementing the change.

(1) The Superintendent may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under subparagraph (2) of this Section.

(2) The Superintendent may issue a wastewater discharge permit under subparagraph (2)(b) of this Section in response to changed conditions.

(3) For the purpose of this requirement, significant changes include, but are not limited to, flow increases of 20 percent or greater, increased mass concentration discharges of 10 percent or greater and the discharge of previously unreported pollutants.

F. **Notification of Hazardous Waste Discharges.** All industrial users must submit to the POTW a one time report specifying all hazardous wastes discharged. The POTW will provide this report form upon request. Further, the POTW must be notified of all subsequent changes in nature and types of hazardous wastes being discharged.

G. **Sample Collection.**

(1) Except as indicated in subparagraph (2), below, the user must collect wastewater samples representative of normal discharge conditions using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Superintendent may authorize the use of time proportional sampling or a minimum of four grab samples where the used demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

(2) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides and volatile organic compounds must be obtained using grab collection techniques.

H. **Record Keeping.** Users subject to the reporting requirements of this Part 4C shall retain and make available for inspection and copying all records of information obtained pursuant to any monitoring activities required by this Part 4C and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least 3 years. This period shall be automatically extended for the duration of any litigation concerning the user or the Township, or where the user has been specifically notified of a longer retention period by the Superintendent.

4. **Monitoring Facilities.**
A. The Superintendent shall require to be provided and operated at the user’s own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage system. The monitoring facility should normally be situated on the user’s premises, but the Township may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

B. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Superintendent’s requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Township.

5. Inspection and Sampling. The Superintendent shall inspect the facilities of any user to ascertain whether the purpose of this Part 4C is being met and all requirements are being met. Persons or occupants of permits where wastewater is created or discharged shall allow the Superintendent or a representative ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, records examination/copying or in the performance of any of their duties. The Superintendent, approval authority and (where the NPDES state is the approval authority) EPA shall have the right to set up on the user’s property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel representing the Township, approval authority and EPA will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

6. Pretreatment.

A. Users shall provide necessary wastewater treatment as required to comply with this Part 4C and shall achieve compliance with all Federal categorical pretreatment standards within the time limitations as specified by the Federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the Superintendent shall be provided, operated and maintained as the user’s expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the enforcement officer for review, and shall be acceptable to the enforcement officer before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the enforcement officer under the provisions of this Part 4C. Any subsequent change in the pretreatment facilities or method of operation shall be reported to and be acceptable to the enforcement officer prior to the user’s initiation of the changes.

B. The enforcement officer shall annually publish in the daily newspaper a list of the users which were not in compliance with any pretreatment requirements
or standards at least once during the 12 previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

C. All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

7. Confidential Information.

A. Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Township that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

B. When requested by the person furnishing a report, the portions of a report that might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Part 4C, the national pollution discharge elimination system (NPDES) permit, State disposal system permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

C. Information accepted by the Township or enforcement officer as confidential shall not be transmitted to any governmental agency or to the general public unless a 10-day notification is given to the User.

(Ord. 371, 12/2/1996, §4; as amended by Ord. 454, 9/2/2008)

§18-335. Enforcement.

1. Harmful Contributions.

A. The Township may suspend the wastewater treatment service and/or a wastewater contribution permit when such suspension is necessary, in the opinion of the Township, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the Authority to violate any condition of its NPDES permit.

B. Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the Township shall take such steps as deemed necessary, including immediate severance of the sewer connection to prevent or minimize damage to the POTW system or endangerment to any individuals. The enforcement officer shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the enforcement officer within 15 days of the date of
occurrence.

2. **Revocation of Permit.** Any user who violates the following conditions of this Part 4C or applicable State and Federal regulations, is subject to having his permit revoked in accordance with the procedures of this Section:
   
   A. Failure of a user to factually report the wastewater constituents and characteristics of his discharge.
   
   B. Failure of the user to report significant changes in operations or wastewater constituents and characteristics.
   
   C. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring.
   
   D. Violation of conditions of the permit.

3. **Notification of Violation.** Whenever the enforcement officer finds that any user has violated or is violating this Part 4C, wastewater contribution permit or any prohibition, limitation or requirement contained herein, the enforcement officer may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the enforcement officer by the user.

4. **Consent Orders.** The enforcement officer is hereby empowered to enter into consent orders, assurances of voluntary compliance or other similar documents establishing an agreement with the industrial user responsible for the noncompliance. Such orders will include specific action to be taken by the industrial user to correct the noncompliance within a time period also specified by the order. Consent orders are to have the same force and effect as administrative orders issued pursuant to subsection .7, below. The issuance of consent orders shall be governed by the Authority's adopted enforcement response guide.

5. **Cease and Desist Orders.**
   
   A. When it is learned that an industrial user has violated or continues to violate this Part 4C or any permit or order issued hereunder, the Board of Commissioners or their authorized representative may issue an order to cease and desist all such violations and direct those persons in noncompliance to:

   (1) Comply forthwith.

   (2) Take such appropriate or remedial action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge. Cease and desist orders are to have the same force and effect as administrative orders issued pursuant to subsection .7, below. The issuance of cease and desist orders shall be governed by the Authority's adopted enforcement response guide.

6. **Compliance Orders.** When it is learned that an industrial user has violated or continues to violate this Part 4C or any permit or order issued hereunder, the Board of Commissioners or their authorized representative may issue an order to the industrial user responsible for the discharge directing that following a specified time period sewer service shall be discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed and are properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance including the installation of pretreatment technology,
additional self monitoring and management practices. Compliance orders are to have the same force and effect as administrative orders issued pursuant to subsection .7, below. The issuance of compliance orders shall be governed by the Authority's adopted enforcement response guide.

7. **Show Cause Hearing.**

A. The Board of Commissioners may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the Board of Commissioners why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the Board of Commissioners regarding the violation, the reasons why he action is to be taken, the proposed enforcement action and directing the user to show cause before the Board of Commissioners why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least 10 days before the hearing. Service may be made on any agent or officer of a corporation. Violations which shall initiate the show cause process include, but are not limited to:

1. Isolated exceedance of local or Federal standards resulting in harm to the environment or POTW.
2. Recurring exceedance of local or Federal standards resulting in harm to the environment or POTW.
3. Submission of improperly signed or certified reports to POTW after notification of same.
4. Reports are always late or not submitted.
5. Repeated failure to report spills.
6. With no good reason for delay compliance schedule milestones are missed by more than 30 days or a delay of less than 30 days will affect the final milestone.
7. Repeated use of dilution in lieu of pretreatment.

B. The Board of Commissioners themselves may conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the assigned department to:

1. Issue in the name of the Board of Commissioners notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.
2. Take the evidence.
3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Board of Commissioners for action thereon.

C. At any hearing held pursuant to this Part 4C, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

D. After the Board of Commissioners have reviewed the evidence, they may issue an order to the user responsible for the discharge directing that, following a
specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

8. **Legal Action.** If any industrial user is in noncompliance with any Federal, State or authority pretreatment standards, requirements or the Township ordinance in accordance with the revised Federal regulations issued October 17, 1988 (§403.8(f)(1)(vi) (A)), the Board of Commissioners's attorney may seek civil or criminal penalties in at least the amount of $1,000 per day for each violation.

(Ord. 371, 12/2/1996, §55)

§18-336. **Penalty; Costs.**

1. **Injunctive Relief.** When the Board of Commissioners finds that a user has violated or continues to violate any provision of this Part 4C, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Board of Commissioners may petition the Lebanon County Court through the Township Solicitor for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order or other requirement imposed by this Part 4C on activities of the user. The Board of Commissioners may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking an other action against the user.

2. **Civil Penalties.** Any user who is found to have violated an order of the Township or who willfully or negligently failed to comply with any provisions of this Part 4C and the orders, rules, regulations and permits issued hereunder, shall pay a civil penalty of not less than $100 nor more than $1,000 for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Authority and the West Lebanon Board of Commissioners may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suite at law against the person found to have violated this Part 4C or the orders, rules, regulations and permits issued hereunder.

3. **Falsifying Information.** Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Part 4C, or wastewater contribution permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Part 4C shall, upon conviction, be punished in accordance with State law, 18 Pa.C.S.A. §4904, “Unsworn Falsification to Authorities.”

4. **Administrative Fines.**

   A. When the Board of Commissioners find that a user has violated, or continues to violate, any provision of this Part 4C, a wastewater discharge permit or an order issued hereunder, or any other pretreatment standard or requirement, the Board of Commissioners may fine such user in an amount not to exceed $25,000 per day per violation. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or long term discharge limits, fines shall be assessed for
§18-336 Sewers and Sewage Disposal

B. Unpaid charges, fines and penalties shall, after 30 calendar days, be assessed an additional penalty of 2 percent of the unpaid balance, and interest shall accrue thereafter at a rate of 5 percent per month. A lien against the user’s property will be sought for unpaid charges, fines and penalties.

C. User’s desiring to dispute such fines must file a written request for the Board of Commissioners to reconsider the fine along with full payment of the fine amount within 14 calendar days of being notified of the fine. Where a request has merit, the Board of Commissioners may convene a hearing on the matter. In the event the user’s appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Board of Commissioners may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

(Ord. 371, 12/2/1996, §6)

§18-337. Industrial Sewer Connection Application.

To the Township of West Lebanon

The undersigned being the _______________________________________________ of the ____________________________________________ property located at ___________________________, does hereby request a permit to ___________________________________________, which company is engaged in:

1. A plan to the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit “A.”
2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit “B.”
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, representative analyses and compliance with any applicable pretreatment standard or requirements, is attached hereunto as Exhibit “C.”
4. The name and address of the person or firm who will perform the work covered by this permit is:

In consideration of the granting of this permit the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the enforcement officer.
2. To accept and abide by all provisions of the most current industrial
pretreatment ordinance of West Lebanon Township and of all other pertinent ordinances or regulations that may be adopted in the future.

3. To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the wastewater treatment system of the industrial wastes involved, in an efficient manner at all times, and at no expense to the Township.

4. To cooperate at all times with the Township and their representatives in their inspecting, sampling and study of the industrial wastes and any facilities provided for pretreatment.

5. To notify the enforcement officer immediately in the event of any accident, or other occurrence that occasions contributor to the wastewater treatment system of any wastewater or substances prohibited or not covered by this permit.

Date: ________________________________
Signed: ______________________________

$_____________________________ inspection fee paid ______________________
Application approved and permit granted:

____________________________________ Supt.

(Ord. 371, 12/2/1996, §10)
Chapter 19

[Reserved]
Chapter 20

Solid Waste

Part 1
Collection and Disposal

§20-101. Purpose and Definitions
§20-102. Preparation of Refuse
§20-103. Refuse Containers
§20-104. Storage of Garbage Refuse
§20-105. Collection Practices
§20-106. Collection by Licensed Collectors; Fee
§20-107. Collection Vehicles
§20-108. Place and Method of Disposal
§20-109. Violation Notification and Remedy
§20-110. Cost of Remedy
§20-111. Enforcement
§20-112. Penalty

Part 2
Recycling

§20-201. Short Title and Purpose
§20-202. Definitions
§20-203. General
§20-204. Establishment of Program
§20-205. Recycling by Licensed Hauler
§20-206. Individual Recycling Plan
§20-207. Establishment of Regulations
§20-208. Special Items
§20-209. Collection by Unauthorized Persons
§20-210. Enforcement and Administration
§20-211. Alternative Disposition of Recyclable Materials
§20-212. Penalties

1. Purpose. The storage, preparation, the collection and disposal of garbage and refuse in the Township of West Lebanon shall be done and governed as follows.

2. Definitions.

Debris - building rubbish and building construction or reconstruction rubbish, stones, street refuse, industrial refuse, dead animals, dilapidated large machinery and/or appliances, home furnishings or such other waste materials as are not commonly produced in homes, stores, and institutions, or which cannot be enclosed within an approved refuse receptacle or container. Debris shall not include materials that are recyclable and have been separated and properly stored for recycling purposes in an approved receptacle or container.

Garbage - the animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of foods.

Owner - any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County, or Township as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person - a corporation or co-partnership as well as an individual.

Refuse - all waste materials not included in the definition of “garbage,” except for such materials as shall be designated, from time to time, by the Township or the County for separate collection for recycling.

Rubbish - combustible and non-combustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust, and other similar materials.

(Ord. 341, 2/6/1989, §1(a); as amended by Ord. 345, 6/4/1990, §1)

§20-102. Preparation of Refuse.

Refuse shall be prepared in the following manner:

A. All garbage, before being placed in refuse containers, shall be drained free from all liquids and shall be wrapped in several thicknesses of paper, or commercially available plastic garbage bags appropriately designed for refuse collection and disposal.

B. All refuse shall be drained of any liquid before being deposited for collection.

C. All cans and bottles which have contained food shall be thoroughly rinsed
§20-102. Township of West Lebanon

§20-105.

and drained before being deposited for collection.

D. Tree trimmings, hedge clippings, old newspapers and similar material, which cannot be conveniently placed in the aforementioned containers, shall be baled, tied, and sacked in compact bundles under 3 feet in length and placed in a location easily accessible to the collector.

(Ord. 341, 2/6/1989, §1(b))

§20-103. Refuse Containers.

1. Refuse receptacles shall be made of rust-resistant material, be watertight, vermin proof and fly tight, be provided with a watertight cover, and have handles on the side.

2. No person shall use refuse receptacles having a capacity of more than 32 gallons or less than 10 gallons. However, in the case of a multi-family dwelling, commercial, mercantile, and industrial establishments, storage may be permitted in approved commercial-sized containers (dumpsters).

3. Refuse receptacles shall be kept as sanitary as possible and shall be thoroughly cleansed by the owner at least periodically after collection. Said container shall be in good condition and structurally sound, not likely to injure the collector or his employees, or hamper the prompt collection of refuse. Defective containers shall be replaced upon notice.

4. Refuse Storage Facilities. Every dwelling unit shall be supplied with approved containers and covers for storage of refuse, and the owner, operator, or agent in control of such dwelling shall be responsible for the removal of such rubbish.

5. It shall be the duty of the refuse collector to handle all containers carefully and to replace the lid on containers after each collection. Failure to comply with such a request will constitute a violation of this Part.

(Ord. 341, 2/6/1989, §1(c))

§20-104. Storage of Garbage Refuse.

1. No person shall place any garbage or refuse in any street, alley, or other public place, or upon any private property within the Township, unless the same is placed in a proper refuse container for collection. Likewise, no person shall throw or deposit any garbage or refuse in any stream or any other body of water.

2. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within 3 days after the effective date of this Part shall be deemed a violation of same.

(Ord. 341, 2/6/1989, §1(d))


1. Place of Collection. Refuse receptacles, for collection purposes, shall be placed at ground level on the property, not within the right-of-way of a street or alley, and easily accessible from the side of the street or alley from which collection is made, except where an agreement exists with the collector to collect from a basement or porch. Additionally, commercial-sized containers (dumpsters) shall be placed on an adequately
2. **Frequency of Collection.**
   
   A. On and after the effective date of this Part, refuse shall be collected at least once weekly, except where more frequent collection is deemed necessary as in the case of multi-family dwellings, commercial, mercantile, and industrial uses.
   
   B. Any person disposing of his own refuse shall provide for collection at intervals frequent enough to meet the requirements in paragraph .A above.

   *(Ord. 341, 2/6/1989, §1(e))*

§20-106. **Collection by Licensed Collectors; Fee.**

1. Only a person licensed by the Township of West Lebanon may collect refuse within the limits of the Township.

2. An authorized collector is one who entered a contract with or has been granted a license by the Township of West Lebanon for specific purpose of collecting and disposing of garbage and refuse.

3. No licensed collector shall dispose of any garbage or refuse collected in the Township of West Lebanon except by conveyance to the place of disposal as prescribed herein.

4. Failure of licensed collectors to comply with the provisions of this Part shall result in having such license revoked.

5. No person shall permit any unlicensed collector to take any garbage from premises occupied by him.

   *(Ord. 341, 2/6/1989, §1(f))*

§20-107. **Collection Vehicles.**

All vehicles used for collection of garbage shall have a compactor-type body and shall be maintained structurally sound, sanitary, and in good operating condition.

   *(Ord. 341, 2/6/1989, §1(g))*

§20-108. **Place and Method of Disposal.**

1. No person shall hereafter dispose of any garbage or refuse collected in the Township except by conveyance to the sanitary landfill operated by the Greater Lebanon Refuse Authority.

2. After the effective date of this Part, all refuse in the Township shall be disposed of in the sanitary landfill operated by the Greater Lebanon Refuse Authority.

3. No person shall hereafter transport any garbage, refuse, rubbish or debris whatsoever from outside the Township to within the limits of the Township for disposal by the Township Solid Waste Collection process established by this Part. *(Ord. 454)*

   *(Ord. 341, 2/6/1989, §1(h); as amended by Ord. 454, 9/2/2008)*

§20-109. **Violation Notification and Remedy.**

1. The Township shall notify a person in writing of the violation of this Part. In the event the person so notified fails to remove said refuse by the time limit for
compliance set on said notice, in addition to the penalty herein, the Township may cause the removal of said refuse and bill such person for the cost thereof.

2. In case of neglect or refusal by the person to pay such bill within 30 days, the bill shall be subject in all respects to the general law provided for the filing and recovery of municipal liens. Such liens will be prepared by the Township and filed by the Township Solicitor, as provided by law.

(Ord. 341, 2/6/1989, §1(l))

§20-110. Cost of Remedy.

The cost for refuse violation remedy service of the Township as mentioned shall be as follows: the person shall be billed for the cost thereof, at the rate to be established by the Commissioners of West Lebanon Township, which would compensate the Township for both direct and indirect costs and extraneous expenses incurred.

(Ord. 341, 2/6/1989, §1(j))

§20-111. Enforcement.

The Township, through its employees and police, shall enforce all provisions of the regulations contained herein.

(Ord. 341, 2/6/1989, §1(k))

§20-112. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 341, 2/6/1989, §1(m); as amended by Ord. 454, 9/2/2008)
§20-201. Short Title and Purpose.

1. **Short Title.** This Part shall be known as the “Township of West Lebanon Recycling Ordinance,” and the same may be cited in that manner.

2. **Purpose.** The Township of West Lebanon, recognizing that reclamation of recyclable materials has become an important method for addressing the growing solid waste disposal problem through conservation of landfill space, preservation of natural resources, and a reduction in energy consumption, does hereby authorize the storage, collection, and transportation or recyclable materials in accordance with the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act, 53 P.S. §4000.101 et seq., (No. 101), the Lebanon County Solid Waste Management Plan, and this Part. This Part is intended to be an integral part of an overall system designed to facilitate recycling and foster the cooperation of the residents.

(Ord. 417, 8/2/2004, §§1-3)


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

*Aluminum cans* - empty all-aluminum beverage and food containers.

*Authority* - Greater Lebanon Refuse Authority

*bimetal containers* - empty metal beverage or food containers consisting of steel and aluminum.

*Commercial* - any establishment engaged in a non-manufacturing or non-processing business including, but not limited to, stores, markets, office buildings, restaurants, shopping centers, and theaters. For the purposes of this agreement, multi-family dwellings, townhouses, mobile home parks, hotels, motels, mixed use properties (combined business/residential on a single parcel), and farms which use commercial dumpsters shall be considered commercial establishments. Does not include properties where primary permitted use is residential and accessory use is commercial (i.e., home occupations).

*Community activities* - church, school, civic, service group, municipal functions, and all other such functions.

*Corrugated paper* - structural paper material with an inner core shaped in rigid parallel furrows and ridges.

*Curbside recycling collection* - the scheduled collection and transportation of recyclable materials placed at the curbline or other area designated by the collector.

*Customer* - the owner of any residential, commercial, industrial, or institutional property located within the Township.

*Designated agent* - an agent such as the Greater Lebanon Refuse Authority acting on behalf of a municipality whose powers and responsibilities are established in the Lebanon County Solid Waste Management Plan and the Lebanon
County License Agreement administered by the Greater Lebanon Refuse Authority.

*Drop-off sites* - those specified locations, staffed or unstaffed, where recyclable materials may be taken at specified times.

*Dwelling unit* - one or more rooms on premises which have cooking facilities and are arranged for occupancy by one person, two or more persons living together, or one family. Each dwelling unit within a non-commercial building shall be considered an individual customer.

*Enforcement officer* - the official designated herein or otherwise charged with the responsibilities of administering this Part, or the official authorized representative.

*Glass containers* - bottles and jars made of clear, green or amber glass. Expressly excluded are non-container glass, automobile glass, plate glass, blue glass, lead crystal, and porcelain and ceramic products.

*High density polyethylene (#2 HDPE) containers* - plastic bottles and jars made exclusively from non-colored high density polyethylene, such as milk and water jugs.

*High grade office paper* - all white paper, bond paper, and computer paper used in commercial, industrial, institutional, and municipal establishments.

*Industrial* - any establishment engaging in manufacturing or processing including, but not limited to, factories, foundries, mills, processing plants, and refineries.

*Institutional* - any establishment engaged in service to persons including, but not limited to, hospitals, nursing homes, orphanages, schools, and universities.

*Lead acid batteries* - shall include, but not be limited to, automotive, truck, and industrial batteries that contain lead.

*Leaf waste* - leaves from trees, bushes, and other plants, garden residue, chipped shrubbery and tree trimmings, but not including grass clippings.

*Licensed hauler* - a person who has obtained a commercial license to operate a refuse removal service in Lebanon County to collect, transport, and/or dispose of municipal solid waste, recyclable materials and bulk waste from residential, commercial, industrial, and institutional establishments. (The term may be applied to a person having the exclusive right to collect within the Township.)

*Municipal solid waste* - any garbage, refuse, industrial lunchroom, or office waste and any other material including solid waste, liquid, semi-solid or contained gaseous materials resulting from the operation of residential, municipal, commercial, industrial, or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act, 35 P.S. §6018.101 *et seq.* from a municipal, commercial, industrial, or institutional water supply treatment plant, waste water treatment plant, or air pollution control facilities. (53 P.S. §4000.103)

*Newspapers* - all paper of the type commonly referred to as newsprint and distributed at fixed intervals having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded are newspapers which are wet, yellowed, or soiled.
§20-203. **General.**

Those recyclable materials separated under the provisions of this Part shall not be considered municipal waste and shall not be subject to provisions of Township ordinances which require disposal of municipal solid waste at the Greater Lebanon Refuse Authority facilities by a hauler licensed by the County's designated agent, the Greater Lebanon Refuse Authority.

(Ord. 417, 8/2/2004, Art. III)

§20-204. **Establishment of Program.**

The Township hereby establishes a program for the mandatory separation of recyclables from municipal waste by residential dwellings, and commercial, industrial, and institutional establishments.

(Ord. 417, 8/2/2004, Art. IV)

§20-205. **Recycling by Licensed Hauler.**

All recyclable materials generated within the Township shall be collected by a refuse hauler who is licensed in Lebanon County. Commercial, industrial, and institutional establishments may utilize an individual recycling program in conformance with §20-204.

(Ord. 417, 8/2/2004, Art. V)

§20-206. **Individual Recycling Plan.**

1. Commercial, industrial, and institutional establishments conducting their own recycling programs, not in conjunction with a licensed hauler for the collection of municipal waste and recyclables, shall file with the Township or its designated agent and have approved by the Township or its designated agent, plans for individual recycling programs which provide for, at a minimum, the recycling of items listed in rules and regulations for the recycling program.

2. In addition to filing an individual recycling plan, commercial, industrial, and
institutional customers who choose to establish an individual recycling program are required to submit annually to the Township or its designated agent, weigh slips or other certification which show by weight and type of material recycled by that establishment. If weigh slips are not used, the form of certification requires the prior approval of the Township or its designated agent. Required information is due within 30 days of the end of the reporting period designated in the regulations for the recycling program.

3. An individual recycling plan for commercial, industrial, or institutional establishments shall provide the following information:
   A. Applicant’s company name, address, telephone number, contact person and owner’s name.
   B. Company name, address, telephone number, and contact person for entity providing the recycling service.
   C. Description of materials to be recycled, frequency of collection, method of storage and how service will be provided.
   D. Form of certification to assure proper disposal of recyclable materials.
   E. Municipality in which the establishment is located.
   F. Other information as may be required by the Township or its designated agent which is intended to assure the proper disposal of recyclable materials.

(Ord. 417, 8/2/2004, Art. VI)

§20-207. Establishment of Regulations.

The Township or its designated agent shall establish and promulgate regulations on the manner, days, and time of collection of recyclable materials, and for the bundling, handling, location, and time of placement of such materials for collection. Regulations shall be promulgated for each of the programs undertaken for residential dwelling units, and commercial, industrial, and institutional establishments.

(Ord. 417, 8/2/2004, Art. VII)

§20-208. Special Items.

1. Lead Acid Batteries. No person shall place a used lead acid battery in mixed municipal solid waste, discard or otherwise dispose of a lead acid battery except by delivery to an automotive battery retailer or wholesaler, to a secondary lead smelter permitted by the Environmental Protection Agency, or to a collection or recycling facility authorized under the laws of the Commonwealth of Pennsylvania.

2. Leaf Collection. All residential customers and commercial, industrial, or institutional establishments who gather leaves shall separate all leaf waste from municipal solid waste and place it for collection at the times and in the manner theretofore or hereafter prescribed by the Township. Nothing herein shall require any person to gather leaf waste or prevent any person from utilizing leaf waste for compost, mulch, or other agriculture, horticulture, silvicultural, gardening, or landscape purposes.

(Ord. 417, 8/2/2004, Art. VIII)
§20-209. Collection by Unauthorized Persons.

1. It is understood that any recyclable materials located at the curbline are the property of the Township. It is further understood that any recyclable materials deposited at drop-off sites, or in storage bins associated with residential dwellings, or commercial, municipal, industrial, and institutional establishments are the property of the owner. Recyclable materials deposited in containers owned by the Greater Lebanon Refuse Authority are the property of the Authority.

2. It shall be a violation of this Part for any person(s) to collect or remove or cause to be collected or removed any such recyclable materials specified by the Township rules and regulations unless authorized by the Township, or its designated agent. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as outlined in §20-212.

(Ord. 417, 8/2/2004, Art. IX)

§20-210. Enforcement and Administration.

The Board of Commissioners shall appoint an enforcement officer or officers to enforce and administer the provisions of this Part.

(Ord. 417, 8/2/2004, Art. X)

§20-211. Alternative Disposition of Recyclable Materials.

Any person may donate or sell recyclable materials to individuals or organizations. Otherwise, such materials are to be placed at curbside, in drop-off facilities or storage bins or similar authorized locations for collection by the licensed hauler as applicable. Drop-off facilities may be sited for use by residents of Lebanon County, outside of West Lebanon Township, not serviced by a curbside route.

(Ord. 417, 8/2/2004, Art. XI)

§20-212. Penalties.

1. Nonparticipation.

   A. Upon the discovery of any violation under the terms of this Part, the Township may, through its authorized agent, give notice to the owner or occupant of a violation hereunder, either by personal delivery to such owner or occupant, by United States mail directed to the last known address of such person or persons, as shown in the real estate registry records of the Township, or by leaving the same on the premises where such violation occurs.

   B. Such person shall, within 7 days after the delivery, mailing, or leaving of such notice, make settlement by paying to the Treasurer of the Township the sum of not less than $25 for the violation. Upon the failure of such person to make settlement, as aforesaid, within 7 days, the Township may institute an action for violation pursuant to subsection .2. Nothing contained in this Section shall affect, in any way, the provisions of this Part regarding separate offenses for every day any violation occurs.

2. Fines for Non-Participation or Non-Payment. On neglect or refusal of the occupant of any dwelling serviced by curbside recycling collection, residential dwelling unit, or commercial, industrial, or institutional establishment, to separate recyclable
3. **Unauthorized Collection.** If any person, firm, corporation, or other entity, unauthorized by the Township or its designated agent, collects or removes or causes to be collected or removed any such recyclable materials as specified in the West Lebanon Township regulations, or in violation of the provisions of this Part, such person, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 454]

4. **Pilfering of Collection Containers.** If any person is responsible for pilfering of collection containers issued to a residence slated for either curbside collection or any other phase of the West Lebanon Township Recycling Program, such person, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. The affected resident will be responsible for replacing any missing container through purchase from the Township or its designated agent. [Ord. 454]

(Ord. 417, 8/2/2004, Art. XII; as amended by Ord. 454, 9/2/2008)
Chapter 21

Streets and Sidewalks

Part 1
Street Excavations

§21-101. Definitions and Interpretations
§21-102. Permit Required
§21-103. Permit Application and Fee
§21-104. Applicant to File Bond
§21-105. Applicant to Maintain Liability Insurance
§21-106. Duties of Permit Holder
§21-107. Opening Paved Streets Within 5 Years
§21-108. Emergency Openings Within 5 Years of Paving
§21-109. Penalty for Violation

Part 2
Sidewalks, Curbs, and Driveways

§21-201. Construction Specifications
§21-202. Permit and Fees
§21-203. Line and Grade Set by Engineer; Permit Duration
§21-204. Forms to Be Checked by Engineer
§21-205. Barricades and Lights
§21-206. Penalty

Part 3
Snow and Ice Removal from Sidewalks

§21-301. Responsibility for Removal; Time Limit
§21-302. Township May Remove Snow and Ice Expense of Defaulting Owner, Occupant, or Tenant
§21-303. Penalty for Violation

Part 4
Street and Sidewalk Obstructions

§21-401. Overhanging Trees and Shrubbery
§21-402. Notice to Property Owners for Removal
§21-403. Penalty for Violation

Part 5
Curbing; New Construction and Transfer of Property

§21-501. Issuance of Building Permit
§21-502. Transfer of Property
§21-503. Penalty
Part 6
Discharge of Grass and Lawn Clippings

§21-601. Unlawful to Discharge
§21-602. Penalty

Part 7
Dumpsters in a Public Right-of-Way

§21-701. Findings and Purpose
§21-702. Definitions
§21-703. Administrative Authority
§21-704. Interpretation and Application
§21-705. General
§21-706. Permits, Fees, and Fines
§21-707. Removal of Dumpster
§21-708. Property and Liability Insurance
§21-709. Regulations
§21-710. Penalty

Part 8
Street Light Assessments

§21-801. Annual Assessment
§21-802. Exceptions
§21-803. Filing of Assessments
§21-804. Payment of Assessments
§21-805. Annual Report
§21-806. Penalty and Fines
Part 1

Street Excavations


1. The following words, when used in this Part, shall have the meanings hereby respectively ascribed thereto, except in those instances where the context clearly indicates otherwise:

   Person - any natural person, partnership, association, municipal authority, firm, or corporation.

   Street - any public street, avenue, boulevard, road, alley, or highway, except State highways, located in the Township and established for the use of vehicles.

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

(Ord. 295, 10/1/1979)

§21-102. Permit Required.

It shall be unlawful for any person to make any opening or excavation of any kind in any street in the Township without first having obtained from the Township Engineer a permit therefor, as hereinafter provided.

(Ord. 295, 10/1/1979)

§21-103. Permit Application and Fee.

No permit shall be granted under this Part until the person desiring the same shall have made application therefor, and shall have paid a permit fee in an amount as established from time to time by resolution of the Board of Commissioners. Such application shall comprise an agreement by the applicant that he shall adhere to all the terms of this Part, and that any failure to do so shall constitute a violation of this Part.

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)

§21-104. Applicant to File Bond.

No permit shall be granted until the applicant therefor shall have filed a surety bond in the amount prescribed by the Township, based upon the extent of the work and the character of the street and street surface disturbed by the opening or excavation. Such bond shall guarantee that the permit holder shall be responsible for maintaining the portion of the street disturbed by such opening or excavation, and the restored surface thereof for a period of 12 months after the completion of the resurfacing thereof.

(Ord. 295, 10/1/1979)

§21-105. Applicant to Maintain Liability Insurance.

No permit shall be granted until the applicant therefor shall have shown that he carries public liability insurance in an amount and with a company deemed satisfactory to the Township Engineer.
§21-106. Duties of Permit Holder.

It shall be the duty of the permit holder:

A. To confine such opening or excavation to the portion of the street, and to the dimensions generally indicated on the permit.

B. To commence such work of opening or excavation on the date indicated on such permit, or as soon as practicable thereafter, and to complete such work, along with the refilling of the excavation, and the restoration of the street surface on or before the date of expiration of such permit.

C. To notify the Township Engineer before such opening or excavation is to be refilled, and thereupon to complete such work of refilling and resurfacing to the satisfaction of the Township Engineer and in strict conformity with the requirements of this Part.

D. While such work is underway, and at all times prior to the completion of the resurfacing of the street, to keep in place sufficient barricades, warning signs and warning lights or flares to guard the opening or excavation and to warn the traveling public of its location; such warning lights or flares to be lighted and in operation at all times between sunset and sunrise and at all other times when visibility is such as to make their use necessary.

E. To refill the opening or excavation and to resurface the portion of the street disturbed thereby in the manner set forth in the agreement forming part of the application, such requirements being based upon the material of the disturbed surface, the character of the subsoil and subsurface, and the type and kinds of subsurface installations in and in the vicinity of the opening or excavation.

(Ord. 295, 10/1/1979)

§21-107. Opening Paved Streets Within 5 Years.

It shall be unlawful for any person, firm or corporation to dig, excavate or construct in, on or under any newly paved street, highway, road or alley for a period of 5 years following the date of completing the paving or repaving of a said surface. Whenever any person, firm or corporation desires to dig, excavate or construct in, on or under any street, highway, road or alley of the Township, he shall first make application to the Township for a permit. If the Township approves the issuance of the permit, the Township shall provide such specifications as are deemed necessary for the protection of the integrity of the Township street, highway, road or alley, which may include specifications for a complete overlay of the area affected by the excavation. This requirement shall also specifically apply to any person, firm or corporation that receives permission from the Township to dig, open or excavate in or under any street, highway, road or alley of the Township for emergency purposes.

(Ord. 295, 10/1/1979; as added by Ord. 454, 9/2/2008)

§21-108. Emergency Openings Within 5 Years of Paving.

In case of any emergency, the Township may grant permission to dig, open or excavate in or under any street, highway, road or alley within the period of 5 years upon
application therefor accompanied by a fee in an amount established by resolution of the Township, and payable to the Township, which fee shall be in addition to any charge now made for a permit to dig, excavate or open a street.

(Ord. 295, 10/1/1979; as added by Ord. 454, 9/2/2008)

§21-109. **Penalty for Violation.**

Any person who shall violate any provision of this Part or who shall fail, neglect, or refuse to perform any duty imposed upon him thereby shall be guilty of an offense, and, for each and every such offense, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)
§21-201. Construction Specifications.
1. In general, on all streets and avenues now opened and in use on which the width of sidewalks is defined, the width of such sidewalk shall remain as now established until new sidewalks or curbs are laid or relaid.
2. Streets and avenues hereafter to be laid out, opened, or dedicated to the public use, including curbs and sidewalks, shall be constructed in accordance with the design and specifications prepared by the Township Engineer and approved by the Township Commissioners. Construction of such streets, avenues, curbs, and sidewalks shall be subject of inspection by the Township Engineer. Curbs, sidewalks, and driveways shall be constructed in accordance with specifications as prepared by the Township Engineer.
3. Specifications for the construction of streets, avenues, curbs, driveways and sidewalks shall conform, when applicable, to those furnished by the Pennsylvania Department of Highways, 1960, Form 408:
   Division 1 - General Requirements.
   Division 2 - Material Details.
   Division 3 - Earthwork.
   Division 4 - Base Course.
   Division 5 - Pavement and Surface Courses.
   Division 6 - Structures and Pipe Courses.
   Division 7 - Incidental Construction.
   Division 8 - Roadside Development.
   Division 9 - Maintenance and Protection of Traffic.

(Ord. 256, 11/2/1970, §2)

1. Owners of property abutting on streets avenues of the Township, prior to constructing or repairing curbs, sidewalks, and driveways, shall apply to the Township Commissioners for a permit to have such work done.
2. Should the owner propose to have facilities installed in the sidewalk area to provide radiant heat, plans, and specifications for such an installation shall be furnished and approved by the Township Engineer.
3. The fee for curb permits shall be such amount as shall be established from time to time by resolution of the Board of Commissioners. [Ord. 454]

(Ord. 256, 11/2/1970, §3; as amended by Ord. 391, 9/5/2000, §1; and by Ord. 454, 9/2/2008)

§21-203. Line and Grade Set by Engineer; Permit Duration.
Upon issuance of a permit, a copy shall be forwarded to the Township Engineer who
shall furnish, as soon as practicable, the lines and grades necessary for the construction of the sidewalk, curb or driveway. The permit shall be valid for a period of 30 days, after which a new permit shall be obtained.

(Ord. 256, 11/2/1970, §4)

§21-204. Forms to Be Checked by Engineer.

The Township Engineer or his authorized assistant shall check forms for curb and sidewalk work prior to the placing of concrete. The fee for such service shall be in such amount as established, from time to time, by resolution of the Board of Commissioners.

(Ord. 256, 11/2/1970, §5, as amended by Ord. 295, 10/1/1979; and by Ord. 454, 9/2/2008)

§21-205. Barricades and Lights.

Sidewalk and curb constructed shall be protected by barricades and lights during the course of construction in accordance with the Manual on Uniform Traffic Control Devices, as adopted by the Federal Highway Administration (FHWA), and as supplemented by rules and regulations of the Pennsylvania Department of Transportation at 67 Pa.Code, Chapter 212.

(Ord. 256, 11/2/1970, §6; as amended by Ord. 454, 9/2/2008)

§21-206. Penalty.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 256, 11/2/1970, §8; as amended by Ord. 295, 10/1/1979; and by Ord. 454, 9/2/2008)

The owner, occupant, or tenant of every property in the Township of West Lebanon, fronting or abutting upon any street or road in the Township alongside which a sidewalk shall have been laid is hereby required to remove or cause to be removed from all the sidewalks in front of or alongside such property all snow and ice thereon fallen or formed, within 24 hours after the same shall have ceased to fall or to be formed. Provided; the owner of a property shall be responsible for conforming to the requirements of this Section where such property is occupied by such owner or shall be vacant or unoccupied or shall be a multiple-unit property, containing more than one tenantable unit; the occupant or tenant thereof shall be so responsible in the case of a single-unit property, occupied or tenanted by such tenant or occupant only.

(Ord. 295, 10/1/1979)

§21-302. Township May Remove Snow and Ice Expense of Defaulting Owner, Occupant, or Tenant.

In any case where the owner, occupant, or tenant, as aforesaid, shall fail, neglect, or refuse to comply with any of the requirements of §21-301 of this Part, within the time limit prescribed therein, the Township authorities may proceed forthwith to have all snow and/or ice removed from the sidewalk of such delinquent, either by Township employees and/or by an independent contractor, and in that event, the Township authorities shall be entitled to collect the expenses of such removal, with any additional amount allowed by law, from such owner, occupant, or tenant, as the case may be, which may be in addition to any fine or penalty imposed under §21-303 of this Part. Any sum to which the Township is entitled under this Section may be collected in any manner(s) provided by applicable law.

(Ord. 295, 10/1/1979)


Any owner, occupant, or tenant who shall fail to remove any snow or ice from any sidewalk as required by §21-301 of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. Any penalty imposed under this Section may be imposed in addition to any expenses and additional amounts authorized by law, imposed as provided in §21-302 of this Part.

(Ord. 295, 10/1/1979; as amended by Ord. 454, 9/2/2008)
Part 4

Street and Sidewalk Obstructions


Trees and shrubbery overhanging the public sidewalks and streets of West Lebanon Township at a height of less than 14 feet are hereby declared to be a public nuisance.

(Ord. 287, 8/1/1977, §1; as amended by Ord. 454, 9/2/2008)

§21-402. Notice to Property Owners for Removal.

The proper municipal authorities and employees are hereby empowered to notify any and all property owners whose trees and shrubbery violate the provisions of this Part to remove the offending limbs and vegetation within 10 days of the said notification.

(Ord. 287, 8/1/1977, §2)

§21-403. Penalty for Violation.

Upon the offending property owner's failing to obey the notice, he shall be charged before the proper magisterial district judge with maintenance of a public nuisance and upon being found guilty, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 287, 8/1/1977, §3; as amended by Ord. 454, 9/2/2008)

No building permit for construction of a new dwelling unit shall be issued for any property abutting any public street in the Township unless in conjunction with the performance of the new construction, curbing is installed adjacent to said property and is in good repair.

(Ord. 356, 2/1/1993, §1)


No property abutting any public street in the Township shall be transferred by deed or operation of law to any party, other than a spouse of any property owner, unless curbing and sidewalk has been installed adjacent to said property or the existing curbing and sidewalk at the subject property is in good repair. For the purposes of enforcement of this Part, “transfer” shall mean transfer by deed or installment sales contract and shall include transfer of title to property by devise or intestate succession. Said improvement(s) may be accomplished by either the existing owner(s) or by the buyer(s) per an agreement of sale with a copy of such forwarded to the Township for recording purposes.

(Ord. 356, 2/1/1993, §2; as amended by Ord. 458, 6/1/2009, §1; and by Res. 2010-02, 1/4/2010, §1)

§21-503. Penalty.

1. Should the owner of any property fail to make the improvements mandated under this Section within 180 days of the date of issuance of the new construction permit or within 30 days after transfer the Township Commissioners may cause the work to be done at the cost of such property owner and may collect the cost thereof and 10 percent additional together with all charges and expenses from such property owner and certify the costs to the Township Solicitor for collection as provided by law.

2. Nonpayment of the costs subject the property to a lien upon the premises from the time of commencement of the work, which date shall be determined by the certificate of the Township Engineer stating the starting and completion date of the work on file in the Office of the Township Commissioners.

(Ord. 356, 2/1/1993, §3)
Part 6

Discharge of Grass and Lawn Clippings

§21-601. Unlawful to Discharge.

It shall be unlawful to discharge, dump, empty, place directly or indirectly, or by any other means, grass, lawn clippings or snow onto a public street or roadway.

(Ord. 397, 6/4/2001, §1; as amended by Ord. 454, 9/2/2008)

§21-602. Penalty.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 397, 6/4/2001, §2; as amended by Ord. 454, 9/2/2008)
§21-701 Streets and Sidewalks

Part 7

Dumpsters in a Public Right-of-Way

§21-701. Findings and Purpose.

It is found declared that:

A. The primary purpose of the public streets is for use by vehicular and pedestrian traffic.

B. Reasonable regulation of congestion and obstruction on public sidewalks is necessary to protect health, safety, and welfare of owners, tenants, and the general public.

C. The established character and the social and economic well being of public property must be protected.

D. The public right-of-way must be secured from fire, panic health hazards, and other dangers, and be provided with convenience of access.

E. The visual character and natural beauty of the Township should be preserved and enhanced.

F. The purpose of this Part is not confiscatory in nature, nor does it prohibit a constitutionally protected undertaking, but merely regulates the placement and maintenance of dumpsters in the public right-of-way of the Township.

(Ord. 423, 6/6/2005, §1)

§21-702. Definitions.

As used in this Part, certain terms are defined as follows:

Cartway - that portion of the public right-of-way as shown on the Township map.

Curbline - the line in the right-of-way, constructed or proposed, that separates the portion of the right-of-way dedicated to vehicular traffic from that dedicated to pedestrian traffic.

Dumpster - any container used for the purpose of temporarily holding debris.

Lessor - one who rents dumpsters to another (that is, a licensed commercial waste hauler).

Obstruction - any structure or other object whatsoever, that, in any manner, impedes, obstructs, or otherwise limits or prevents the full and unrestricted use whatsoever, by the public, on any right-of-way.

Owner/lessee - a property owner or agent thereof who owns or leases a dumpster as defined herein.

Passable - free of any impediment or obstruction, whatsoever, that would hinder the travel of the public.

Person - an individual, firm, partnership, association, corporation, or similar entity. For the purpose of this Part, this definition includes the dumpster owner and the dumpster lessee.
§21-702 Township of West Lebanon §21-705

Public right-of-way - the area between property line (for the purpose of this Part) set aside for public use or ownership as a street, alley, crosswalk, easement, or other similar facility.

Sidewalk area - the portion of the right-of-way occurring between the curbline and the property line.

Sidewalk - that portion of the sidewalk area for which paving is currently installed, or may be installed in the future.

Street property line - the line that is coincident to and identical with the line marking the extremity of the right-of-way as shown on the Township map.

Temporary dumpster - any dumpster not permanently affixed intended to be used for a specified period of time for the purpose of construction, demolition, or rehabilitation.

(Ord. 423, 6/6/2005, §2)

§21-703. Administrative Authority.

This Part shall be enforced under the jurisdiction and auspices of West Lebanon Township Board of Commissioners.

(Ord. 423, 6/6/2005, §3)

§21-704. Interpretation and Application.

1. All standards established in this Part are to be interpreted as the minimum standards required. Nothing herein shall be construed to prohibit or prevent the use of higher standards. In interpreting and applying the provisions of this Part, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.

2. When in the administration of this Part, the Pennsylvania Vehicle Code, 75 Pa.C.S.A. §101 et seq., and certain Township codes, such as the Building and Property Maintenance Codes [Chapter 5, Parts 1 and 2], the Health Code, and the Zoning Code impose greater restrictions than this Part, the stricter law shall take precedent.

(Ord. 423, 6/6/2005, §4)

§21-705. General.

1. Dumpsters shall be allowed to be placed on a public right-of-way when no reasonable alternative trash storage method is available. A path that is one-half of the width of the sidewalk and/or sidewalk area shall be kept clear for pedestrian travel. Property owners or dumpster lessees shall be responsible for the debris in and around the dumpster and shall maintain the sanitary conditions required by the Health Code and the Property Maintenance Code [Chapter 5, Part 2]. All dumpster units shall be painted, leak proof in good repair, and free of offensive odors. The dumpster lessor shall place and maintain, on the outside of each dumpster, in legible letters not less than 1 inch in height, his name or company logo, telephone number, and current Greater Lebanon Refuse Authority hauler permit number. Each dumpster shall be fully covered at all times by a clean, leak proof, properly fitting and functioning cover. A property owner leasing a dumpster may only use an approved hauler that is licensed by the Greater Lebanon Refuse Authority. If the dumpster is owned by the property owner, it
§21-705 Streets and Sidewalks

shall be maintained by the owner and trash within it shall be dumped in a licensed landfill.

2. No person shall put, place, maintain, erect, or cause or allow to be put, placed, maintained, or erected any dumpster in the public right-of-way, except as hereinafter allowed and provided for; provided, however, that no such dumpster shall violate any other provision of the ordinances of West Lebanon Township.

3. No person shall put, place, maintain, erect, or cause or allow to be put, placed, maintained, or erected any dumpster in excess of 8 feet wide on any cartway. Dumpsters placed in the cartway shall have blinking night lights installed in the direction traffic is flowing.

(Ord. 423, 6/6/2005, §5)

§21-706. Permits, Fees, and Fines.

1. Permits shall be required for each dumpster in any public right-of-way in the Township. The owner/lessee shall provide to the Township, upon request, a copy of the lease agreement, if applicable, and the agreement with the hauler with schedule of pick-up.

2. In the event the Township incurs costs described herein, an accounting of such expenses shall be billed by the Township to owner/lessee and shall be due and payable. This shall have no affect on other action the Township may take, such as issuing a citation for noncompliance.

3. The dumpster owner/lessee or an agent thereof may apply to the Township for the permit. The permit shall be displayed on the premises in a conspicuous location.

4. The cost of a permit shall be in such amount as established from time to time by resolution of the Board of Commissioners. The Township Clerk or designated representative shall issue a permit for a period of time not to exceed 30 calendar days. Permits may be renewed for 30 day increments at the sole discretion of the Township Engineer or his designated representative if in his opinion the work has not been completed or abandoned, or if it is deemed to be in the best interest of the public. The cost of each renewal permit shall be in such amount as established from time to time by resolution of the Board of Commissioners. [Ord. 454]

(Ord. 423, 6/6/2005, §6; as amended by Ord. 454, 9/2/2008)


Any person who has placed, places, or causes to be placed any dumpster in the public right-of-way without obtaining the proper permit authorized in this Part shall immediately remove such dumpster and shall be subject to the penalty as prescribed by this Part. The failure of the trash hauler to remove the dumpster, upon notice by lessee or by West Lebanon Township to do so, shall be a violation of this Part and subject to penalties herein.

(Ord. 423, 6/6/2005, §7)

§21-708. Property and Liability Insurance.

Prior to the issuance by the Township of any permit or other authority to erect a dumpster in the public right-of-way in conformity with §21-705 the lessor and/or owner
execute a hold harmless agreement in such form as the Township shall provide, guaranteeing to defend, protect, and compensate West Lebanon Township as a result of any cause of action which may be brought or perfected against West Lebanon Township in connection herewith. The lessor and/or owner shall provide the Township with a certificate of insurance acceptable to the insurance consultant covering such lessor and/or owner for bodily injury and property damage through comprehensive general liability insurance on an occurrence basis with a combined single limit of no less than $500,000 and naming West Lebanon Township as an additional insured. Said certificate shall be for continuous coverage unless canceled by the insurance company at which the Township shall be notified, in writing, by such insurance company.

(Ord. 423, 6/6/2005, §8)

§21-709. Regulations.

The Township Engineer or his designated representative may promulgate such regulations as are necessary for the proper administration and enforcement of this Part.

(Ord. 423, 6/6/2005, §9)

§21-710. Penalty.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $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.

(Ord. 423, 6/6/2005, §10; as amended by Ord. 454, 9/2/2008)
Part 8

Street Light Assessments

§21-801. Annual Assessment.

All property benefitted by such lighting in proportion to the number of feet the same fronts on the street, or highway, or portion thereof lighted shall be assessed annually.

(Ord. 430, 11/7/2005, §I)

§21-802. Exceptions.

No such assessment shall be made against any farm land, but vacant lots between built-up sections shall not be deemed to be farm land and shall be assessed per foot front at 25 percent of the assessment per foot front against the property with improvements thereon.

(Ord. 430, 11/7/2005, §II)

§21-803. Filing of Assessments.

All assessments shall be filed with the Township Treasurer, who shall give 30 days written notice that the assessments are due and payable, stating the due date to each party assessed by mailing such notice to the owner of the property at his last known post office address.

(Ord. 430, 11/7/2005, §III)

§21-804. Payment of Assessments.

All assessments shall be paid over to the Township Treasurer, who shall receive and shall keep all such assessments collected for lighting the street and highways in a separate account and paid out the same only upon orders signed by the President or Vice-President of the Township Commissioners, attested by the Secretary.

(Ord. 430, 11/7/2005, §IV)


The Treasurer shall make a report to the auditor or controller of the Township annually.

(Ord. 430, 11/7/2005, §V)

§21-806. Penalty and Fines.

Assessments that remain unpaid on the first Monday of May of the succeeding year shall be placed in the hands of the Township Solicitor for collection. The Solicitor shall collect the same, together with 5 percent a attorney’s commission, and interest from the date such assessments were due, by a municipal claim filed against the property of the delinquent owner in like manner as a municipal claims are by law filed and collected.

(Ord. 430, 11/7/2005, §VI)
Chapter 22

[Reserved]
Chapter 23

Stormwater Management

Part 1
General Provisions

§23-101. Short Title
§23-102. Statement of Findings
§23-103. Purpose
§23-104. Statutory Authority
§23-105. Applicability
§23-106. Compatibility with Other Requirements

Part 2
Definitions

§23-201. Definitions

Part 3
Stormwater Management Standards

§23-301. General Requirements
§23-302. Exemptions
§23-303. Water Quality
§23-304. Rate Controls

Part 4
Stormwater Management (SWM) Site Plan Requirements

§23-401. Plan Contents
§23-402. Plan Submission
§23-403. Plan Review
§23-404. Modification of Plans
§23-405. Resubmission of Disapproved SWM Site Plans
§23-406. As-Built Surveys, Completion Certificate and Final Inspection

Part 5
Operation and Maintenance

§23-501. Responsibilities
§23-502. Operation and Maintenance Agreements

Part 6
Fees and Expenses

§23-601. General
Part 7
Prohibitions

§23-701. Prohibited Discharges
§23-702. Roof Drains
§23-703. Alteration of BMPs

Part 8
Enforcement and Penalties

§23-801. Right-of-Entry
§23-802. Inspection
§23-803. Enforcement
§23-804. Suspension and Revocation
§23-805. Penalties
§23-806. Appeals

Part 9
References

§23-901. References

Appendix 23-A
Low Impact Development Practices

Appendix 23-B
Site Conditions Suitable for Infiltration

Appendix 23-C
Operation and Maintenance Agreement
Stormwater Best Management Practices

Appendix 23-D
Example, Calculations to Determine Exemption from
SWM Site Plan Preparation Requirements
§23-101. **Short Title.**

This Chapter shall be known and may be cited as the “West Lebanon Township Stormwater Management Ordinance.”

(Ord. 447, 1/2/2007, §101)

§23-102. **Statement of Findings.**

The Board of Commissioners of the Township finds that:

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

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 people of the Commonwealth, their resources and the environment.

C. Stormwater is an important water resource, which provides groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.

D. Federal and State regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).

(Ord. 447, 1/2/2007, §102)

§23-103. **Purpose.**

The purpose of this Chapter is to promote health, safety, and welfare within the Township and its watershed by minimizing the harms and maximizing the benefits described in §23-102 of this Chapter, through provisions designed to:

A. Meet legal water quality requirements under State law, including regulations at 25 Pa.Code, Chapter 93, to protect, maintain, reclaim and restore the existing and designated uses.

B. Preserve the natural drainage systems as much as possible.

C. Manage stormwater runoff close to the source.

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

E. Maintain groundwater recharge, to prevent degradation of surface and
§23-103. Township of West Lebanon

groundwater, quality and to otherwise protect water resources.

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

G. Provide proper operations and maintenance of all permanent SWM BMPs that are implemented within the Township.

H. Provide standards to meet NPDES permit requirements.

(Ord. 447, 1/2/2007, §103)

§23-104. Statutory Authority.

1. Primary Authority. The Township is empowered to regulate these activities by the authority of the Act of October 4, 1978, P.L. 864, Act 167, 32 P.S. §680.1, et seq., as amended, the “Stormwater Management Act” and the First Class Township Code, 53 P.S. §55101 et seq.

2. Secondary Authority. The Township also is empowered to regulate land use activities that affect runoff by the authority of the Act of July 31, 1968, P.L. 805, No. 247, the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq., as amended.

(Ord. 447, 1/2/2007, §104)

§23-105. Applicability.

All regulated activities and all activities that may affect stormwater runoff, including land development or earth disturbance, are subject to regulation by this Chapter.

(Ord. 447, 1/2/2007, §105)

§23-106. Compatibility with Other Requirements.

Approvals issued and actions taken under this Chapter do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation or ordinance.

(Ord. 447, 1/2/2007, §106)
§23-201 Definitions

For the purposes of this Chapter, certain terms and words used herein shall be interpreted as follows:

A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.

B. The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.

C. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.

Agricultural activity - the work of producing crops including tillage, land clearing, plowing, disk ing, harrowing, planting, harvesting crops, or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

Applicant - a landowner, developer or other person who has filed an application for approval to engage in any regulated earth disturbance activity at a project site in the Township.

BMP (best management practice) - activities, facilities, designs, measures or procedures used to manage stormwater impacts from regulated activities, to meet State water quality requirements, to promote groundwater recharge and to otherwise meet the purposes of this Chapter. BMPs include but are not limited to infiltration, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, forested buffers, sand filters and detention basins. Structural SWM BMPs are permanent appurtenances to the project site.

Conservation District - a Conservation District, as defined in §3(c) of the Conservation District Law, 3 P. S. §851(c), which has the authority under a delegation agreement executed with the Department to administer and enforce all or a portion of the erosion and sediment control program in this Commonwealth.

Design storm - the magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24-hours), used in the design and evaluation of stormwater management systems.

Detention - the volume of runoff that is captured and released into the waters of this Commonwealth at a controlled rate.

DEP - the Pennsylvania Department of Environmental Protection.
Development site (site) - see “project site.”

Disturbed area - an unstabilized land area where an earth disturbance activity is occurring or has occurred.

Earth disturbance activity - a construction or other human activity which disturbs the surface of the land including, but not limited to, clearing and grubbing, grading, excavations, embankments, road maintenance, building construction and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

Erosion - the natural process by which the surface of the land is worn away by water, wind or chemical action.

Extended detention volume (EDV) - release of detained runoff–i.e., runoff in excess of permanently removed volume (PRV)–over a period of time not less than 48 and not more than 96 hours from the start of the design storm.

Existing condition - the dominant land cover during the 5-year period immediately preceding a proposed regulated activity.

Floodplain - any land area susceptible to inundation by water from any natural source or delineated by applicable Federal Emergency Management Agency (FEMA) maps and studies as being a special flood hazard area. Also included are areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania Department of Environmental Protection (PADEP) Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by PADEP).

Floodway - the channel of the watercourse and those portions of the adjoining floodplains that is reasonably required to carry and discharge the 100-year flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year floodway, it is assumed–absent evidence to the contrary–that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

Forest management/timber operations - planning and activities necessary for the management of forestland. These include timber inventory and preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation and reforestation.

Hydrologic soil group (HSG) - infiltration rates of soils vary widely and are affected by subsurface permeability as well as surface intake rates. Soils are classified into four HSG’s (A, B, C, and D) according to their minimum infiltration rate, which is obtained for bare soil after prolonged wetting. The Natural Resources Conservation Service (NRCS) of the US Department of Agriculture defines the four groups and provides a list of most of the soils in the United States and their group classification. The soils in the area of the development site may be identified from a soil survey report that can be obtained from local NRCS offices or Conservation District offices. Soils become less pervious as the HSG varies from A to D.

Impervious surface (impervious area) - a surface that prevents the
infiltration of water into the ground. Impervious surfaces (or covers) shall include, but not be limited to, roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, and any new streets or sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration.

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

**Land development (development)** - inclusive of any or all of the following meanings: (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 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) any subdivision of land; (c) development in accordance with §503(1.1) of the Pennsylvania Municipalities Planning Code, 53 P.S. §10503(1.1).

**NRCS** - Natural Resources Conservation Service (previously SCS).

**Peak discharge** - the maximum rate of stormwater runoff from a specific storm event.

**Permanently removed volume (PRV)** - the volume of runoff that is permanently removed from the runoff and not released into surface waters of this Commonwealth during or after a storm event.

**Pervious area** - any area not defined as impervious.

**Project site** - the specific area of land where any regulated activities in the Township are planned, conducted or maintained.

**Qualified professional** - any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by the Chapter.

**Regulated activities** - any earth disturbances or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff.

**Retention/removed** - the volume of runoff that is captured and not released directly into the surface waters of this Commonwealth during or after a storm event.

**Return period** - the average interval, in years, within which a storm event of a given magnitude can be expected to occur one time. For example, the 25-year return period rainfall would be expected to occur on average once every 25 years.

**Runoff** - any part of precipitation that flows over the land.

**Sediment** - soils or other materials transported by surface water as a product of erosion.

**State water quality requirements** - the regulatory requirements to protect, maintain, reclaim, and restore water quality under 25 Pa.Code, and the Clean
§23-201 Township of West Lebanon §23-201

Streams Law, 35 P.S. §691.1 et seq.

Stormwater - drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

Stormwater management facility - any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.


Stormwater management BMPs - is abbreviated as SWM BMPs throughout this Chapter.

Stormwater management site plan - the plan prepared by the developer or his representative indicating how stormwater runoff will be managed at the development site in accordance with this Chapter. Stormwater management site plan will be designated as SWM site plan throughout this Chapter.


Township - West Lebanon Township, Lebanon County, Pennsylvania.

Waters of this Commonwealth - rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Watershed - region or area drained by a river, watercourse or other body of water, whether natural or artificial.

Wetland - those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, and similar areas.

(Ord. 447, 1/2/2007, §201)
§23-301. General Requirements.

1. No regulated activities shall commence until the Township approves a plan, which demonstrates compliance with the requirements of this Chapter.

2. Plans approved by the Township shall be on site throughout the duration of the regulated activity.

3. The Township may, after consultation with DEP, approve methods for meeting the State water quality requirements other than those in this Chapter; provided, that they meet the minimum requirements of and do not conflict with, State law including, but not limited to, the Clean Streams Law, 35 P.S. §691.1 et seq.

4. For all regulated activities, implementation of water quality controls are required.

5. For all regulated activities equal to or greater than 1,000 square feet in area, implementation of peak rate controls and preparation of a SWM site plan are required.

6. Impervious Areas.

A. The measurement of impervious areas shall include all of the imperious areas in the total proposed development even if development is to take place in stages.

B. For development taking place in stages, the entire development plan must be used in determining conformance with this Chapter.

C. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Chapter.

7. Discharges onto adjacent properties shall not be created, increased, decreased, or relocated, or otherwise altered without permission of the adjacent property owner(s). Such discharges shall be subject to the requirements of this Chapter.

8. All regulated activities shall include such measures as necessary to:

   A. Protect health, safety, and property.

   B. Meet State water quality requirements as defined in Part 2.

   C. Meet the water quality goals of this Chapter by implementing measures to:

      (1) Minimize disturbance to floodplains, wetlands, natural slopes over 15 percent, and existing native vegetation.

      (2) Preserve and maintain trees and woodlands. Maintain or extend riparian buffers and protect existing forested buffer. Provide trees and woodlands adjacent to impervious areas whenever feasible.

      (3) Establish and maintain nonerosive flow conditions in natural flow pathways.

      (4) Minimize soil disturbance and soil compaction. Cover disturbed areas with topsoil having a minimum depth of 4 inches. Use tracked equipment for
grading when feasible.

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

D. Incorporate the techniques described in Appendix 23-A of this Chapter, “Low Impact Development Practices,” whenever practical.

9. The design of all facilities over Karst shall include an evaluation of measures to minimize adverse effects.

10. The design storm volumes to be used in the analysis of peak rates of discharge should be obtained from the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, US Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland, 20910. NOAA’s Atlas 14 can be accessed at Internet address: http://hdsc.nws.noaa.gov/hdsc/pfds/.

(Ord. 447, 1/2/2007, §301)


1. Regulated activities that create less than 1,000 square feet of new impervious area and that meet the area of influence (A) requirements shown in Table 23-1A are exempt from the peak rate control and the SWM site plan preparation requirement of this Chapter.

2. Regulated activities that create less than 1,000 square feet of new impervious area and that meet the area of influence (A) requirements shown in Table 23-1B are exempt from the rate control requirements of this Chapter.

3. Use the guidelines in Appendix 23-D to determine the area of influence, A, in acres and the total impervious area, a, in square feet to determine if an exemption is applicable for regulated activities less than 1,000 square feet.

4. After the date of adoption of this Chapter, if a subdivision and land development plan is submitted that addresses peak rate control and includes a SWM site plan, then the impervious exemption is calculated from the date of approval of that plan, based upon the impervious area shown on the subdivision and land development plan.

5. Agricultural plowing and tilling are exempt from the rate control and SWM site plan preparation requirements of this Chapter provided the activities are performed according to the requirements of 25 Pa.Code, Chapter 102.

6. Exemptions from any provisions of this Chapter shall not relieve the applicant from the requirements in §23-301.6, .7, and .8.
Table 23-1A: SWM exemptions from Peak Rate Controls and SWM Site Plan preparation for Area of Influence, A, less than 3 acres.

<table>
<thead>
<tr>
<th>Area of Influence, A (acres)</th>
<th>Total Impervious Area, A, Exempt from Peak Rate Controls and from SWM Site Plan Preparation (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 0.125 acre</td>
<td>1,000</td>
</tr>
<tr>
<td>0.2</td>
<td>1,400</td>
</tr>
<tr>
<td>0.3</td>
<td>1,900</td>
</tr>
<tr>
<td>0.4</td>
<td>2,300</td>
</tr>
<tr>
<td>0.5</td>
<td>2,700</td>
</tr>
<tr>
<td>0.6</td>
<td>3,100</td>
</tr>
<tr>
<td>0.7</td>
<td>3,500</td>
</tr>
<tr>
<td>0.8</td>
<td>3,900</td>
</tr>
<tr>
<td>0.9</td>
<td>4,200</td>
</tr>
<tr>
<td>1.0</td>
<td>4,600</td>
</tr>
<tr>
<td>1.1</td>
<td>4,900</td>
</tr>
<tr>
<td>1.2</td>
<td>5,200</td>
</tr>
<tr>
<td>1.3</td>
<td>5,500</td>
</tr>
<tr>
<td>1.4</td>
<td>5,900</td>
</tr>
<tr>
<td>1.5</td>
<td>6,200</td>
</tr>
<tr>
<td>1.6</td>
<td>6,500</td>
</tr>
<tr>
<td>1.7</td>
<td>6,800</td>
</tr>
<tr>
<td>1.8</td>
<td>7,100</td>
</tr>
<tr>
<td>1.9</td>
<td>7,300</td>
</tr>
<tr>
<td>2.0</td>
<td>7,600</td>
</tr>
<tr>
<td>2.1</td>
<td>7,900</td>
</tr>
<tr>
<td>2.2</td>
<td>8,200</td>
</tr>
<tr>
<td>2.3</td>
<td>8,400</td>
</tr>
<tr>
<td>2.4</td>
<td>8,700</td>
</tr>
<tr>
<td>2.5</td>
<td>9,000</td>
</tr>
<tr>
<td>Area of Influence, A (acres)</td>
<td>Total Impervious Area, A, Exempt from Peak Rate Controls and from SWM Site Plan Preparation (sq. ft.)</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2.6</td>
<td>9,200</td>
</tr>
<tr>
<td>2.7</td>
<td>9,500</td>
</tr>
<tr>
<td>2.8</td>
<td>9,800</td>
</tr>
<tr>
<td>2.9</td>
<td>10,000</td>
</tr>
</tbody>
</table>

Table 23-1B: SWM exemptions from peak rate controls (ONLY) for Area of Influence, A, 3.0 acres and greater

<table>
<thead>
<tr>
<th>Area of Influence, A (acres)</th>
<th>Total Impervious Area, A, Exempt from Peak Rate Controls ONLY (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.0</td>
<td>10,300</td>
</tr>
<tr>
<td>3.1</td>
<td>10,500</td>
</tr>
<tr>
<td>3.2</td>
<td>10,800</td>
</tr>
<tr>
<td>3.3</td>
<td>11,000</td>
</tr>
<tr>
<td>3.4</td>
<td>11,300</td>
</tr>
<tr>
<td>3.5</td>
<td>11,500</td>
</tr>
<tr>
<td>3.6</td>
<td>11,700</td>
</tr>
<tr>
<td>3.7</td>
<td>12,000</td>
</tr>
<tr>
<td>3.8</td>
<td>12,200</td>
</tr>
<tr>
<td>3.9</td>
<td>12,500</td>
</tr>
<tr>
<td>4.0</td>
<td>12,700</td>
</tr>
<tr>
<td>4.1</td>
<td>12,900</td>
</tr>
<tr>
<td>4.2</td>
<td>13,200</td>
</tr>
<tr>
<td>4.3</td>
<td>13,400</td>
</tr>
<tr>
<td>4.4</td>
<td>13,600</td>
</tr>
<tr>
<td>4.5</td>
<td>13,800</td>
</tr>
<tr>
<td>4.6</td>
<td>14,100</td>
</tr>
<tr>
<td>4.7</td>
<td>14,300</td>
</tr>
<tr>
<td>4.8</td>
<td>14,500</td>
</tr>
</tbody>
</table>
## §23-302 Stormwater Management

<table>
<thead>
<tr>
<th>Area of Influence, A (acres)</th>
<th>Total Impervious Area, A, Exempt from Peak Rate Controls ONLY (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.9</td>
<td>14,700</td>
</tr>
<tr>
<td>5.0</td>
<td>15,000</td>
</tr>
<tr>
<td>&gt;5</td>
<td>15,000</td>
</tr>
</tbody>
</table>

Notes: The area of influence, A, in acres and the total impervious area, A, in sq. ft. are calculated using the guidelines provided in Appendix 23-D.

(Ord. 447, 1/2/2007, §302)

## §23-303 Water Quality

Low impact development practices (Appendix 23-A) are encouraged for all regulated activities. Water quality control shall be implemented using the methodologies in paragraphs .A and .B below:

A. The simplified method is independent of site conditions.
   (1) Retention and detention facilities shall be sized to capture the first 2 inches of runoff from all impervious surfaces.
   (2) The first 1 inch of runoff shall be permanently removed and shall not be released into the surface waters of this Commonwealth. This is the permanently removed volume (PRV). Removal options include reuse, evaporation, transpiration, and infiltration.
   (3) For projects that meet the exemption criteria in Table 23-1A of §23-302, the subsequent 1 inch of runoff shall be detained. This is the extended detention volume (EDV).
   (4) For projects that do not meet the exemption criteria in Table 23-1A of §23-302, the 1-year 24-hour runoff volume shall be detained.
   (5) Infiltration of the first ½ inch of the PRV is encouraged. This portion of the PRV is the groundwater recharge volume (GRV).
   (6) The permanently removed volume (PRV) requirement for land areas with existing cover consisting of meadow, brush, wood-grass combination, or woods proposed for conversion to any other nonequivalent type of pervious cover shall be ¼ inch of runoff.
   (7) Retention and detention facilities should be designed to drain both the PRV and EDV completely within 48 to 96 hours from the start of the storm.
   (8) Retention facilities should be designed to accommodate infiltration of the PRV. Infiltration areas should be spread out and located in the sections of the site that are most suitable for infiltration.

B. The design storm method requires detailed modeling based on site conditions.
   (1) Do not increase the post-development total runoff volume for all storms equal to or less than the 2-year 24-hour duration rainfall.
§23-303 Township of West Lebanon §23-304

(2) Do not increase peak rate of runoff for 1-, 2-, 10-, 25-, 100-year storms (at minimum), predevelopment to post-development; as necessary, provide additional peak rate control as required by Act 167 planning.

(3) Existing (predevelopment) nonforested pervious areas must be considered meadow or its equivalent.

(4) Twenty percent of existing impervious area, when present, shall be considered meadow in the model for existing conditions.

C. In all cases, retention and detention facilities should be designed to completely drain water quality volumes (in the case of the simplified method this includes both the PRV and EDV) over a period of time not less than 48 and not more than 96 hours from the start of the design storm.


(Ord. 447, 1/2/2007, §303)

§23-304. Rate Controls.

1. Areas not covered by a release rate map from an approved Act 167 Stormwater Management Plan:

   Post-development discharge rates shall not exceed the predevelopment discharge rates for the 2-, 5-, 10-, 25-, 50-, and 100-year storms. If it is shown that the peak rates of discharge indicated by the post-development analysis are less than or equal to the peak rates of discharge indicated by the predevelopment analysis for 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storms, then the requirements of this Section have been met.

   Otherwise, the applicant shall provide additional controls as necessary to satisfy the peak rate of discharge requirement.

2. Areas covered by a release rate map from an approved Act 167 Stormwater Management Plan:

   For the 2-, 5-, 10-, 25-, 50-, and 100-year storms, the post-development discharge rates will follow the release rate maps in this Chapter. For any areas not shown on the release rate maps, the post-development discharge rates shall not exceed the predevelopment discharge rates.

(Ord. 447, 1/2/2007, §304)

1. The following items shall be included in the SWM site plan:
   
   A. Appropriate sections from the municipal subdivision and land development ordinance shall be followed in preparing the SWM site plans. In instances where the municipality lacks subdivision and land development regulations, the County Subdivision and Land Development Ordinance shall be followed.
   
   B. The SWM site plan shall provide the following supplemental information:
      
      (1) The overall stormwater management concept for the project.
      
      (2) A determination of site conditions in accordance with Appendix 23-B. A detailed site evaluation shall be completed for projects proposed in karst topography.
      
      (3) Stormwater runoff computations as specified in this Chapter.
      
      (4) Expected project time schedule.
      
      (5) A soil erosion and sedimentation control plan, where applicable, as prepared for and submitted to the approval authority.
      
      (6) The effect of the project (in terms of runoff volumes and peak flows) on adjacent properties and on any existing municipal stormwater collection system that may receive runoff from the project site.
      
      (7) Plan and profile drawings of all SWM BMPs including open channel and swales. Drawings shall indicate hydraulic facility.
      
      (8) SWM site plan shall show the locations of existing and proposed septic tank infiltration areas and wells.
      
      (9) A permanent 15-foot wide pathway for use by vehicles shall be provided around all SWM BMPs, such as ponds and infiltration structures. The pathways shall connect to a public thoroughfare.
      
      (10) The following signature block for the Township:

      “West Lebanon Township, on this date has reviewed and hereby certify that the SWM site plan meets all design standards and criteria of the Township Ordinance.”

(Ord. 447, 1/2/2007, §401)

§23-402. Plan Submission.

1. Five copies of the SWM site plan shall be submitted as follows:
   
   A. Two copies to the Township.
   
   B. One copy to the Township Engineer (when applicable).
   
   C. One copy to the County Conservation District.
   
   D. One copy to the County Planning Commission/Office.

2. Additional copies shall be submitted as requested by the Township or DEP.
§23-403. Plan Review.

1. The SWM site plan shall be reviewed by a qualified professional for the Township for consistency with the provisions of this Chapter. After review, the qualified professional shall provide a written recommendation for the Township to approve or disapprove the SWM site plan. If it is recommended to disapprove the SWM site plan, the qualified professional shall state the reasons for the disapproval in writing. The qualified professional also may recommend approval of the SWM site plan with conditions and, if so, shall provide the acceptable conditions for approval in writing. The SWM site plan review and recommendations shall be completed within the time allowed by the Municipalities Planning Code, 53 P.S. §10101 et seq., for reviewing subdivision plans.

2. The Township shall notify the applicant in writing within 45 calendar days whether the SWM site plan is approved or disapproved. If disapproved, the Township shall cite the reasons for disapproval.

3. The Township's approval of a SWM site plan shall be valid for a period not to exceed 2 years. This 2-year time period shall commence on the date that the Township signs the approved SWM site plan. If stormwater management facilities included in the approved SWM site plan have not been constructed, or if an as-built survey of these facilities has not been approved within this 2-year time period, then the Township may consider the SWM site plan disapproved and may revoke any and all permits. SWM site plans that are considered disapproved by the Township shall be resubmitted in accordance with §23-405 of this Chapter.

(Ord. 447, 1/2/2007, §403)


A modification to a submitted SWM site plan that involves a change in SWM BMPs or techniques, or that involves the relocation or re-design of SWM BMPs, or that is necessary because soil or other conditions are not as stated on the SWM site plan as determined by the Township, shall require a resubmission of the modified SWM site plan in accordance with this Chapter.

(Ord. 447, 1/2/2007, §404)


A disapproved SWM site plan may be resubmitted, with the revisions addressing the Township's concerns, to the Township in accordance with this Part. The applicable review fee must accompany a resubmission of a disapproved SWM site plan.

(Ord. 447, 1/2/2007, §405)


1. The developer shall be responsible for completing an “as-built survey” of all SWM BMPs included in the approved SWM site plan. The as-built survey and an explanation of any discrepancies with the design plans shall be submitted to the Township.
2. The submission shall include a certification of completion from an engineer, architect, surveyor or other qualified person verifying that all permanent SWM BMPs have been constructed according to the plans and specifications and approved revisions thereto.

3. After receipt of the completion certification by the Township, the Township may conduct a final inspection.

(Ord. 447, 1/2/2007, §406)

1. The Township shall make the final determination on the continuing maintenance responsibilities prior to final approval of the SWM site plan. The Township may require a dedication of such facilities as part of the requirements for approval of the SWM site plan. Such a requirement is not an indication that the Township will accept the facilities. The Township reserves the right to accept the ownership and operating responsibility for any or the entire stormwater management controls.

2. Structural SWM BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions.

(Ord. 447, 1/2/2007, §501)

$23-502. Operation and Maintenance Agreements.

The owner is responsible for operation and maintenance of the SWM BMPs. If the owner fails to adhere to the operation and maintenance agreement, the Township may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

(Ord. 447, 1/2/2007, §502)
Part 6

Fees and Expenses


1. The Township may include all costs incurred in the review fee charged to an applicant.

2. The review fee may include, but not be limited to, costs for the following:
   A. Administrative/clerical processing.
   B. Review of the SWM site plan.
   C. Attendance at meetings.
   D. Inspections.

(Ord. 447, 1/2/2007, §601)
§23-701. **Prohibited Discharges.**

1. Any drain or conveyance, whether on the surface or subsurface, which allows any nonstormwater discharge including sewage, process wastewater, and wash water to enter the waters of this Commonwealth is prohibited.

2. Discharges, which may be allowed, if they do not significantly contribute to pollution to the waters of this Commonwealth, are:
   - A. Discharges from firefighting activities.
   - B. Flows from riparian habitats and wetlands.
   - C. Potable water sources including dechlorinated water line and fire hydrant flushings.
   - D. Uncontaminated water from foundations or from footing drains.
   - E. Irrigation drainage.
   - F. Lawn watering.
   - G. Air conditioning condensate.
   - H. Dechlorinated swimming pool discharges.
   - I. Springs.
   - J. Uncontaminated groundwater.
   - K. Water from crawl space pumps.
   - L. Water from individual residential car washing.
   - M. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used.
   - N. Routine external building wash down (which does not use detergents or other compounds).

3. In the event that the Township or DEP determines that any of the discharges identified in subsection .2 significantly contribute to pollution of the waters of this Commonwealth, the Township or DEP will notify the responsible person(s) to cease the discharge.

(Ord. 447, 1/2/2007, §701)

§23-702. **Roof Drains.**

Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs to the maximum extent practicable.

(Ord. 447, 1/2/2007, §702)

§23-703. **Alteration of BMPs.**

No person shall modify, remove, fill, landscape, or alter any SWM BMPs without
the written approval of the Township.

(Ord. 447, 1/2/2007, §703)

Upon presentation of proper credentials, the Township may enter at reasonable times upon any property within the Township to inspect the condition of the stormwater structures and facilities in regard to any aspect regulated by this Chapter.

(Ord. 447, 1/2/2007, §801)

§23-802. Inspection.

1. SWM BMPs should be inspected by the land owner/developer (including Township for dedicated facilities) according to the following list of frequencies:
   A. Annually for the first 5 years.
   B. Once every 3 years thereafter,
   C. During or immediately after the cessation of a 10-year or greater storm.

(Ord. 447, 1/2/2007, §802)


1. It shall be unlawful for a person to undertake any regulated activity except as provided in an approved SWM site plan.

2. It shall be unlawful to alter or remove any control structure required by the SWM site plan.

3. Inspections regarding compliance with the SWM site plan are a responsibility of the Township.

(Ord. 447, 1/2/2007, §803)

§23-804. Suspension and Revocation.

1. Any approval for a regulated activity issued may be suspended or revoked by the Township for:
   A. Noncompliance with, or failure to implement any provision of the approval.
   B. A violation of any provision of this Chapter or any other applicable law, ordinance, rule or regulation relating to the regulated activity.
   C. The creation of any condition or the commission of any act during the regulated activity which constitutes or creates a hazard or nuisance, pollution, or which endangers the life or property of others.

2. A suspended approval may be reinstated by the Township when:
   A. The Township has inspected and approved the corrections to the violations that caused the suspension.
   B. The Township is satisfied that the violation has been corrected.
   C. An approval that has been revoked by the Township cannot be reinstated. The applicant may apply for a new approval under the provisions of this Chapter.
D. Prior to revocation or suspension of a permit, if there is no immediate danger to life, public health, or property the Township may notify the land owner/developer to discuss the noncompliance.

(Ord. 447, 1/2/2007, §804)

§23-805. Penalties.

1. Anyone violating the provisions of this Chapter, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 454]

2. In addition, the Township, 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 orders, temporary or permanent injunctions, mandamus or other appropriate forms of remedy or relief.

(Ord. 447, 1/2/2007, §805; as amended by Ord. 454, 9/2/2008)

§23-806. Appeals.

1. Any person aggrieved by any action of the Township or its designee, relevant to the provisions of this Chapter, may appeal to the Township within 30 days of that action.

2. Any person aggrieved by any decision of the Township, relevant to the provisions of this Chapter, may appeal to the County Court of Common Pleas in the County where the activity has taken place within 30 days of the Township’s decision.

(Ord. 447, 1/2/2007, §806)
§23-901. References.


*(Ord. 447, 1/2/2007, §901)*
APPENDIX 23-A

LOW IMPACT DEVELOPMENT PRACTICES
ALTERNATIVE APPROACH FOR
MANAGING STORMWATER RUNOFF

Natural hydrologic conditions may be altered by development practices, which may create impervious surfaces, destroy drainage swales, construct storm sewers, and change local topography. A traditional approach to drainage has been to remove runoff from sites as quickly as possible and capture it in downstream detention basins. This approach leads to the degradation of water quality as well as additional expenditures for detaining and managing concentrated runoff.

The recommended approach is to promote practices that will minimize post-development runoff rates and volumes and minimize needs for artificial conveyance and storage facilities. To simulate predevelopment hydrologic conditions, increased infiltration often is helpful to offset the effects of increasing the area of impervious surfaces. The ability to increase infiltration depends upon the soil types and land use.

Preserving natural hydrologic conditions requires careful site design that includes preservation of natural drainage features, minimization of impervious surfaces, reduction of hydraulic connectivity of impervious surfaces, and protection of natural depression storage areas. A well-designed site will contain a mix of all these features. The following describes various techniques to achieve this:

A. Preserve Drainage Features. Protect natural drainage features, particularly vegetated drainage swales and channels. Locate streets and adjacent storm sewers away from valleys and swales.

B. Protect Natural Depression Storage Areas. Depression storage areas have no surface outlet, or they drain very slowly. Depressions should be protected and the storage capacity should be incorporated into required detention facilities.

C. Avoid Creating Impervious Surfaces. Reduce impervious surfaces to the maximum extent possible. Building footprints, sidewalks, driveways and other features should be minimized.

D. Avoid Connecting Impervious Surfaces. Route roof runoff over lawns and avoid using storm sewers. Grade sites to increase the travel time of stormwater runoff. Avoid concentrating runoff.

E. Use Pervious-Paving Materials. Use pervious materials for driveways, parking lots, access roads, sidewalks, bike trails and hiking trails. Provide pervious strips between streets and sidewalks.

F. Reduce Setbacks. Reduce setbacks for buildings to shorten the driveways and entry walks.

G. Construct Cluster Developments. Construct Cluster Developments to reduce street length per lot.
APPENDIX 23-B

SITE CONDITIONS SUITABLE FOR INFILTRATION

A. LIST OF SITE CONDITIONS SUITABLE FOR INFILTRATION

1. Depth of bedrock below the invert of infiltration BMPs should be greater than or equal to 2 feet.

2. Depth of seasonal high water table below the invert of infiltration BMPs should be greater than or equal to 2 feet.

3. Soil permeability tests should be greater than or equal to 0.10 inches/hour and less than or equal to 10 inches per hour.

4. Setback distances or buffers of infiltration BMPs should be a minimum of:
   a. 50 feet from individual water supply wells and 100 feet from community or municipal water supply wells.
   b. 20 feet from building foundations.
   c. 50 feet from septic system drain fields.
   d. 50 feet from karst geologic contacts such as sinkholes, closed depressions, fracture traces, faults, and pinnacles.
   e. 20 feet from the property line unless documentation is provided to show that all setbacks from wells, foundations and drain fields on neighboring properties will be met

B. EFFECTIVE BMPs FOR INFILTRATION

1. Infiltration trench

2. Infiltration basin

3. Biofilters, rain gardens, bioinfiltration, bio swales

4. Filters for pretreatment.

C. EFFECTIVE BMPs FOR RATE CONTROL

1. Wet ponds

2. Stormwater wetlands

3. Extended detention (dry) ponds

4. Swales
5. Runoff volume reduction BMPs listed and B and C above such as retention, infiltration and re-vegetation.

D. EFFECTIVE BMPs FOR EVAPOTRANSPIRATION

1. Rain gardens

2. Green roofs
THIS AGREEMENT, made and entered into this _____ day of ____________, 200_,
by and between _________________________________ hereinafter the “Land-
owner”), and _________________________________, _____________________________ County,
Pennsylvania, (hereinafter “Municipality”);

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property as recorded by
deed in the land records of ____________ County, Pennsylvania, Deed Book ____
_ at Page ______, (hereinafter “Property”).

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the stormwater management BMP operation and maintenance plan
approved by the Municipality (hereinafter referred to as the “Plan”) for the property
identified herein, which is attached hereto as Exhibit A and made part hereof, as
approved by the Municipality, provides for management of stormwater within the
confines of the property through the use of Best Management Practices (BMPs); and

WHEREAS, the Municipality, and the Landowner, his successors and assigns,
agree that the health, safety, and welfare of the residents of the Municipality and the
protection and maintenance of water quality require that on-site stormwater best
management practices be constructed and maintained on the property; and

WHEREAS, the Municipality requires, through the implementation of the SWM
Site Plan, that stormwater management BMP's as required by said plan and the
Municipal Stormwater Management Ordinance be constructed and adequately operated
and maintained by the Landowner, his successors and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual
covenants contained herein, and the following terms and conditions, the parties hereto
agree as follows:

1. The Landowner shall construct the BMPs in accordance with the plans and
specifications identified in the SWM site plan.

2. The Landowner shall operate and maintain the BMPs as shown on the plan in good
working order accordance with the specific maintenance requirements noted on the
approved SWM site plan.

3. The Landowner hereby grants permission to the Municipality, its authorized agents
and employees, to enter upon the property, at reasonable times and upon presentation
of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the
Municipality shall notify the Landowner prior to entering the property.
4. In the event the Landowner fails to operate and maintain the BMPs per paragraph .2, the Municipality or its representatives may enter upon the property and take whatever action is deemed necessary to maintain said BMP(s). This provision shall not be construed to allow the Municipality to erect any permanent structure on the land of the Landowner. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.

5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.

6. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.

7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality from all damages, accidents, casualties, occurrences or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Landowner or Municipality.

8. The Municipality shall inspect the BMPs at a minimum of once every 3 years to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Lebanon County, Pennsylvania, and shall constitute a covenant running with the property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interests, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL) For the Municipality:

By: ____________________________

(SEAL) For the Landowner:

By: ____________________________
ATTEST:

__________________________ (City, Borough, Township)

County of _________________, Pennsylvania

I, ____________________________, a Notary Public in and for the County and State aforesaid, whose commission expires on the _____ day of ____________, 20___, do hereby certify that ____________________________ whose name(s) is/are signed to the foregoing agreement bearing date of the _____ day of ____________, 20___, has acknowledged the same before me in my said County and State.

GIVEN UNDER MY HAND THIS _____ day of ____________, 20___.

__________________________  ____________________________
Notary Public              (Seal)
APPENDIX 23-D

EXAMPLE, CALCULATIONS TO DETERMINE EXEMPTION FROM SWM SITE PLAN PREPARATION REQUIREMENTS

Example 1

1. The proposed new impervious area B of a garage is 900 sq. ft which is next to the house and a driveway which are 1,920 and 700 sq. ft respectively.

2. Determine the longest dimension of the area by connecting the out to out points of the area (the diagonal D). This measures 102 ft. (the driveway is 32 ft by 30 ft and the house is 60 ft by 32 ft)

3. Extend the area of the house and driveway (60 ft. by 82 ft) in every direction by 102 ft and draw a rectangle. This is a 264 ft. by 286 ft. rectangle. The area of this rectangle is designated as the Area of influence A and is equal to 75,504 sq. ft, which is 1.7 acres.

4. Now, calculate the total impervious area, a, inside this area of Influence, A, which is designated as a = Area of the existing house + area of the new garage + area of the driveway+ portion of neighbor's house on the right + area of Hickory Lane on the bottom.

5. a= 1920+900+700+1200+ 264*10= 7360 sq. ft.

6. According to Table 23-1A, maximum exemption for 1.7 Acres is 6,800 sq. ft. 7,360 sq. ft. is larger than 6,800 sq. ft.

7. So, construction of this new garage requires preparation of SWM site plan that includes peak rate control.
Example 2

1. Proposed new impervious area, B= Area of the garage = 600

2. Total impervious area, a, within the area of Influence, A, is a = Area of the house + area of the garage + area of the driveway + Area of the Rhubarb’s Lane

\[=50 \times 30 + 600 + 30 \times 5 + 20 \times 25 + (94 \times 2 + 50) \times 10\]
\[=5130 \text{ sq. ft}\]

3. Area of influence, \(A=(94 \times 2 + 50) \times (94 + 30 + 50 + 94)\)
   \[=38 \times 268 \text{ sq. ft.}\]
   \[=3784 \text{ sq. ft.}\]
   \[=1.5 \text{ acres}\]

4. From Table 23-1A, total impervious area allowed from peak rate control and SWM site plan preparation is 6,200 sq. ft., corresponding to the area of influence, A, is 1.5 acres. The total impervious area 5,130 sq. ft. within the area of influence A is less than 6,200 sq. ft.; therefore, construction of the 600 sq. ft. garage is exempt from preparation of the SWM site plan (and from peak rate control) requirement.
Chapter 24
Taxation; Special

Part 1
Earned Income and Net Profits Tax

§24-101. Imposition of Tax; Definitions
§24-102. Returns and Payments by Taxpayers
§24-103. Employers’ Collection
§24-104. Earned Income Tax Officer
§24-105. Interest and Penalties; Suits for Collection
§24-106. Deductions and Losses
§24-107. Age Applicability of Taxes
§24-108. Non-applicability
§24-109. Inclusion of Mandatory Provisions of the Local Tax Enabling Act

Part 2
Local Services Tax

§24-201. Title
§24-202. Definitions
§24-203. Levy of Tax
§24-204. Exemption and Refunds
§24-205. Duty of Employers to Collect
§24-206. Returns
§24-207. Dates for Determining Tax Liability and Payment
§24-208. Self-employed Individuals
§24-209. Individuals Engaged in More than One Occupation or Employed in More than One Political Subdivision
§24-210. Nonresidents Subject to Tax
§24-211. Administration of Tax
§24-212. Suits for Collection
§24-213. Violations and Penalties
§24-214. Interpretation

Part 3
Flat Rate Occupation Tax

§24-301. Definition
§24-302. Imposition and Levy
§24-303. Notice of Tax
§24-304. Duties of Tax Collector
§24-305. Penalties
§24-306. Additional Taxes

Part 4
Realty Transfer Tax

§24-401. Short Title
§24-402. Authority
§24-403. Definitions
§24-404. Imposition of Tax; Interest
§24-405. Exempt Parties
§24-406. Excluded Transactions
§24-407. Documents Relating to Associations or Corporations and Members, Partners, Stockholders, or Shareholders Thereof
§24-408. Acquired Company
§24-409. Credits Against Tax
§24-410. Extension of Lease
§24-411. Proceeds of Judicial Sale
§24-412. Duties of Recorder of Deeds
§24-413. Statement of Value
§24-414. Civil Penalties
§24-415. Lien
§24-416. Enforcement
§24-417. Regulations

Part 5
Assessment of Water/Fire Tax

§24-501. Assessment of Water/Fire Tax
PART 1

EARNED INCOME AND NET PROFITS TAX

§24-101. Imposition of Tax; Definitions.

A tax for general revenue purposes at the rate of 1 percent is hereby imposed on earned income received and net profits earned by the individual residents of the Township of West Lebanon, Pennsylvania, during the period beginning July 1, 1968, and ending December 31, 1968, and during each succeeding calendar year thereafter without re-enactment until this Part shall be repealed or the rate of the tax changes. The terms "association," "business," "corporation," "earned income," "income tax officer," "employer," "net profits," "person," "preceding year," "residents," "succeeding year," and "taxpayer" used in this Part shall have the meanings ascribed to them in the Local Tax Enabling Act, 53 P.S. §6901 et seq., as well as any other definitions of terms given in the Local Tax Enabling Act.

(Ord. 248, 5/20/1968, §1)

§24-102. Returns and Payments by Taxpayers.

Every taxpayer earning net profits or receiving earned income in the period of the tax from July 1, 1968, to December 31, 1968, and each succeeding calendar year thereafter, shall, on or before April 15, 1969, and each calendar year thereafter, make and file with the Income Tax Officer a return thereof and pay the tax due thereon. The Board of Commissioners hereby specifically absolves persons making net profits from filing an estimated return, which requirement is optional in the Local Tax Enabling Act, 53 P.S. §6901 et seq., and no such declarations and quarterly returns or payments by tax payers as distinguished from withholding employers are required by this Part.

(Ord. 248, 5/20/1968, §2, as amended by Ord. 295, 10/1/1979)

§24-103. Employers’ Collection.

1. Every person within the Township of West Lebanon who employs one or more persons, other than a domestic servant, is required to register and to deduct the tax from the employees’ earned income as required by the Local Tax Enabling Act, 53 P.S. §6901 et seq., and to file quarterly returns and reports and make remittances and to do all other acts required as fully set forth in §13 of the Local Tax Enabling Act, 53 P.S. §6913.

2. Any employer who has no place of business in this Township, but who desires, for the convenience and with the consent of his employees residing in the Township of West Lebanon, to deduct tax hereunder from such employees’ wages, shall be entitled to the commission hereafter allowed, and shall become subject to all obligations of timely filing of returns, reports and remittances, and of maintaining and disclosing records, and to all interest and penalties with respect to such tax as he may actually deduct, in all respects, and with the same incidents, as though he were a resident employer. But no such deduction shall obligate such employer to continue to make future deductions.

3. Taxes deducted from the income of an employee by an employer shall be and
remain in the hands of the employer a trust fund and property of the Township of West Lebanon until remitted to the Earned Income Tax Officer. These withholdings and deductions by the employer of earned income shall, as between the employee and this Township of West Lebanon, constitute payment of the tax by the employee regardless of any insolvency or failure to remit on the employer’s part.

4. Every employer who shall deduct taxes from the earned income of his employees and remit them together with the required forms and reports of the Earned Income Tax Bureau within the required time, shall be entitled to deduct from such remittance a commission of 2 percent as provided for in the Local Tax Enabling Act, 53 P.S. §6901 et seq. This 2 percent deduction by the employer is compensation for the services performed by them on behalf of the Township.  
(Ord. 248, 5/20/1968, §3)

§24-104. Earned Income Tax Officer.

1. The Township of West Lebanon hereby designates the Lebanon County Earned Income Tax Bureau, an unincorporated association operated jointly by the school districts of Lebanon County, as its Income Tax Officer to be subject to all requirements and to have all powers and duties as set forth in §13 of the Local Tax Enabling Act, 53 P.S. §6913.

2. The compensation of the Income Tax Officer shall be set and determined by the Lebanon County Earned Income Tax Collection Bureau.  
(Ord. 248, 5/20/1968, §4, as amended by Ord. 295, 10/1/1979)

§24-105. Interest and Penalties; Suits for Collection.

All interest and penalties as authorized and imposed by §13 of the Local Tax Enabling Act, 53 P.S. §6913, are hereby authorized and imposed. All suits for collection of taxes under §13 of the Local Tax Enabling Act, 53 P.S. §6913.  
(Ord. 248, 5/20/1968, §5)

§24-106. Deductions and Losses.

1. Employee’s Unreimbursed Business Expenses. Business expenses for which an employee has not been reimbursed, and which are deductible from wages in his Federal income tax return in computing total income, shall be deductible in computing earned income under this Part.

2. Losses. Losses incurred in the operation of a business shall be deductible from earned income or net profits of another business in computing the tax for the calendar year but such losses shall not be carried over or carried back to any succeeding or preceding years and shall not be deducted from earned income or net profits of the spouse of the taxpayer or any other person.  
(Ord. 248, 5/20/1968, §6)

§24-107. Age Applicability of Taxes.

Persons Under 16 Years of Age. The Township Commissioners of West Lebanon Township find that most minors under 16 years of age are unemancipated and subject to compulsory school attendance and are, for the most part, lacking in power to earn
and to have legal control of property and money and that the collection of tax from persons under this age would yield inconsequential amounts, and would be unduly difficult and expensive to collect, and that minors in this group have been traditionally considered as comprising a separate class for many legislative and judicial purposes, and that to impose a tax on persons of this class would not be in the public interest. Therefore, persons under the age of 16 years are exempted from all liability for the tax under this Part.

(Ord. 248, 5/20/1968, §7)

§24-108. Non-applicability.

This Part shall not apply to any person, institution or organization as to whom or which is beyond the legal power of this Township to impose any tax or duty herein provided for.

(Ord. 248, 5/20/1968, §8)


1. The present and future provisions of the Local Tax Enabling Act, 53 P.S. §6901 et seq., notwithstanding prior mention in this Part in specific subsections as being inapplicable are hereby adopted.

2. Any future provisions and supplements or amendments to the Local Tax Enabling Act, 53 P.S. §6901 et seq., which are mandatory are hereby specifically included and shall automatically become a part of this Part upon the effective date of their passage without formal amendment to this Part by the Township.

(Ord. 248, 5/20/1968, §9)
Part 2

Local Services Tax

§24-201. Title.

This Part, and any supplements and amendments thereto, shall be known and may be cited as the "Township of West Lebanon Local Services Tax."

(Ord. 449, 1/1/2008, §51)


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

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

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

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

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

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

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

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

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

Political subdivision - the area within the corporate limits of the West Lebanon Township.

Tax - the local services tax at the rate fixed in §24-203 of this Part.

Tax year - the period from January 1 until December 31 in any year; a calendar year.

(Ord. 449, 1/1/2008, §52)
§24-203. Levy of Tax.

For specific revenue purposes, an annual tax is hereby levied and assessed, commencing January 1, 2008; upon the privilege of engaging in an occupation with a primary place of employment within the Township of West Lebanon during the tax year. Each natural person who exercises such privilege for any length of time during any tax year shall pay the tax for that year in the amount of $52, assessed on a pro rata basis, in accordance with the provisions of this Part. This tax may be used solely for the following purposes as the same may be allocated by the Township from time to time: (A) emergency services, which shall include emergency medical services, police services and/or fire services; (B) road construction and/or maintenance; (C) reduction of property taxes; or (D) property tax relief through implementation of a homestead and farmstead exclusion in accordance with 53 Pa.C.S., Ch. 85, Subch. F (relating to homestead property exclusion). The political subdivision shall use no less than 25 percent of the funds derived from the tax for emergency services. This tax is in addition to all other taxes of any kind or nature heretofore levied by the political subdivision. The tax shall be no more than $52 on each person for each calendar year, irrespective of the number of political subdivisions within which a person maybe employed.

(Ord. 449, 1/1/2008, §53)

§24-204. Exemption and Refunds.

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

   A. Any person who has served in any war or armed conflict in which the United States was engaged and is honorably discharged or released under honorable circumstances from active service if, as a result of military service, the person is blind, paraplegic or a double or quadruple amputee or has a service-connected disability declared by the United States Veterans' Administration or its successor to be a total 100 percent disability.

   B. Any person who serves as a member of a reserve component of the armed forces and is called to active duty at any time during the taxable year. For the purposes of this paragraph, "reserve component of the armed forces" shall mean the United States Army Reserve, United States Navy Reserve, United States Marine Corps Reserve, United States Coast Guard Reserve, United States Air Force Reserve, the Pennsylvania Army National Guard or the Pennsylvania Air National Guard.

2. Procedure to Claim Exemption.

   A. A person seeking to claim an exemption from the local services tax may annually file an exemption certificate with the political subdivision and with the person's employer affirming that the person reasonably expects to receive earned income and net profits from all sources within the political subdivision of less than $12,000 in the calendar year for which the exemption certificate is filed. In the event the political subdivision utilizes a tax collection officer, it shall provide a copy of the exemption certificate to that officer. The exemption certificate shall have attached to it a copy of all the employee's last pay stubs or W-2 forms from
§24-204 Taxation; Special §24-204

employment within the political subdivision for the year prior to the fiscal year for
which the employee is requesting to be exempted from the tax. Upon receipt of the
exemption certificate and until otherwise instructed by the political subdivision or
except as required by paragraph .B, the employer shall not withhold the tax from
the person during the calendar year or the remainder of the calendar year for
which the exemption certificate applies. Employers shall ensure that the exemption
certificate forms are readily available to employees at all times and shall furnish
each new employee with a form at the time of hiring. The exemption certificate
form shall be the uniform form provided by the political subdivision.

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

C. If a person who claimed an exemption for a given calendar year from the
tax becomes subject to the tax for the calendar year under paragraph .B, the
employer shall withhold the tax for the remainder of that calendar year. The
employer shall withhold from the person, for the first payroll period after receipt
of the notification under paragraph .B, a lump sum equal to the amount of tax that
was not withheld from the person due to the exemption claimed by the person
under this subsection, plus the per payroll amount due for that first payroll period.
The amount of tax withheld per payroll period for the remaining payroll periods in
that calendar year shall be the same amount withheld for other employees. In the
event the employment of a person subject to withholding of the tax under this
clause is subsequently severed in that calendar year, the person shall be liable for
any outstanding balance of tax due, and the political subdivision may pursue
collection under this Part.

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

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

*(Ord. 449, 1/1/2008, §54)*
§24-205. Duty of Employers to Collect.

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

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

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

4. In the case of concurrent employment, an employer shall refrain from withholding the tax if the employee provides a recent pay statement from a principal employer that includes the name of the employer, the length of the payroll period and the amount of the tax withheld and a statement from the employee that the pay statement is from the employee's principal employer and the employee will notify other employers of a change in principal place of employment within 2 weeks of its occurrence. The employee's statement shall be provided on the form approved by DCED.

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

6. No employer shall be held liable for failure to withhold the tax or for the payment of the withheld tax money to the political subdivision if the failure to withhold taxes arises from incorrect information submitted by the employee as to the employee's place of employment, the employee's principal office or where the employee is principally employed. Further, an employer shall not be liable for payment of the local services tax in an amount exceeding the amount withheld by the employer if the employer complies with the provisions of subsection .2 of §231-9.1 of this Part and this Section and remits the amount so withheld in accordance with this Part.

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

(Ord. 449, 1/1/2008, §57)

§24-206. Returns.
§24-206 Taxation; Special

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

(Ord. 449, 1/1/2008, §58)

§24-207. Dates for Determining Tax Liability and Payment.

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

(Ord. 449, 1/1/2008, §59)

§24-208. Self-employed Individuals.

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

(Ord. 449, 1/1/2008, §60)

§24-209. Individuals Engaged in More than One Occupation or Employed in More than One Political Subdivision.

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

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

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

(Ord. 449, 1/1/2008, §61)

§24-210. Nonresidents Subject to Tax.

All employers and self-employed individuals residing or having their places of business outside of the political subdivision but who perform services of any type or
kind or engage in any occupation or profession within the political subdivision do, by virtue thereof, agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this Part with the same force and effect as though they were residents of the political subdivision. Further, any individual engaged in an occupation within the political subdivision and an employee of a nonresidential employer may, for the purpose of this Part, be considered a self-employed person, and in the event his or her tax is not paid, the political subdivision shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

(Ord. 449, 1/1/2008, §62)

§24-211. Administration of Tax.

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

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

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

(Ord. 449, 1/1/2008, §63)

§24-212. Suits for Collection.

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

2. If for any reason the tax is not paid when due, interest at the rate of 6 percent on the amount of such tax shall be calculated beginning with the due date of the tax and a penalty of 5 percent shall be added to the flat rate of such tax for nonpayment thereof. Where suit is brought for the recovery of this tax or other appropriate remedy undertaken, the individual liable therefor shall, in addition, be responsible and liable for the costs of collection.

(Ord. 449, 1/1/2008, §64)

§24-213. Violations and Penalties.

Whoever makes any false or untrue statement on any return required by this Part,
§24-213 Taxation; Special §24-214

or whoever refuses inspection of the books, records or accounts in his or her custody and control setting forth the number of employees subject to this tax who are in his or her employment, or whoever fails or refuses to file any return required by this Part shall be guilty of a violation and, upon conviction thereof, shall be sentenced to pay a fine of not more than $600 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. The action to enforce the penalty herein prescribed may be instituted against any person in charge of the business of any employer who shall have failed or who refuses to file a return required by this Part.

(Ord. 449, 1/1/2008, §65)

§24-214. Interpretation.

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

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

(Ord. 449, 1/1/2008, §66)
§24-301. **Definition.**

1. The following terms, 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 or more before the first day of January, 1990, and who shall be domiciled in the Township of West Lebanon, Lebanon County, Pennsylvania.

   *Occupation* - any livelihood, job, trade, profession, business, enterprises, vocation, or any other activity in which a person is regularly or habitually engaged, and which produces an income or a monetary return.

   *Person* - any natural person.

   *Resident* - any person domiciled in the Township of West Lebanon.

   *Tax collector* - the office of the Township Treasurer. Said tax collector shall collect and receive all taxes, interest and penalties provided for the use and benefit of the said Township of West Lebanon.

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

   *(Ord. 347, 11/19/1990, §1)*

§24-302. **Imposition and Levy.**

There is hereby imposed for general revenue purposes a flat rate occupation tax of $5 on all occupations as assessed on the assessment rolls of Lebanon County, Pennsylvania, for the calendar year 1991, and annually thereafter, of all persons residing in said Township of West Lebanon over the age of 18 years and made taxable by the laws of the Commonwealth of Pennsylvania, for the year 1991 and annually thereafter. Any person whose total income from all sources is less than $5,000 per annum is hereby exempted from payment of said flat rate occupation tax.

   *(Ord. 347, 11/19/1990, §2)*

§24-303. **Notice of Tax.**

On or after the first day of January, 1991, the Township Treasurer shall send to every adult resident of the Township of West Lebanon, a notice of the flat rate occupation tax due from such resident for the year 1991 and subsequent years. The failure or omission of the Township Treasurer to send, or any adult resident to receive, such notice shall not relieve such person from the payment of such tax.

   *(Ord. 347, 11/19/1990, §3)*

§24-304. **Duties of Tax Collector.**

1. It shall be the duty of the Township Treasurer to collect and receive all taxes, penalties and interest provided for in this Part in the same manner as other Township
taxes are collected, or otherwise as provided by law.

2. The Township Treasurer shall give bond secured and conditioned for the collection and payment of such taxes as provided by law for other Township taxes.

3. The entry of said flat rate occupation tax into the West Lebanon Township’s tax duplicate and issuance of said duplicate to the Township Treasurer shall constitute his warrant for the collection of said flat rate occupation tax hereby levied and assessed.

(Ord. 347, 11/19/1990, §§4, 5, & 6)

§24-305. Penalties.

1 If any tax imposed pursuant to this Part shall not be paid within 4 months of the date of notice, a penalty of 10 percent of the tax due and unpaid shall be added thereto.

2. The Township Treasurer may sue in assumpsit for the recovery of all taxes, interest and penalties unpaid, which are required to be paid by this Part, and in the event suit is brought, the taxpayer shall, in addition, be liable for the cost of the suit.

3. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than $600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 454]

(Ord. 347, 11/19/1990, §7; as amended by Ord. 454, 9/2/2008)

§24-306. Additional Taxes.

This flat rate occupation tax will be in addition to all other property, per capita, personal or other taxes levied by the Township of West Lebanon.

(Ord. 347, 11/19/1990, §8)
§24-401. Short Title.

This Part shall be known as the “Realty Transfer Tax Ordinance of West Lebanon Township.”

(Ord. 410, 6/2/2003, §1)

§24-402. Authority.

A realty transfer tax for general revenue purposes is hereby imposed upon the transfer of real estate or interest in real estate situated within or partly within West Lebanon Township, regardless of where the documents making the transfer are made, executed or delivered, or where the actual settlements on such transfer took place as authorized by Article XI-D, “Local Real Estate Transfer Tax,” 72 P.S. §8101-D et seq.

(Ord. 410, 6/2/2003, §2)

§24-403. Definitions.

Association - a partnership, limited partnership, or any other form of unincorporated enterprise owned or conducted by two or more persons other than a private trust or decedent’s estate.

Corporation - a corporation, joint-stock association, business trust, or banking institution which is organized under the laws of this Commonwealth, the United States, or any other state, territory, foreign country, or dependency.

Document - any deed, instrument, or writing which conveys, transfers, demises, vests, confirms, or evidences any transfer or demise of title to real estate, but does not include wills, mortgages, deeds of trust, or other instruments of like character, given as security for a debt and deeds of release thereof to the debtor, land contracts whereby the legal title does not pass to the grantee until the total consideration specified in the contract has been paid or any cancellation thereof unless the consideration is payable over a period of time exceeding 30 years, or instruments which solely grant, vest, or confirm a public utility easement. “Document” shall also include a declaration of acquisition required to be presented for recording under §24-402 of this Part.

Family farm corporation - a corporation of which at least 70 percent of its assets are devoted to the business of agriculture and at least 70 percent of each class of stock of the corporation is continuously owned by members of the same family. The business or 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 were related by the whole-blood.

Person - every natural person, association, or corporation. Whenever used in any clause prescribing and imposing a fine or imprisonment, or both. The term “person” as applied to associations, shall include the responsible members or general partners thereof, and as applied to corporations, the officers thereof.

Real estate -

A. All lands tenements or hereditaments either wholly or partly within West Lebanon Township including, without limitation, buildings, structures, fixtures, mines, minerals, oil, gas, quarries, spaces with or without upper or lower boundaries, trees, and other improvements, immovables or interests which by custom, usage, or law pass with a conveyance of land, but excluding permanently attached machinery and equipment in an industrial plant.

B. A condominium unit.

C. A tenant-stockholder’s interest in a cooperative housing corporation, trust, or association under a proprietary lease or occupancy agreement.

Real estate company - a corporation or association which is primarily engaged in the business of holding, selling, or leasing real estate, 90 percent or more of the ownership interest in which is held by 35 or fewer persons and which:

A. Derives 60 percent or more of its annual gross receipts from the ownership or disposition of real estate.

B. Holds real estate, the value of which comprises 90 percent or more of the value of its entire tangible asset holdings exclusive of tangible assets which are freely transferable and actively traded on an established market.

Title to real estate -

A. Any interest in real estate which endures for a period of time, the termination of which is not fixed or ascertained by a specific number of years, including without limitation an estate in fee simple, life estate, or perpetual leasehold.

B. Any interest in real estate enduring for a fixed period of years but which, either by reason of the length of the term or the grant of a right to extend the term by renewal or otherwise, 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 rent 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 or actual consideration for the contract of sale.

B. In the case 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 paragraph .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 removed 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.

(Ord. 410, 6/2/2004, §3)

§24-404. Imposition of Tax; Interest.

1. Every person who makes, executes, delivers, accepts, or presents for recording any document or in whose behalf any document is made, executed, delivered, accepted, or presented for recording, shall be subject to pay for and in respect to the transaction or any part thereof, a tax at the rate of 1 percent 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 whereon the date of the payment of the tax, amount of the tax, and the signature of the collecting agent shall be set forth.

3. It is the intent of this Part that the entire burden of the tax imposed herein on a person or transfer shall not exceed the limitations prescribed in the Local Tax Enabling Act, Act of December 31, 1965, P.L. 1257, 53 P.S. 56901 et seq., so that if any other political subdivision shall impose or hereafter shall impose such tax on the same person or transfer then the tax levied by the Board of Commissioners of West Lebanon Township under the authority of that Act shall during the time such duplication of the tax exists, except as hereinafter otherwise provided, be one-half of the rate and such
§24-404 Township of West Lebanon §24-406

one-half rate shall become effective without any action on the part of the Board of Commissioners of West Lebanon Township; provided, however, that the Board of Commissioners of West Lebanon Township and any other political subdivision which impose such tax on the same person or transfer may agree that, instead of limiting their respective rates to one-half of the rate herein provided, they will impose respectively different rates, the total of which shall not exceed the maximum rate permitted under the “Local Tax Enabling Act”.

4. If for any reason the tax is not paid when due, interest at the rate in effect at the time the tax is due shall be added and collected. The tax imposed under subsection .1 above and all applicable interest and penalties shall be administered, collected and enforced under the Act of December 31, 1965, P.L. 1257, No. 511, as amended, known as the “Local Tax Enabling Act”; provided, that if the correct amount of the tax is not paid by the last date prescribed for timely payment, Township, pursuant to §1102-D of the Tax Reform Code of 1971, 72 P.S. §8102-D, authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties. [Ord. 454]

5. Any tax imposed under subsection .1 that is not paid by the date tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1923, P.L. 207, No. 153, 53 P.S. §7101 et seq., as amended, known as the “Municipal Claims and Tax Liens Act.” The interest rate shall be the lesser of the interest rate imposed upon delinquent Commonwealth taxes as provided in §806 of the Act of April 9, 1929, P.L. 343, No. 176, 72 P.S. §806, as amended, known as the “Fiscal Code,” or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims. [Ord. 454]

(Ord. 410, 6/2/2004, §4; as amended by Ord. 454, 9/2/2008)

§24-405. Exempt Parties.

The United States, the Commonwealth, or any of their instrumentalities, agencies, or political subdivisions shall be exempt from payment or 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.

(Ord. 410, 6/2/2004, §5)

§24-406. Excluded Transactions.

The tax imposed by §24-404 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 to the owner of record at the time of condemnation, which reconveyance may include property line adjustments, provided said reconveyance is made within 1 year from the date of condemnation.

B. A document which the Board of Commissioners of West Lebanon Township is prohibited from taxing under the Constitution or statutes of the United States.

C. A conveyance to a municipality, township, school district, or county pursuant to acquisition by the municipality, township, school district, or county of
§24-406 Taxation; Special

§24-406

a tax delinquent property at sheriff sale or tax claim bureau sale.

D. A transfer for no or nominal actual consideration which corrects or confirms a transfer previously recorded, but which does not extend or limit existing record legal title or interest.

E. A transfer or division in kind for no or nominal actual consideration of property passed by testate or intestate succession and held by co-tenants; however, if any of the parties takes a share 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 brother or sister or the spouse of a brother or sister, and between grandparent and grandchild or the spouse of such grandchild, except that a subsequent transfer by the grantee within 1 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 (i) for no or nominal actual consideration between principal and agent or straw party; or (ii) from or to an agent or straw party where, if the agent or straw were his principal, no tax would be imposed under this Part. Where the document by which title is acquired by a grantee or statement of value fails to set forth that the property was acquired by the grantee from, or for the benefit of, his principal, there is a rebuttable presumption that the property is the property of the grantee in his individual capacity if the grantee claims an exemption from taxation under this subsection.

L. A transfer made pursuant to the statutory merger or consolidation of a corporation or statutory division of a nonprofit corporation, except where the Department reasonably determines that the primary intent for such merger, consolidation, or division is avoidance of the tax imposed by this Part.

M. A transfer from a corporation or association of real estate held of record in the name of the corporation or association where the grantee owns stock of the
§24-406 Township of West Lebanon §24-407

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 2 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 persons holding title for a religious organization if such real estate is not being or has not been used by such transferor for commercial purposes.

R. A transfer to a conservancy which possesses a tax exempt status pursuant to §501(c)(3) of the Internal Revenue Code of 1954, 60A Stat. 3, 26 U.S.C. §501(c)(3), and which has 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 percent 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. Leases for the production or extraction of coal, oil, natural gas or minerals, and assignments thereof.

2. In order to exercise any exclusion provided in this Part, 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.

(Ord. 410, 6/2/2004, §6)

§24-407. Documents Relating to Associations or Corporations and Members, Partners, Stockholders, or Shareholders Thereof.

Except as otherwise provided in §24-406, documents which make, confirm, or evidence any transfer or demise of title to real estate between associations or
§24-407  Taxation; Special

corporations and the members, partners, shareholders, or stockholders thereof are fully taxable. For the purposes of this Part, corporations, and associations are entities separate from their members, partners, stockholders, or shareholders.

(Ord. 410, 6/2/2004, §7)

§24-408.  Acquired Company.

1. A real estate company is an acquired company upon a change in the ownership interest in the company, however effected, if the change does not affect the continuity of the company; and, of itself or together with prior changes, has the effect of transferring, directly or indirectly, 90 percent or more of the total ownership interest in the company within a period of 3 years.

2. With respect to real estate acquired after February 16, 1986, a family farm corporation is an acquired company when, because of voluntary or involuntary dissolution, it ceases to be a family farm corporation or when, because of issuance or transfer of stock or because of acquisition or transfer of assets that are devoted to the business of agriculture, it fails to meet the minimum requirements of a family farm corporation under this Part.

3. Within 30 days after becoming an acquired company, the company shall present a declaration of acquisition with the recorder of each county in which it holds real estate for the affixation of documentary stamps and recording. Such declaration shall set forth the value of real estate holdings of the acquired company in such county. A copy of the Pennsylvania realty transfer tax declaration of acquisition may be submitted for this purpose.

(Ord. 410, 6/2/2004, §8)

§24-409.  Credits Against Tax.

1. Where there is a transfer of a residential property by a licensed real estate broker which property was transferred to him within the preceding year as consideration for the purchase of other residential property, a credit for the amount of the tax paid at the time of the transfer to him shall be given to him toward the amount of the tax due upon the transfer.

2. Where there is a transfer by a builder of residential property which was transferred to the builder within the preceding year as consideration for the purchase of new, previously unoccupied residential property, a credit for the amount of the tax paid at the time of the transfer to the builder shall be given to the builder toward the amount of the tax due upon the transfer.

3. Where there is a transfer of real estate which is leased by the grantor, a credit for the amount of tax paid at the time of the lease shall be given the grantor toward the tax due upon the transfer.

4. Where there is a conveyance by deed of real estate which was previously sold under a land contract by the grantor, a credit for the amount of 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 carryover credit shall be allowed.

(Ord. 410, 6/2/2004, §9)
§24-410. Extension of Lease.

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.

§24-411. Proceeds of Judicial Sale.

The tax herein imposed shall be fully paid, and have priority out of the proceeds or any judicial sale of real estate before any other obligation, claim, lien, judgment, estate or costs of the sale and of the writ upon which the sale is made except the state realty transfer tax, and the Sheriff, or other officer, conducting said sale shall pay the tax herein imposed out of the first moneys paid to him in connection therewith. If the proceeds of the sale are insufficient to pay the entire tax herein imposed, the purchaser shall be liable for the remaining tax.


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 West Lebanon Township based on a redetermination of the amount of tax due by the Commonwealth of Pennsylvania of the Pennsylvania realty transfer tax, without compensation from West Lebanon Township.

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 tenth of each month, the Recorder shall pay over to West Lebanon Township all local realty transfer taxes collected, less 2 percent for use of the County, together with a report containing the information as is required by the Commonwealth of Pennsylvania in reporting collections of the Pennsylvania realty transfer tax. The 2 percent commission shall be paid to the County.

4. Upon a redetermination of the amount of realty transfer tax due by the Commonwealth of Pennsylvania, the Recorder shall rerecord the deed or record the additional realty transfer tax form only when both the State and local amounts, and a rerecording or recording fee has been tendered.

§24-413. Statement of Value.

Every document lodged with or presented to the Recorder of Deeds for recording shall set forth therein and as a part of such document the true, full and complete value thereof, or shall be accompanied by a statement of value executed by a responsible person connected with the transaction showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not
§24-413 Taxation; Special §24-417

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. Other documents presented for the affixation of stamps shall be accompanied by a certified copy of the document and statement of value executed by a responsible person connected with the transaction showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not subject to tax under this Part.

(Ord. 410, 6/2/2004, §13)

§24-414. Civil Penalties.

1. If any part of any underpayment at tax imposed by this Part is due to fraud, there shall be added to the tax an amount equal to 50 percent 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 percent of the amount of such tax if the failure is for not more than 1 month, with an additional 5 percent for each additional month or fraction thereof during which such failure continues, not exceeding 50 percent in the aggregate.

(Ord. 410, 6/2/2004, §14)

§24-415. Lien.

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 West Lebanon Township, which lands, tenements, hereditaments, or interest therein, are described in or conveyed by or transferred by the deed which is the subject of the tax imposed, assessed and levied by this Part, said lien to begin at the time when the tax under this Part is due and payable, and continue until 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 Lebanon County, in accordance with the provisions of the Municipal Claims and Liens Act of 1923, 53 P.S. 57101 et seq., its supplements and amendments.

(Ord. 410, 6/2/2004, §15)

§24-416. Enforcement.

All taxes imposed by this Part together with interest and penalties prescribed herein, shall be recoverable as other debts of like character are recovered.

(Ord. 410, 6/2/2004, §16)

§24-417. Regulations.

The Tax Collector of West Lebanon Township is charged with enforcement and collection of tax. The regulations which have been promulgated by the Pennsylvania Department of Revenue under 72 P.S. §8101-C et seq., are incorporated into and made a part of this Part.

(Ord. 410, 6/2/2004, §17)

1. All surface properties or real estate in West Lebanon Township shall be subject to a water/fire tax which shall be based on the property assessment for County purposes as established for general taxation.

2. Said tax shall be levied for a term of 10 years and shall not exceed 2 mills per annum. It shall be collected in the same manner as other taxes.

3. The millage rate shall be set by a resolution of the Board of Commissioners.

(Ord. 431, 11/7/2005)
Chapter 25

[Reserved]
Chapter 26

Water

Part 1

Regulations; Rates

§26-101. Installation of Water Service
§26-102. Water Supervisor to Install Meters
§26-103. Buildings and Services to Be Metered
§26-104. Installation Schedule
§26-105. Township’s Responsibility for Meters
§26-106. Protection of Meters by Customers
§26-107. Faulty Meters; No Deduction for Leakage
§26-108. Meters and Curb Stops Not to Be Tampered with
§26-109. Application and Deposit Required for Meter Test
§26-110. Separate Meters for Multiple Establishments
§26-111. All Water to Be Registered on Meter
§26-112. Notification of Change of Ownership
§26-113. Regulations for Installation of Meters
§26-114. Rates
§26-115. Meter Readings and Billings
§26-116. Payments
§26-117. Delinquent Payments
§26-118. Right to Cut Off Water or Sewer System
§26-119. Abatement of Charges
§26-120. Service in Time of Emergency
§26-121. Right to Access
§26-122. Penalties

Part 2

Backflow and Cross-Connections

§26-201. General Policy
§26-202. Definitions
§26-203. Water System
§26-204. Cross-Connection Prohibited
§26-205. Survey and Investigation
§26-206. Where Protection is Required
§26-207. Type of Protection is Required
§26-208. Backflow Prevention Devices
§26-209. Installation
§26-210. Inspection and Maintenance
§26-211. Booster Pumps
§26-212. Violations

All water service from the water main to the owner's curb box shall consist of a ¾-inch ID line and shall be installed by the Township at Township's expense provided same does not exceed a maximum length of 50 feet. Any such service connection which exceeds 50 feet in length and/or consists of a line more than ¾-inch ID in diameter will be installed by the Township but the property owner will be charged for the added expense of all materials, including additional road repair, over and above said standard installation.

(Ord. 242, 3/22/1967, §1; as amended by Ord. 313, 10/17/1983, §1)

§26-102. Water Supervisor to Install Meters.

It shall be the duty of the Supervisor of Water to install meters for the water consumption if not now metered, as soon as conveniently may be done.

(Ord. 242, 3/22/1967, §2)

§26-103. Buildings and Services to Be Metered.

1. Every building hereafter constructed and every building hereafter for the first time furnished with water shall be metered before any water shall be furnished to such building.

2. All water services, except those classified as temporary for building purposes, must be metered.

(Ord. 242, 3/22/1967, §§1 and 3; as amended by Ord. 313, 10/17/1983, §1)

§26-104. Installation Schedule.

1. In carrying out the program of metering existing buildings presently furnished with water, the Supervisor shall install such meters according to the following priority, classification and schedule:

   A. All commercial and industrial premises shall be metered.

   B. Next, all residential buildings occupied by more than one family shall be metered.

   C. Finally, all single-family residences shall be metered.

2. Within each of the above three categories meters shall be installed according to a schedule, and in the order, determined by the Water Supervisor.

(Ord. 242, 3/22/1967, §4)


The Township shall own, control, furnish and install, and maintain all meters, which shall be of the same size as the service pipe entering the building in which such meters are installed. With special permission of the Supervisor, a meter either one size
larger or one size smaller than the service pipe may be installed, if there is a particular reason for the use thereof. Upon notice by the Supervisor that a meter is to be installed in a premises, the owner thereof shall, at his own expense, prepare the pipe, ready for the installation of the meter as well as any stop, waste or valve required to drain it. When convenient, the meter shall be place within the property line of the customer, in a convenient, accessible, and unobstructed position within a building. When not convenient to place a meter within a building, a suitable meter box or masonry pit shall be built, at the expense of the owner of the property, such box to have a suitable cover with lock and key. No person other than an authorized officer or employee of the Township, or duly authorized independent contractor designated by the Township, shall install, remove, inspect or change, alter, or interfere with any meter or any of the dials thereof.

(Ord. 242, 3/22/1967, §5)

§26-106. Protection of Meters by Customers.

The customer shall, at all times, properly protect the meter upon his property from injury, by the frost or other cause, and shall be responsible for the cost of all repairs to such meter damaged through his negligence, or that of the members of his family, his agent, workmen, servants or employees, such charge to be payable in full at the time when his next water bill shall be due and payable.

(Ord. 242, 3/22/1967, §6)

§26-107. Faulty Meters; No Deduction for Leakage.

If a meter fails to register or otherwise becomes out of order, such meter shall be replaced or repaired by the Township, and the current bill shall be estimated as determined by the average amount of water used in a previous corresponding period. No deduction from any water bill shall be allowed on account of leakage.

(Ord. 242, 3/22/1967, §7)

§26-108. Meters and Curb Stops Not to Be Tampered with.

No consumer shall remove or tamper with the meter installation or curb stop, nor permit any other person except an authorized employee of the Township to do so. When a meter seal has been removed by an unauthorized person, the Township may remove, test, reset, reseal and reinstall the meter at the expense of the consumer.

(Ord. 242, 3/22/1967, §8; as amended by Ord. 327, 8/19/1985, §1)

§26-109. Application and Deposit Required for Meter Test.

If any customer shall doubt, the correctness of the meter measuring the water delivered to his premises, he may, upon application to the supervisor, and upon making a deposit as set forth in the schedule set forth below, to defray the cost thereof, have such meter tested, by the Supervisor or any person designated by him to do so. Should such test show such meter to be correct within 4 percent, the customer shall forfeit the deposit made. Should such test show the meter to be registering incorrectly beyond 4 percent of the accurate amount, such deposit shall be refunded to the customer, and his account shall be adjusted accordingly and the entire cost of such test shall be borne by the Township. The deposit to be required shall be in an amount as established from
§26-109 Water §26-113

Time to time by resolution of the Board of Commissioners.

(Ord. 242, 3/22/1967, §9; as amended by Ord. 316, 3/19/1984; and by Ord. 454, 9/2/2008)

§26-110. Separate Meters for Multiple Establishments.

In all cases where the service connection serves a building occupied by two or more establishments, firms, or families, only one meter shall be furnished by the Township to such building. The water rate as registered by such meter shall be chargeable to and payable by the owner of such building. Provided, in any such case, the owner of the building may, after having given notice thereof to the Supervisor, furnish and install separate meters at his own expense, for each portion of such building separately occupied. Such owner shall be responsible for all expenses incurred in the maintenance and repair of such meters. After the installation of such separate meters, separate bills shall be furnished to the owner of such property for each separately metered portion of such building.

(Ord. 242, 3/22/1967, §10, as amended by Ord. 295, 10/1/1979)

§26-111. All Water to Be Registered on Meter.

No customer serviced with metered water shall take or receive, or permit to be taken or received, any water from the Township into a building for which a meter is installed, except that such water shall have passed through and been registered by such meter.

(Ord. 242, 3/22/1967, §11)


The owner of a metered property shall notify the supervisor immediately of any change of ownership of such property, so that the Supervisor may cause the meter to be read so that the final consumption shall be billed to the seller and all future billing be made to the buyer.

(Ord. 242, 3/22/1967, §12)

§26-113. Regulations for Installation of Meters.

All meters are to be set in accordance with the following regulations:

A. For meters ½ inch to 2 inches:

(1) There shall be placed in the service pipe, within the wall of the building supplied, and so located as to drain all of the pipes in the building as well as the meter, a brass roundway or compression stop and waste cock, or gate valve, at the expense of the consumer, for his protection in enabling him to turn off the water in the case of leaks and to drain the pipes to prevent freezing.

(2) The foregoing is followed by a meter and necessary couplings furnished and installed by the Township.

(3) A swing check valve must be placed on the outlet side of the meter at the expense of the consumer.

B. Meters larger than 2 inches shall be set in a similar manner as the ½-inch to 2-inch meters except that iron body brass mounted gate valves may be used in
§26-113 Township of West Lebanon §26-118

place of brass stop cock.

C. A suitable valved bypass shall be provided by the consumer for meters larger than 1 inch, when required by the Township.

D. Meter installations larger than 2 inches shall be equipped with a suitable test tee arrangement when specified by the Township. Information concerning the requirements will be supplied by the Township when the service is applied for.

(Ord. 242, 3/22/1967, §13)

§26-114. Rates.

The rates for water furnished to customers by the Township shall be in an amount as established, from time to time, by resolution of the Board of Commissioners.

(Ord. 242, 3/22/1967, §14, as amended by Ord. 295 10/1/1979; and by Ord. 313, 10/14/1983, §2; and by Ord. 454, 9/2/2008)

§26-115. Meter Readings and Billings.

1. Water meters will be read quarterly approximately 1 month prior to the billing date, namely, March, June, September, and December.

2. All bills for water rates shall be rendered to the owner of the premises to which water is furnished by the Township, and such owner shall in all cases be liable for payment of such bills. Said bills shall be rendered to the owner quarterly during the months of April, July, October, and January.

(Ord. 242, 3/22/1967, §15, as amended by Ord. 313, 10/17/1983, §§3 and 4)


All water rates shall be payable to the Township Treasurer and shall be due and payable upon the applicable billing date as hereinbefore set forth and the appropriate amount as computed in accordance with the applicable ordinance shall constitute the net bill. Payments not made by the due date shall be subject to such penalties and late charges as may be established from time to time by resolution of the Board of Commissioners.

(Ord. 242, 3/22/1967, §16, as amended by Ord. 313, 10/17/1983, §5; by Ord. 373, 2/3/1997, §1; and by Ord. 454, 9/2/2008)

§26-117. Delinquent Payments.

In the event that the water rate shall not be paid on the aforementioned dates, a penalty of ½ of 1 percent per month shall be added thereto for each and every month that same is delinquent. Any part of any month shall be considered as a full month in regard to such a penalty.

(Ord. 242, 3/22/1967, §17)

§26-118. Right to Cut Off Water or Sewer System.

If the owner of the property connected to the water system shall neglect or fail to pay, for a period of 30 days from the due date thereof, any water rates imposed by the Township:
§26-118  Water §26-121

A. The Township shall have the right to cut-off water services for such premises and not to restore the same until all bills against the same and the cost of cutting off and restoring service shall have been paid.

B. The Township shall have the right to request that public water supply be shut off to such property until all such overdue rates and charges, together with any penalty and interest thereon shall be paid. In no case shall the water supply be shut off to any premises until 10 days after written notice of an intention so to do has been mailed to the person liable for the payment of the charges, and, in addition thereto, there has been posted a written notice of such intention at a main entrance to the property. These penalties and provisions are subject to the existing statutory regulations of discontinuing service to rental properties, and in such cases, said statutory requirements must be followed.

C. The fee for restoring of services to premises for which that water service has been cut off because of delinquency shall be in an amount as established from time to time by resolution of the Board of Commissioners. [Ord. 454]

§26-119.  Abatement of Charges.

The following regulations shall govern abatement of charges for water:

A. No abatement of charges shall be allowed for vacancy of premises, except from the date that notice shall have been given by the owner of such premises, at the office of the Supervisor, that such premises have been vacated.

B. No abatement of charges shall be allowed for absence of the customer unless the water shall have been shut off from the premises by the order of the Supervisor, for which a charge in an amount as established from time to time by resolution of the Board of Commissioners shall be made. [Ord. 454]

C. Whenever water shall be used on any metered premises for fire protection or fire fighting, in an actual case of fire or conflagration, no charge shall be made for the water so used, and the amount of water so used shall be ascertained by comparison with the average use of water during a corresponding billing period, as shown by the meter.

§26-120.  Service in Time of Emergency.

The Water Supervisor is hereby authorized to limit or discontinue the supply of water, in cases of emergency, and to shut off the supply of water for repairs or extensions, he being the judge of the time and necessity.

§26-121.  Right to Access.

The Water Supervisor or any Township employee (designated by the Township Commissioners) shall have the right to enter upon or into any premises to which water is supplied by the Township, at any and all reasonable hours, for the purpose of
inspecting any pipe or fixture, setting, reading or repairing any meter, turning water off or on, and enforcing the provisions of this Part generally. No person shall deny entrance to any such premises to any officer or employee hereby granted such right of entry.

(Ord. 242, 3/22/1967, as amended by Ord. 295, 10/1/1979)

§26-122. Penalties.

Any person who shall violate the provisions of §26-108 concerning tampering with meters, §26-111 concerning circumventing or bypassing meters, or §26-121 concerning the right of Township employees to enter the premises at all reasonable times, upon conviction thereof, shall be sentenced to pay a fine of not more than $1,000 plus costs and, and in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 242, 3/22/1967, §22; as amended by Ord. 454, 9/2/2008)
Part 2
Backflow and Cross-Connections

§26-201. General Policy.

1. Purpose. The purpose of this Part is:
   A. To protect the public water supply system from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system.
   B. To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and nonpotable water systems, plumbing fixtures and sources, or systems containing process fluids.
   C. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the public and consumer's potable water system.

2. Application. This Part shall apply to all premises served by the public water supply system of West Lebanon Township.

3. Policy. The public water supplier and the consumer have the joint responsibility for protection of the public water supply system from contamination due to backflow of contaminants through water service connection. Based upon the recognition of this need the Township has determined that backflow prevention devices shall be required to be installed at all consumer's places of residence or places of business by December 31, 1999. The consumer shall install such devices by said deadline and said devices shall be such as are approved by the terms of this Part and said installation shall be at consumer's expense. The failure, refusal or inability on the part of the consumer to install such device or devices shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

(Ord. 378, 12/7/1998, §1)


Backflow device - a device installed in the consumer's service line to prevent steam, gas, chemicals, or water of unknown or questionable quality from a separate piping system from entering the Township's water system.

Consumer - the party, either property owner or tenant, contracting with the Township for water service for one or more families or for one or more business/institutional units on the premises.

Consumer's service line - the connecting facilities from the Township's curb stop and curb box into and in a consumer's premises, except the water meter.

Cross-connection - any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other steam, gas, a chemical or water of unknown or questionable safety, whereby there may be a flow from one system to the other, the direction depending on the pressure differential between the two systems.
§26-202 Township of West Lebanon §26-204

**Meter** - a device for measuring the quantity of water used, which is a basis for determining charges for water service to a customer.

**Premises** - the property, building, or other site to which water service is furnished, including:

A. A building under one roof, owned, or eased by one person and occupied as one residence or business.

B. Each combination of buildings owned or leased by one person, served by one service line and occupied by one family or business.

C. Each side of a double house or each housing unit.

D. Each apartment, office or suite of offices located in a building having several such apartments, offices or suites of offices and using in common one or more means of entrance.

E. Such other situation as the Township shall deem proper and advisable.

**Property owner** - a person in whose name the deed for a property is designated.

**Tenant** - a person who leases or rents premises from a property owner.

**Township** - West Lebanon Township.

**Water service** - provision by the Township of water as a commodity, of readiness to serve water for any purposes and of any services related hereto.

**Water system** - any pumping station, treatment plant, reservoir, standpipe, water main, valve, hydrant, Township service line, or other appurtenance which now exists or may be constructed or owned by the Township of West Lebanon.

(Ord. 378, 12/7/1998, §2)

---

**§26-203. Water System.**

1. The water system shall be considered as made up of two parts: the public water supply system and the consumer’s water system.

2. The public water supply system shall consist of the source facilities and the distribution system and shall include all those facilities of the public water supply system under the control of the public water supplier up to the point where the consumer’s water system begins.

3. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public distribution system.

4. The public distribution system shall include the network of conduits used for delivery of water from the source to the consumer’s water system.

5. The consumer’s water system shall include all facilities beyond the service connection which are utilized in conveying water from the public distribution system to points of use.

(Ord. 378, 12/7/1998, §3)

---

**§26-204. Cross-Connection Prohibited.**

1. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public water supply system or consumer’s water system may exist unless such actual or potential cross-connections
§26-204 Water §26-208

are abated or controlled to the satisfaction of the public water supplier.

2. No connection shall be installed or maintained whereby water from an auxiliary water supply may enter a public or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved.  

(Ord. 378, 12/7/1998, §4)

§26-205. Survey and Investigation.

1. The consumer's premises shall be open at all reasonable times to the public water supplier, or his authorized representative, for the purposes of conducting surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.

2. On request by the public water supplier the consumer shall furnish information on water use practices within his premises.

3. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into the public water supply system.

(Ord. 378, 12/7/1998, §5)

§26-206. Where Protection is Required.

An approved backflow prevention device shall be installed prior to the first branch line leading off each service line to every consumer's water system in the Township.

(Ord. 378, 12/7/1998, §6)

§26-207. Type of Protection is Required.

The type of protection required under §26-206 of this Part shall depend on the degree of hazard which exists as follows:

A. An approved single check valve shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.

(Ord. 378, 12/7/1998, §7)


1. The backflow prevention device required by this Part shall be of model or construction approved by the public water supplier and shall comply with the following:

   A. A single check valve device shall be approved by the public water backflow prevention supplier and shall mean a device that has been manufactured in full conformance with standards established by the American Water Works Association entitled, AWWA C506 Standards.

2. Existing backflow prevention devices approved by the public water supplier at the time of installation and properly maintained shall, except for inspection and
maintenance requirements, be excluded from the requirement of subsection .1 of this Section providing the public water supplier is assured that they will satisfactorily protect the public potable supply system. Whenever the existing device is moved from the present location or when the public water supplier finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of this Part.

(Ord. 378, 12/7/1998, §8)

§26-209. Installation.

1. Backflow prevention devices required by this Part shall be installed at a location and in a manner approved by the public water supplier and shall be installed by a licensed plumber and at the expense of the water consumer.

2. Backflow prevention devices installed on the service line to a consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical and prior to any other connection.

(Ord. 378, 12/7/1998, §9)


1. Whenever backflow prevention devices required by this Part are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

2. Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the water supplier.

(Ord. 378, 12/7/1998, §10)

§26-211. Booster Pumps.

1. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to 10 pounds per square inch gauge or less for a period of 30 seconds or longer.

2. It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the public water supplier, at least once a year, that the device is operating properly.

(Ord. 378, 12/7/1998, §11)

§26-212. Violations.

1. The public water supplier may deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by this Part is not installed, tested and maintained in a manner acceptable to the public water supplier, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises or if a low pressure cut off device required by this Part is not installed and maintained in working order.

2. Water service to such premises shall not be restored until the consumer has
corrected or eliminated such conditions or defects in conformance with this Part and to
the satisfaction of the public water supplier.

(Ord. 378, 12/7/1998, §12)
Chapter 27

Zoning

Part 1
Interpretation; Definitions; Community Development Objectives

§27-101. Interpretation and Definitions
§27-102. Statement of Community Development Objectives

Part 2
Establishment of Districts; Official Zoning Map

§27-201. Official Zoning Map
§27-202. Replacement of the Official Zoning Map

Part 3
Rules for Interpretation of District Boundaries

§27-301. Specific Rules

Part 4
Application of District Regulations

§27-401. Introduction
§27-402. Conformity to Regulations
§27-403. Restrictions
§27-404. Inclusion of Parts of Yards, Open Spaces, or Off-Street Parking or Loading Space
§27-405. Reduction of Yards or Lots
§27-406. Uses Not Permitted or Prohibited
§27-407. Annexations

Part 5
Use Districts

§27-501. Classification of Districts

Part 6
R - Residential District

§27-601. Intent
§27-602. Permitted Uses
§27-603. Lot Area, Building Height, and Yard Requirements
§27-604. Minimum Off-Street Parking Requirements
§27-605. Limitations of Signs

Part 7
C - Commercial District

§27-701. Intent
§27-702. Permitted Uses
§27-703. Performance Required
§27-704. Lot Area, Building Height, and Yard Requirements
§27-705. Minimum Off-Street Parking and Loading Requirements
§27-706. Limitations of Signs

M - Manufacturing District

§27-801. Intent
§27-802. Permitted Uses
§27-803. Lot Area, Building Height, and Yard Requirements
§27-804. Minimum Off-Street Parking Requirements
§27-805. Limitations of Signs

Part 9
Nonconformities

§27-901. Intent
§27-902. Nonconforming Lots of Record
§27-903. Nonconforming Uses of Land (or Land with Minor Structures Only)
§27-904. Nonconforming Structures
§27-905. Nonconforming Uses of Structures or of Structures and Premises in Combination
§27-906. Repairs and Maintenance
§27-907. Uses under Special Exception Provisions Not Nonconforming Uses
§27-908. Identification and Registration of Nonconforming Uses, Buildings, and Structures

Part 10
Supplementary District Regulations

§27-1001. Visibility at Intersections
§27-1002. Fences, Walls, and Hedges
§27-1003. Accessory Buildings
§27-1004. Erection of More than One Principal Structure on a Lot
§27-1005. Exception to Height Regulations
§27-1006. Structure to Have Access
§27-1007. Parking, Storage, or Use of Major Recreational Equipment
§27-1008. Parking and Storage of Certain Vehicles
§27-1009. Front Yard Exceptions
§27-1010. Corner Lot Restriction
§27-1011. Lot Area and Lot Width for Lots Not Served with Public Water And/or Sanitary Sewers
§27-1012. Projections into Yards
§27-1013. Accessory Uses
§27-1014. Municipal Uses
§27-1015. Public Utilities Exempt
§27-1016. Home Occupation Regulations
§27-1017. Exceptions to Minimum Lot Sizes
§27-1018. Gasoline Pumps and All Other Service Equipment
§27-1019. Adult Book Stores, Adult Theaters

Part 11
Off-Street Parking and Loading

§27-1101. Off-Street Parking Facilities
§27-1102. Continuation of Parking Facilities
§27-1103. Standards and Definitions
§27-1104. Schedule of Required Off-Street Parking Spaces
§27-1105. Separate or Combined Use of Facilities
§27-1106. Parking and Garage Facilities for Residents
§27-1107. Access Drives to Parking Areas
§27-1108. Improvements to Parking and Loading Areas
§27-1109. Illumination of Parking and Loading Areas
§27-1110. Approval of Parking and Loading Plans

Part 12
Signs and Advertising Structures

§27-1201. Introduction
§27-1202. Area of Sign
§27-1203. General Regulations
§27-1204. Signs in Residential District
§27-1205. Signs in Commercial and Industrial Districts

Part 13
Administration and Enforcement; Building Permits and Certificates of Zoning Compliance

§27-1301. Administration and Enforcement
§27-1302. Building Permits Required
§27-1303. Application for Building Permit
§27-1304. Certificates of Zoning Compliance for New, Altered, or Nonconforming Uses
§27-1305. Temporary Use Permits
§27-1306. Expiration of Building Permit
§27-1307. Construction and Use to Be Provided in Application, Plans, Permits, and Certificates of Zoning Compliance

Part 14
Zoning Hearing Board: Establishment and Procedure

§27-1401. Establishment of Board
§27-1402. Hearings
§27-1403. Parties Appellant Before the Board
§27-1404. Time Limitations
§27-1405. Stay of Proceedings

Part 15
Zoning Hearing Board: Powers and Duties

§27-1501. Administrative Review
§27-1502. Special Exceptions; Conditions Governing Applications; Procedures
§27-1503. Variances; Conditions Governing Applications; Procedures
§27-1504. Board Has Powers of Administrative Official on Appeals; Reversing Decision of Administrative Official

Part 16
Appeals from the Zoning Hearing Board

§27-1601. Appeals

Part 17
Appeals

§27-1701. Duties of Administrative Official, Zoning Hearing Board, Township Commissioners and Courts on Matters of Appeal

Part 18
Fees, Charges, and Expenses

§27-1801. Schedule of Fees, Charges, and Expenses

Part 19
Amendments

§27-1901. Enactment of Zoning Ordinance Amendments

Part 20
Interpretation; Violations and Separability

§27-2003. Enforcement Notice
§27-2004. Causes of Action
§27-2005. Enforcement Remedies

Zoning Map Amendments
Part 1

Interpretation; Definitions; Community Development Objectives


Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning herein indicated; words used in the present tense include the future tense. The singular includes the plural. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The word “lot” includes the word “plot” or “parcel.” The term “shall” is always mandatory; the word “may” is permissive. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”

Accessory building - a building detached from and subordinate to the main building on the same lot and used for purposes customarily incidental to the main building.

Accessory use - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

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 moving from one location or position to another.

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

Apartment - a building occupied by three or more dwelling units.

Area, lot - the total area within the lot lines, excluding right-of-way areas.

Basement - a story partly below the finished grade, but having more than one-half of its height (measured from finished floor to finished ceiling) above the average level of the finished grade where such grade abuts the exterior walls of the building. A basement shall be considered as one story in determining the permissible number of stories.

Building - any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattels, and including covered porches or bay windows and chimneys.

Building, detached - a building surrounded by open space on the same lot.

Building line - a line parallel to the front, side, or rear lot line set so as to provide the required yard.

Building, principal - a nonaccessory building in which the principal use of the lot is conducted.

Building, semi-detached - a building which has one wall in common with an adjacent building.

Carport - see “garage, private.”

Cellar - a story partly below the finished grade having more than one-half of its height (measured from finished floor to finished ceiling) below the average level...
of the adjoining finished grade where such grade abuts the exterior walls of the building. A cellar shall not be considered a story in determining the permissible number of stories.

**Coverage** - the percentage of the plot or lot area covered by a building or buildings.

**Customary household pets** - such pets which are normally found within the home, such as dogs, cats, hamsters, birds, etc.

**Dog kennel** - any premises, except where accessory to an agricultural use, where three or more dogs, 6 months in age or older, are kept or boarded.

**Dwelling unit** - one room or rooms connected together, constituting a separate independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

**Dwelling, single-family** - a building designed for or occupied exclusively by one family, but not to be construed to include mobile homes.

**Dwelling, two-family** - a detached or semi-detached residential building containing two dwelling units designed for occupancy by not more than two families.

**Dwelling, multi-family** - a building designed for or occupied by three or more families living independently of each other and doing their own cooking, including apartment houses.

**Dwelling, group** - a group of two or more single-family, two-family or multi-family dwellings occupying a lot in one ownership.

**Family** - one or more persons occupying a single dwelling unit; provided, that unless all members are related by blood or marriage, no such family shall contain over five persons; but, provided further, that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.

**Floor area, livable** - the sum of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, or bedroom but not including cellars, attics, garages, enclosed porches, and roofed terraces, nor unheated areas such as enclosed porches.

**Floor area ratio** - the relationship between the area of permitted floor space in a structure and the area of the lot on which it is situated. A floor area ratio of one would permit a one-story building to cover 100 percent of its lot, a two-story building to cover 50 percent of its lot, a four-story building to cover 25 percent of its lot, and so on.

**Garage, private** - an enclosed or covered space for the storage of one or more vehicles, provided that no business, occupation, or service is conducted for profit therein.

**Garage, public** - any garage other than a private garage, which is used for storage, repair, rental, servicing, or supplying of gasoline or oil motor vehicles.

**Grade, finished** - the completed surfaces of lawns, walks, and roads brought to
grades as shown on official plans or designs relating thereto.

**Gasoline service station** - a structure, building, or area of land or any portion thereof that is used primarily for the sale of gasoline or other motor vehicle fuel which may or may not include facilities for lubricating, washing, selling of accessories, and otherwise servicing motor vehicles, including minor repairs, but not including body or paint shops. Any business or industry dispensing gasoline solely for its own use and vehicles will not be deemed to be a gasoline service station.

**Height of building** - the vertical distance measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest point of the roof, but not including chimneys, spires, towers, elevator penthouses, tanks, and similar projections.

**Home occupation** - any occupation of a service type nature (rather than the sale of commodities) or profession operated by a member of the immediate family residing on the premises, and where the business or profession is conducted wholly within the dwelling. (See Part 10, “Supplementary District Regulations,” §27-1016, “Home Occupation Regulations,” for further stipulations).

**Hospital** - a place for the diagnosis, treatment, or other care of humans and having facilities for inpatient care including such establishments as a sanitarium, sanatorium, and preventorium.

**Hotel or lodging house** - a building used as the more or less temporary abiding place of three or more individuals who are, for compensation, lodged, with or without meals, and in which no provision is made for cooking in any individual room or suite. A hotel may include restaurants, and other accessory structures, primarily for serving its occupants and only incidentally the public.

**Junkyard** - a lot, land, or structure, or part thereof, used primarily for the collecting, storage, and/or sale of waste paper, rags, scrap metal, or discarded material, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

**Laundromat** - a business premises equipped with individual clothes washing and/or drying machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel.

**Loading space** - an off-street space no less than 12 feet wide, 55 feet long and having a minimum clear height of 15 feet, exclusive of access area, for the parking of one vehicle while loading or unloading merchandise or materials.

**Lot** - a tract or parcel of land, regardless of size, held in single or joint ownership, not necessarily as lot or lots shown on a duly recorded map, which is occupied or capable of being occupied by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed, or required.

**Lot area** - an area of land which is determined by the limits of the property line bounding that area and expressed in terms of square feet or acres. Any portion of a lot included in a street right-of-way shall not be included in calculating lot area.

**Lot, corner** - a lot at the point of intersection of and abutting on two or more intersecting streets, and which has an interior angle of less than 135 degrees at the
intersection of the two street lines.

Lot, interior - a lot other than a corner lot, the sides of which do not abut a street.

Lot, through - an interior lot having frontage on two parallel or approximately parallel streets.

Lot line - any line dividing a lot from another lot, street, or parcel.

Lot width - the mean width measured at the building setback line between side lot lines parallel to the front lot line.

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

Mobile home park - any space, however designated, that is occupied or designated for occupancy by two or more mobile homes.

Mobile home subdivision - an area designated exclusively for mobile homes where lots are not rented but sold.

Motel - a building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, designed with separated entrances and designed for occupancy, primarily for transient automobile travelers, and providing for accessory off-street parking facilities. The term “motel” includes buildings designated as tourist courts, tourist, cabins, motor lodges, and similar terms.

Nonconforming lot - a lot, existing at the time of the passage of this Chapter, or any amendment thereto, which does not at the time have the minimum width or contain the minimum area for the zone in which it is located and is not abutted or adjoined by any other land owned by the same owner.

Nonconforming sign - a sign which does not conform to the regulations of the district in which it is located.

Nonconforming structure or building - a structure or building or part thereof which at the time of the enactment of this Chapter, or any subsequent amendments thereto, does not comply with the provisions of this Chapter or such amendments with respect to restrictions on area, lot coverage, height, yards, location on the lot, or other similar requirements.

Nonconforming use - a use, whether land, building or structure, which does not comply with the applicable use provisions of this Chapter, or subsequent amendments thereto, where such use was lawfully in existence at the time of the enactment of this Chapter or such amendments.

Nursing or convalescent home - a building with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire.

Open space - the unoccupied space open to the sky on the same lot with the building.

Parking space - the space within a building or on a lot or parking lot, for the
parking or storage of one automobile - (minimum size 200 square feet, dimension 10 feet by 20 feet), exclusive of passageways and not an integral portion of the street.

Planning Committee - the West Lebanon Township Planning Committee.

Premises - any lot, parcel, or tract of land and any building constructed thereon.

Private road - a legally established right-of-way, other than a street, which provides the primary vehicular access to a lot.

Public hearing - a formal meeting held pursuant to public notice by the Board of Commissioners or Planning Committee, intended to inform and obtain public comment prior to taking action in accordance with this Chapter. [Ord. 454]

Public meeting - a forum held pursuant to notice under the Act of June 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act,” 53 P.S. §§271 et seq. [Ord. 454]

Public notice - notice published once each week for 2 successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing. [Ord. 454]

Row house (townhouse or attached dwelling) - three or more single-family dwellings in a group, one or more of which have two walls in common with adjoining dwellings.

Sanitarium, sanatorium - a private hospital, whether or not such facility is operated for profit.

Screen planting - a vegetative material of sufficient height and density to screen the view, in adjoining districts, of the structures and uses on the premises upon which the screen planting is located.

Shopping center - a group of stores, six or more in number, planned and designed as an integrated unit with off-street parking provided on the property as an integral part of the unit. It shall also mean a single store or a group of stores less than six in number where the total gross floor area of the store or stores exceeds 40,000 square feet.

Sign - any writing (including letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); or any other device of similar character which (1) is a structure or any part thereof or is attached to, painted on, or in any other manner represented on a building or other structure; (2) is used to announce, direct attention to, or advertise; and (3) is visible from outside of a building.

Special exception - a use or a condition, listed specifically in the regulations of this Chapter, which is permitted only after a hearing held by the Zoning Hearing Board. At the hearing, evidence must be presented to satisfy the conditions and safeguards listed in this Chapter, but additional conditions and safeguards may also be imposed by the Board.

Story - that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space
between any floor and the ceiling next above it. A “story” does not include a cellar.

*Street* - a public thoroughfare (or private road) which affords primary vehicular access to abutting properties.

*Street line* - the dividing line between the street right-of-way line and the lot; also known as the “street lot line.”

*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; provided, however, that the division of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, shall be exempted.

*Use* - the specific purpose for which land or a building is designated, arranged or intended or for which it is or may be occupied or maintained.

*Yard* - a required open space other than a court unoccupied by a structure; provided, however, that fences, walls, posts, trees, lawn furniture, and other customary yard accessories are permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

*Yard, front* - a yard provided between the front property line and a line drawn parallel thereto, and such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

*Yard rear* - an open unoccupied space, open to the sky, between the rear property line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

*Yard, side* - an open unoccupied space, open to the sky, between the side property line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any district, and extending the full depth of the lot.

*Zoning Officer (zoning administrative official)* - the agent or official designated by the Township Commissioners to enforce this Chapter.

*Zoning permit* - a permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements of this Chapter for the zone in which it is located or to be located.

*(Ord. 281, 1/5/1976, Art. I, §1, as amended by Ord. 295, 10/1/1979; and by Ord. 454, 9/2/2008)*

§27-102. **Statement of Community Development Objectives.**

The objectives of this Chapter are to:

A. Promote a land use and development pattern consistent with the proper functioning and requirements of all classes of land use.

B. Provide for an adequate and diversified housing supply.

C. Maintain healthful and safe housing.

D. Provide and maintain attractive, healthful, and safe residential environments.

E. Provide for ranges of population density to guide new development and
future redevelopment.

F. Maintain a strong and healthy economic base.

G. Maintain a viable and active central business district.

H. Provide for convenience shopping and personal service requirements.

I. Provide for adequate facilities and programs to meet social, cultural, recreational, and aesthetic needs.

J. Provide for safe and convenient circulation and movement within the community and to points beyond.

K. Protect to the maximum extent possible and promote the best use of the Township's natural recreational opportunities and aesthetic resources.

(Ord. 281, 1/5/1976, Art. I, §2, as added by Ord. 295, 10/1/1979)

1. The Township is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Chapter.

2. The Official Zoning Map shall be identified by the signature of the President of the Board of Commissioners attested by the Secretary and bearing the seal of the Township under the following words:

   “This is to certify that this is the Official Zoning Map referred to in Article II, Section 2.1 of Ordinance Number 281 of the Township of West Lebanon, Lebanon County, Pennsylvania,” together with the date of the adoption of this Chapter.

3. If, in accordance with the provisions of this Chapter and Article VI Pennsylvania Municipalities Planning Code, 53 P.S. §10601 et seq., changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Township Commissioners with an entry on the Official Zoning Map as follows:

   “On (date), by official action of the Township Commissioners, the following (change) changes were made in the Official Zoning Map: (brief description of nature of change) which entry shall be signed by the President of the Commissioners attested by the Township Secretary. No amendment to this ordinance, which involves matter portrayed on the Official Zoning Map, shall become effective until after such change and entry has been made on said map.”

4. No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Chapter. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Chapter and punishable as provided under §27-2005, “Enforcement Remedies.”

5. Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the Township Commissioners, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Township.

(Ord. 281, 1/5/1976, Art. II, §2.1)


1. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Township Commissioners may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the President of the Commissioners attested by the
Township Secretary and bearing the seal of the Township under the following words:

“This is to certify that this Official Zoning Map, was adopted as part of Ordinance No. 281 of the Township of West Lebanon, Lebanon County, Pennsylvania.”

2. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.

(Ord. 281, 1/5/1976, Art. II, §2.2)


Rules for Interpretation of District Boundaries

§27-301. Specific Rules.

Where uncertainty exists as to the boundaries of districts as shown on the Official 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 Township limits shall be construed as following such Township limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

E. Boundaries indicated as parallel to, or extensions of, features indicated in paragraphs A through D, above, shall be so construed; distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

F. Where physical or cultural features existing on the ground are at variance with those shown on the Official Map, or in other circumstances not covered by paragraphs A through D, above, the Zoning Hearing Board shall interpret the district boundaries.

G. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Chapter, the Zoning Hearing Board may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

(Ord. 281, 1/5/1976, Art. III)
Part 4

Application of District Regulations

§27-401. Introduction.

The regulations set by this Chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided.

(Ord. 281, 1/5/1976, Art. IV, Introductory Section)

§27-402. Conformity to Regulations.

No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.

(Ord. 281, 1/5/1976, Art. IV, §4.1)


No building or other structure shall hereafter be erected or altered:

A. To exceed the height or bulk;
B. To accommodate or house a greater number of families;
C. To occupy a greater percentage of lot area;
D. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or,

in any other manner contrary to the provisions of this Chapter.

(Ord. 281, 1/5/1976, Art. IV, §4.2)

§27-404. Inclusion of Parts of Yards, Open Spaces, or Off-Street Parking or Loading Space.

No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Chapter, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

(Ord. 281, 1/5/1976, Art. IV, §4.3)

§27-405. Reduction of Yards or Lots.

No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements established by this Chapter.

(Ord. 281, 1/5/1976, Art. IV, §4.4)

§27-406. Uses Not Permitted or Prohibited.
§27-406 Township of West Lebanon §27-407

When a specific use is neither permitted nor prohibited in the schedule of district regulations, the Zoning Hearing Board shall make a determination as to the similarity of compatibility of the use in question to the permitted uses in the district basing the decision on the overall intent stipulated for the district.

(Ord. 281, 1/5/1976, Art. IV, §4.5)


All territory which may hereafter be annexed to the Township shall be considered to be in the lowest density residential district until otherwise classified.

(Ord. 281, 1/5/1976, Art. IV, §4.6)
Part 5

Use Districts


For the purpose of regulating and restricting the location of trades, industries, multiple-family houses, single-family houses, and other uses of property, the number of square feet of lot area per family house, the width of lots, the location and size of yards and the size and height of buildings, the Township is divided into three classes of use districts termed respectively:

A. Class R or Residential District.
B. Class C or Commercial District.
C. Class M or Manufacturing District.

(Ord. 281, 1/5/1976, Art. V, §5.1)
§27-601. **Intent.**

The regulations of the Residential District are designed to promote and provide for a wide range of housing types in harmony with existing uses and physical conditions of the Township.

*(Ord. 281, 1/5/1976, Art. VI, §6.1)*

§27-602. **Permitted Uses.**

2. Two-family residential structures (duplexes).
3. Multiple-family and conversion apartment dwellings.
4. Mobile homes, subject to the following:
   A. Each mobile home shall have a permanent stand consisting of a footer and block foundation. The footer must be below the frost line which is 30 inches below ground level.
   B. The mobile home stand shall be provided with anchors and tie-downs such as cast-in-place concrete “dead men,” imbedded eyelets, screw augers, or other suitable devices to secure the mobile home.
   C. Anchors and tie-downs shall be placed at least at each corner of the mobile home stand and each shall be able to withstand a minimum tensile strength of 2800 pounds.
5. Churches and similar places of worship, parish houses, and convents.
6. Public nursery, kindergarten, elementary, and high schools; municipal buildings; public parks and playgrounds.
7. Customary agricultural operations such as gardening, truck farming, flower and tree nurseries, but not including the raising, keeping, and breeding of poultry and livestock. In no case shall manure, fertilizer, or other odor- or dust-producing substances be stored anywhere within 100 feet of an adjoining lot line.
8. Customary accessory uses and buildings incidental to any of the above-permitted uses.
9. Signs as provided for and regulated in Part 12, “Signs and Advertising Structures.”
10. Home occupations as defined in Part 1 “Interpretation; Definition; Community Development Objectives,” and subject to the regulations of Part 10.
11. The following uses are permitted, as special exceptions, upon issuance of a permit by the Zoning Hearing Board as provided for in Part 15, “Zoning Hearing Board; Powers and Duties” of this Chapter and provided they do not have an adverse effect on the area due to noise, odor, dirt, dust, glare, lighting, traffic circulation, or design:
   A. Private nursery, elementary and high schools and institutions of higher
education.

B. Recreation areas and structures operated by membership clubs for the benefit of their members.

C. Cemeteries, hospitals, clinics, and convalescent homes provided they do not have an adverse affect on the area due to noise, dirt, odor, or traffic circulation.

D. Golf courses or country clubs.

E. Commercial swimming pools.

F. Professional offices, banks, and businesses provided that their design is harmonious with the architectural design of other structures in the neighborhood.

G. Municipal buildings, civic centers, libraries, museums, and similar uses.

H. Mortuary and undertaking establishments.

I. Medical and dental clinics and laboratories.

(Ord. 281, 1/5/1976, Art. VI, §6.2)

§27-603. Lot Area, Building Height, and Yard Requirements.

1. A lot width, lot area, and yard depths of not less than the dimensions shown in the following table shall be provided for every dwelling unit and/or principal nonresidential building hereafter erected or altered for any use permitted in the district:

<table>
<thead>
<tr>
<th>Public Utilities</th>
<th>Area Requirements</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min. Lot Area (sq. ft.)</td>
<td>Min. Lot Width</td>
</tr>
<tr>
<td>Single-family Detached</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No utilities</td>
<td>20,000</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Public water or sewer</td>
<td>8,000</td>
<td>75 ft.</td>
</tr>
<tr>
<td>Public water and sewer</td>
<td>6,000</td>
<td>60 ft.</td>
</tr>
<tr>
<td>Semi-detached</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water and sewer</td>
<td>4,000*</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Row House</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water and sewer</td>
<td>2,000*</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Apartment Buildings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water and sewer</td>
<td>1,500*</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Nonresidential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water or sewer</td>
<td>20,000</td>
<td>100 ft.</td>
</tr>
</tbody>
</table>
§27-603 Zoning

**District Requirements**

<table>
<thead>
<tr>
<th>Public Utilities</th>
<th>Min. Lot Area (sq. ft.)</th>
<th>Min. Lot Width</th>
<th>Max. Lot Coverage</th>
<th>Front</th>
<th>One Side</th>
<th>Total Sides</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and sewer</td>
<td>10,000</td>
<td>80 ft. / corner 100 ft.</td>
<td>40%</td>
<td>30 ft.</td>
<td>10 ft.</td>
<td>20 ft.</td>
<td>25 ft.</td>
</tr>
</tbody>
</table>

*May be used as an overall development density standard provided that the required yard sizes are not reduced and provided further that the design plan is approved by the West Lebanon Township Planning Committee.

2. On corner lots, the side yard abutting the street shall be the same width as the depth of the required front yard.

3. No building shall exceed two and one-half stories or 35 feet in height unless authorized as a special exception. In that case, front yards must be increased by 5 feet for each story over two and side and rear yards must be increased by 2½ feet for each story over two.

*(Ord. 281, 1/5/1976, Art. VI, §6.3)*


Off-street parking shall be provided in accordance with Part 11, “Off-Street Parking and Loading.”

*(Ord. 281, 1/5/1976, Art. VI, §6.4)*

§27-605. Limitations of Signs.

Only those signs relating to the principal uses conducted on the premises, or to the principal materials or products made, sold, or displayed on the premises shall be permitted and provided further that all signs and advertising structures shall be erected and maintained in accordance with Part 12, “Signs and Advertising Structures.”

*(Ord. 281, 1/5/1976, Art. VI, §6.5)*
§27-701. Intent.

This district is designed to accommodate commercial enterprises in areas that have become developed as predominantly commercial. It also provides for a location where commercial establishments can be centralized and located where they will not adversely affect residential areas.

(Ord. 281, 1/5/1976, Art. VII, §7.1)

§27-702. Permitted Uses.

1. Department stores.
2. Stores for retailing of food, clothing, drugs, confectionery, hardware, sporting goods, household appliances, flowers, etc.
3. Personal service shops, including barbers, beauty parlors, tailors, shoe repairs, dry cleaning, laundromats, etc.
4. Banks, savings and loan, finance companies, and travel agencies
5. Restaurants, tea rooms, cafes, drive-in restaurants, and other places serving food and drink.
7. Amusement enterprises–movie theaters, playhouses, arenas, bowling alleys, dance halls, and similar recreation establishments, but not including drive-in theaters.
8. Commercial parking facilities as provided for in Part 11, “Off-Street Parking and Loading.”
10. Taxi and bus service, passenger stations, and terminals.
11. Mortuary and undertaking establishments.
13. Automobile dealers, repair shops, service stations, body shops, parts centers, supply centers and washes.
15. Shops for contractors, plumbing, heating, printing, upholstering, etc.
16. Lumber and fuel distribution yards.
17. Automobile filling and service stations; provided, that:
   A. All gasoline pumps shall be located outside of the building on private property and in no case within 25 feet of any property line.
   B. No repair work shall be performed out of doors.
   C. All fuel, oil, or similar substances shall be stored at least 35 feet from any street or lot line.
   D. All automobile parts, dismantled and derelict vehicles and similar articles
shall be stored only within an enclosed building.

18. All other uses which, in the opinion of the zoning administration officials, are in harmony with the intent of the regulations for this district.

19. Accessory buildings and uses customarily incidental to the above uses.

20. Signs as provided for and regulated in Part 12, “Signs and Advertising Structures.”

(Ord. 281, 1/5/1976, Art. VII, §7.2)

§27-703. Performance Required.

1. All of the above-listed uses must be non-objectionable in terms of smoke or dust emission, odors, noise, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the Township as a whole.

2. Should the Zoning Officer feel there is any possibility of the above mentioned dangers, the applicant must prove the contrary to the Zoning Hearing Board before a permit is issued.

(Ord. 281, 1/5/1976, Art. VII, §7.3)

§27-704. Lot Area, Building Height, and Yard Requirements.

1. A lot width, lot area, and lot depths of not less than the dimensions shown in the following table shall be provided for every principal building hereafter erected or altered for any use permitted in this district:

<table>
<thead>
<tr>
<th>District Requirements</th>
<th>Area Requirements</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Parcel Size</td>
<td>Min. Width</td>
<td>Max. Coverage</td>
</tr>
<tr>
<td>1 acre</td>
<td>200 ft.</td>
<td>50%</td>
</tr>
</tbody>
</table>

2. Parking areas may be included in 50 percent of the required yards in the Commercial District except where they adjoin a Residential District. However, it must be provided in that portion of the yard nearest the building and at least a 5-foot buffer must remain between the property line and/or street and the parking lot. All yards or portions of yards not used for parking shall be appropriately landscaped and maintained.

3. Where side or rear yards adjoin a Residential District, they shall be no less than 50 feet, shall not be used for parking, and shall be appropriately landscaped and maintained.

4. No building shall exceed two and one-half stories or 35 feet in height unless authorized as a special exception by the Zoning Hearing Board.

(Ord. 281, 1/5/1976, Art. VII, §7.4)


1. Off-street parking shall be provided in accordance with Part 11, “Off-Street Parking and Loading.”
§27-705 Zoning

2. Each business use shall provide off-street loading and unloading space at the side or rear of the building for each 4,000 square feet of floor area or fraction thereof in each building. Such space or spaces shall be not less than 560 square feet in area with a dimension of 10 feet by 56 feet per space, which shall be located exclusive of any public right-of-way. Each space shall have a clearance of no less than 15.6 feet in height.

(Ord. 281, 1/5/1976, Art. VII, §7.5)

§27-706. Limitations of Signs.

Only those signs referring or relating to the uses conducted on the premises or to the materials or products made, sold, or displayed on the premises shall be permitted and further provided that all signs and advertising structures shall be maintained in accordance with Part 12, “Signs and Advertising Structures.”

(Ord. 281, 1/5/1976, Art. VII, §7.6)
§27-801. Intent.

This district is designed to promote industrial, warehousing, and wholesaling activities dependent on existing land uses, physical conditions, and the availability of municipal and transport facilities. The district accommodates these activities so as to minimize any detrimental effects that they may have on other uses in the Township. (Ord. 281, 1/5/1976, Art. VIII, §8.1)

§27-802. Permitted Uses.

1. Any use not otherwise prohibited by law of a manufacturing, fabricating, processing, packaging, compounding, or treatment nature which, in the opinion of the Zoning Officer, would be non-objectionable in terms of smoke or dust emission, odors, noise, or glare, and will not have an adverse effect on adjacent areas. Should the Zoning Officer feel there is any likelihood of the aforementioned dangers of nuisances, the applicant must prove the contrary to the Zoning Hearing Board before a permit is issued.

2. Warehousing and wholesaling establishments and storage yards, not including junkyards.

3. Railroad, trucking, busing, and other transit facilities, including storage, repair, and transfer operations.

4. Customary accessory uses and buildings incidental to any of the above permitted uses.

5. The following uses are permitted as special exceptions, upon issuance of a permit by the Zoning Hearing Board as provided for in Part 15, “Zoning Hearing Board; Powers and Duties”:
   
   A. Junkyards used for storage, wrecking, and converting used or discarded materials, provided that such use is no less than 150 feet from any roadway and no less than 300 feet from any use district other than industrial. In addition, such use must be completely enclosed by an evergreen screen planting to be planted and maintained at a height of not less than 8 feet and backed by a solid fence not less than 6 feet in height.
   
   B. Commercial establishments which are compatible with manufacturing uses, such as sale of hardware, household appliances, shop for printing, distribution of beverages, etc.


§27-803. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, and yard depths of not less than the dimensions shown in the following list shall be provided for every principal building hereafter erected or altered for any use permitted in this district:

A. Area Regulations. The width of a lot in any industrial district shall not be
less than 150 feet at the building line and not more than 60 percent of the lot area shall be covered with buildings.

B. Yard Regulations. For every main or accessory building or use in an industrial district, the minimum yard regulations are as follows:

(1) Front yards measured from the lot line to the building line shall be as follows:

   a. Not less than 60 feet along any road.
   b. Not less than 80 feet if opposite a residential district.
   c. Off-street parking shall not be permitted in the front 50 percent portion of the required front yard nearest the street or front property line.

(2) Side yards shall be provided in the industrial districts as follows:

   a. Not less than 15 feet on each side of the building.
   b. Where a side yard adjoins a street, the side yard shall be no less than 30 feet.
   c. No building or structure permitted in the industrial district shall be located less than 80 feet from any residential district.

(3) Rear yards of 30 feet shall be provided on industrial premises except where they adjoin a lot in a residential district, in which case they shall be not less than 80 feet in depth.

(4) Parking may be provided in any required side or rear yard that does not adjoin a residential district.

(5) All front yards shall be appropriately landscaped and well maintained. Side and rear yards shall be well maintained and may be developed for recreational purposes.

C. Height Regulations. The height of any main or accessory building shall not exceed 75 feet, except that chimneys, flagpoles, towers, water tanks, and other mechanical appurtenances may be built to a height not exceeding 125 feet above the finished grade when erected upon or as an integral part of the building.

(Ord. 281, 1/5/1976, Art. VIII, §8.3)


1. Off-street parking shall be provided in accordance with Part 11, “Off-Street Parking and Loading.”

2. On the same premises with every building or structure or part thereof involving the receipt or distribution of materials or products, there shall be provided adequate space for loading and unloading. All such spaces shall conform to a dimension of not less than 10 feet by 56 feet or 560 square feet in area, with a clearance of not less than 15.5 feet in height. Spaces required shall be determined by the table below and shall be located exclusive of any public right-of-way or required parking area:

<table>
<thead>
<tr>
<th>Gross Floor Area (square feet)</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 10,000</td>
<td>1 space</td>
</tr>
<tr>
<td>10,001 to 50,000</td>
<td>1 space plus 1 additional space for each 20,000 sq. ft.</td>
</tr>
</tbody>
</table>

(Ord. 281, 1/5/1976, Art. VIII, §8.3)
§27-804 Zoning §27-805

<table>
<thead>
<tr>
<th>Gross Floor Area (square feet)</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>50,000 and over</td>
<td>1 additional space for each 40,000 sq. ft. in excess of 50,000 sq. ft.</td>
</tr>
</tbody>
</table>

*(Ord. 281, 1/5/1976, Art. VIII, §8.4)*

§27-805. Limitations of Signs.

Only those signs relating to the principal materials or products made, sold, or displayed on the premises shall be permitted and provided further that all signs and advertising structures shall be erected and maintained in accordance with Part 12, “Signs and Advertising Structures.”

*(Ord. 281, 1/5/1976, Art. VIII, §8.5)*
Part 9

Nonconformities

§27-901. Intent.

1. Within any district established by this Chapter or amendment that may later be adopted there exist:
   A. Lots;
   B. Structures;
   C. Uses of land and structures;
   D. Characteristics of use;

which were lawful before this Chapter was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Chapter or future amendment. It is the intent of this Chapter to permit these nonconformities to continue until they are removed. It is further the intent of this Chapter that nonconformities shall not be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

2. Nonconforming uses are declared by this Chapter to be incompatible with permitted uses in the districts involved. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this Chapter by the addition of other uses of a nature which would be prohibited generally in the district involved.

3. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Chapter and upon which actual building construction has been carried on diligently. “Actual construction” is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be “actual construction.”

(Ord. 281, 1/5/1976, Art. IX, §9.1)

§27-902. Nonconforming Lots of Record.

1. In any district a permitted building and customary accessory buildings may be erected on any single lot on record at the effective date of adoption or amendment of this Chapter, notwithstanding limitations imposed by other provisions of this Chapter. Such lot must be in separate ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided, that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Zoning Hearing Board.
2. If one or more lots are on record in the office of the Recorder of Deeds of Lebanon County and have been duly approved by the Township Commissioners, they may be developed according to the recorded plan even though said lots may not conform with the requirements for area or width or both that are generally applicable in the district. However, no portion of said lots or parcels shall be used or sold in a manner which further diminishes compliance with lot width and area requirements as established by this Chapter.

(Ord. 281, 1/5/1976, Art. IX, §9.2)


Where at the time of passage of this Chapter lawful use of land exists which would not be permitted by the regulations imposed by this Chapter, and where such use involves no individual structure with a replacement cost exceeding $1,000, the use may be continued so long as it remains otherwise lawful, provided:

A. If any such nonconforming use of land ceases for any reason for a period of more than 90 continuous days, any subsequent use of such land shall conform to the regulations specified by this Chapter for the district in which such land is located.

B. No additional structure not conforming to the requirements of this Chapter shall be erected in connection with such nonconforming use of land.

C. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Chapter.

(Ord. 281, 1/5/1976, Art. IX, §9.3)


Where a lawful structure exists at the effective date of adoption or amendment of this Chapter that could not be built under the terms of this Chapter by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

B. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means, it shall not be reconstructed in a manner which increases its nonconformity.

C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

(Ord. 281, 1/5/1976, Art. IX, §9.4)

§27-905. Nonconforming Uses of Structures or of Structures and Premises in Combination.
If a lawful use involving individual structures with a replacement cost of $1,000 or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Chapter, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No existing structure devoted to a use not permitted by this Chapter in the district in which it is located shall be enlarged or extended, except on contiguous property owned at the time of adoption of this Chapter, provided that all other requirements of this Chapter are satisfied for such extension.

B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Chapter.

C. Any nonconforming use of a structure, or structure and premises, may as a special exception be changed to another nonconforming use provided that the Zoning Hearing Board, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Zoning Hearing Board may require appropriate conditions and safeguards in accord with the provisions of this Chapter.

D. Any structure, or structure and land in combination, in which or on which a nonconforming use is destroyed or eliminated and then superseded by a permitted use, shall eliminate the nonconforming status of the land. “Destruction” for the purpose of this subsection is defined as damage to an extent of 100 percent of the replacement cost at the time of destruction.

(Ord. 281, 1/5/1976, Art. IX, §9.5)

§27-906. Repairs and Maintenance.

Nothing in this Chapter shall be deemed to prevent any repairs, maintenance, or remodeling of a nonconforming building or structure provided that such use does not make the building or structure more nonconforming in terms of the regulations of this Chapter.

(Ord. 281, 1/5/1976, Art. IX, §9.6)


Any use which is permitted as a special exception in a district under the terms of this Chapter (other than a change through Zoning Hearing Board action from a nonconforming use to another use not generally permitted in the district) shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

(Ord. 281, 1/5/1976, Art. IX, §9.7)


The Zoning Administrative Official shall establish, maintain and at all times keep current a record identifying and registering all nonconforming uses and nonconforming buildings and structures in the Township.
§27-908 Township of West Lebanon §27-908

(Ord. 281, 1/5/1976, Art. IX, §9.8; as added by Ord. 295, 10/1/1979)
§27-1001. Visibility at Intersections.

On a corner lot in any district, a clear sight triangle shall be provided at all street and alley intersections. Within such triangles, no vision-obstructing object other than utility poles shall be permitted which obscures vision above the height of 30 inches and below 10 feet measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of:

A. Seventy-five feet from the point of intersection of the center lines of the intersecting streets; except that,

B. Clear sight triangles of 100 feet shall be provided for all intersections with arterial and major streets.

(Ord. 281, 1/5/1976, Art. X, §10.1)

§27-1002. Fences, Walls, and Hedges.

Notwithstanding other provisions of this Chapter, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall be over 36 inches in height. Fences in side or rear yards may be 6 feet or more in height, provided that any fence or wall in the side or rear yard exceeding 6 feet in height shall contain openings therein equal to 50 percent of that portion of wall or fence exceeding 6 feet.

(Ord. 281, 1/5/1976, Art. X, §10.2; as amended by Ord. 454, 9/2/2008)


For all uses permitted in the Residential District, no separate accessory building shall be permitted in any required front yard. In side and rear yards, they shall be permitted up to the edge of any lot line, except where abutting a public street or alley. In such case, a garage shall be no less than 10 feet from the right-of-way of said street or alley and any other accessory building shall be no less than 3 feet from the right-of-way of said street or alley.

(Ord. 281, 1/5/1976, Art. X, §10.3)


In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Chapter shall be met for each structure as though it were on an individual lot.

(Ord. 281, 1/5/1976, Art. X, §10.4)

§27-1005. Exception to Height Regulations.

The height limitations contained in the schedule of district regulations or in the height and area regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed

Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

(Ord. 281, 1/5/1976, Art. X, §10.6)

§27-1007. Parking, Storage, or Use of Major Recreational Equipment.

For purposes of these regulations, “major recreational equipment” is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), tractor-trailer rigs, motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. Major recreational equipment may be parked or stored on any property in a commercial or industrial district subject to the yard requirements of the off-street parking regulations. They may also be parked in residential districts subject to the following regulations:

A. No major recreational equipment shall be parked or stored on any lot in a residential district except in a carport or enclosed building or in a rear yard.

B. No such recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

C. Equipment may not be parked or stored in front yards or within a public right-of-way.

D. If located in a rear yard they must be no closer than 5 feet to a property line.

E. Recreational equipment may be parked anywhere on residential premises for a period not to exceed 24 hours during loading and unloading operations.

(Ord. 281, 1/5/1976, Art. X, §10.7)


1. Automotive vehicles or trailers of any kind without current license plates, registration, and inspection shall not be parked or stored on any property (or public streets contained therein) and no vehicle at any time shall be in a state of major disassembly, disrepair or in the process of being stripped or dismantled other than in completely enclosed buildings, except on those premises where such storage is absolutely necessary to the operation of a business such as that of an automobile dealer.

2. Penalty. Violators of this Section shall receive a citation from the Township Zoning Officer or a Commissioner requiring the removal of the offending vehicle within 30 days of the date of the citation. Following the expiration of 30 days, if the offending vehicle is not removed, a violator shall be fined $500 per day for each day that the offending vehicle is not removed.

(Ord. 281, 1/5/1976, Art. X, §10.8; as amended by Ord. 403, 6/3/2002; and by Ord. 404,
§27-1009.  **Front Yard Exceptions.**

When an unimproved lot is situated between two improved lots with front yard dimensions more or less than those required for the district, the front yard required shall be increased or decreased, as the case may be, to a depth equal to the average of the two front yards of the adjoining lots.

(Ord. 281, 1/5/1976, Art. X, §10.9)

§27-1010.  **Corner Lot Restriction.**

On every corner lot, there shall be provided on the side street a side yard equal in depth to the required front yard of all other properties along said side street, unless such lot is bounded by a public thoroughfare or private road which is less than 20 feet in width (right-of-way). In those cases, then, those requirements indicated for interior lots shall apply.

(Ord. 281, 1/5/1976, Art. X, §10.10)

§27-1011.  **Lot Area and Lot Width for Lots Not Served with Public Water And/or Sanitary Sewers.**

Where a lot is not served by a public water supply and/or sanitary sewer system and State or other local laws or ordinances in force require a higher standard for lot area or lot width than this Chapter, the more restrictive regulations of such ordinances or laws shall apply.

(Ord. 281, 1/5/1976, Art. X, §10.11)

§27-1012.  **Projections into Yards.**

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

A. Terraces or patios, provided that such terraces or patios are not under roof or otherwise enclosed and are not closer than 3 feet to any adjacent property line.

B. Projecting architectural features—bay windows, cornices, eaves, fireplaces, chimneys, windowsills, or other architectural features—provided they do not extend more than 5 feet into any required yard nor closer than 3 feet to any adjacent property line.

C. Uncovered stairs and landings.

D. Open balconies or fire escapes provided such balconies or fire escapes are not supported on the ground and do not project more than 5 feet into any required yard nor closer than 3 feet to any adjacent property line.

(Ord. 281, 1/5/1976, Art. X, §10.12)

§27-1013.  **Accessory Uses.**

1. Private, non-commercial swimming pools which are designed to contain a water depth of 24 inches or more must be located in a rear or side yard only. Such pools shall be not less than 10 feet from side and rear property lines, with a continuous impenetrable-
ble fence not less than 4 feet in height above the ground level.

2. Private tennis courts shall be permitted within side or rear yards provided that such facilities shall not be less than 10 feet from side or rear property lines.

3. Patios, paved terraces, or open porches that are not under roof or otherwise enclosed shall be permitted in all yards provided that no impermeable surface shall be within 3 feet of any property line.

4. Nothing in this section shall be construed to limit other uses not mentioned so long as they are clearly accessory to the principal permitted use of the land and do not create a threat to the public health, safety, and/or welfare of the community.

(Ord. 281, 1/5/1976, Art. X, §10.13)

§27-1014. Municipal Uses.

In any district, a building may be erected, altered, or extended and land may be developed which is arranged, intended or designed for municipal uses, including municipal recreation uses.

(Ord. 281, 1/5/1976, Art. X, §10.14)


The regulations of this Chapter shall not apply to any existing or proposed building, or extension thereof, used or to be used by a public utility corporation, if, upon petition of the corporation the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

(Ord. 281, 1/5/1976, Art. X, §10.15)


In any district, any occupation that is in the nature of a service rather than of the selling of a commodity or commodities may be conducted by a member of the immediate family owning and residing on the premises, in portions of a dwelling for a home occupation; provided, that the following conditions are met and a permit is issued by the Zoning Officer:

A. Such occupation shall be clearly incidental or secondary to the use of the property as a residence and the use of the dwelling shall not change the character thereof or show any exterior evidence of such secondary use other than one small nameplate as provided in Part 12, “Signs and Advertising Structures.”

B. Home occupations shall be limited to the employment of the principal operator.

C. The home occupation shall be conducted wholly within the dwelling and shall not occupy more than 25 percent of the area of the first floor of the dwelling nor more than 500 square feet.

D. All parking shall be off-street and two off-street spaces shall be provided in addition to that required of the residence unit.

E. Any home occupation which may create objectionable noise, fumes, odor, dust, electrical interference, or more than normal residential traffic shall be

In view of recent amendments to the Pennsylvania Sewerage Facilities Act (Act 537), 35 P.S. §750.1 et seq., minimum lot sizes for on-lot sewage disposal shall be 1 acre unless the proposed development falls within an area encompassed by the official sewer plan of West Lebanon Township. If the proposed development is included within the sewer plan or the sewer plan is amended by the Township Commissioners to include said development, the lot sizes listed in the district regulations shall apply.

(Ord. 281, 1/5/1976, Art. X, §10.17)

§27-1018. Gasoline Pumps and All Other Service Equipment.

Gasoline pumps and all other service equipment shall be set back not less than 25 feet from any lot line and/or street right-of-way and located so that vehicles stopped for service will not extend over the property line.

(Ord. 281, 1/5/1976, Art. X, §10.18)

§27-1019. Adult Book Stores, Adult Theaters.

1. Definition and Purpose.

Adult book store - a commercial operation with a significant portion of its goods, inventory, or merchandise consisting of books, magazines, photographs, videotapes, CD ROM's and/or other materials which are characterized by their emphasis on “sexually explicit activities” (as defined below) or the depiction of “specific human anatomy” (as defined below) or a commercial operation with a portion of its goods, inventory, and product dedicated to the sale of such materials.

Adult theater - a commercial operation that provides for its patrons motion pictures or other video productions, topless or completely nude dancers, strippers, simulated sex acts, actual sex acts or similar entertainment depicting or relating to “sexually explicit activities” or depicting or relating to “specific human anatomy.”

Sexually explicit activities -

(1) Sexually aroused human genitals.

(2) Any erotic touching of human genitals, pubic areas, buttocks, or female breasts.

(3) Sexual intercourse, sodomy, or masturbation.

Specific human anatomy -

(1) Human male genitals in a state of sexual arousal regardless of the degree of exposure.

(2) Public area, buttocks, or female breasts below a point immediately above the top of the areola.

Purpose - it is the intention of the West Lebanon Township Board of Commissioners to prevent the deterioration and decay of residential neighborhoods which follows the introduction of adult book stores and adult theaters into such residential neighborhoods. The Board also seeks to protect school children from...
exposure to such materials and provide appropriate protections for churches as such materials may be offensive to church congregations.

2. **Prohibition in Residential Zone.** It shall be unlawful to establish an adult book store or adult theater in any location zoned for residential purposes.

3. **One Thousand Foot Separation Required.** It shall be unlawful to establish and adult book store or adult theater at any location within 1,000 lineal feet of any school, church or any location zoned for residential purposes or within 1,000 lineal feet of any existing adult bookstore or adult theater.

4. **Special Exception.** The Zoning Hearing Board of West Lebanon Township may authorize the establishment of an adult book store or adult theater by allowance of a special exception pursuant to the procedure set forth in, §27-1502, “Special Exceptions; Conditions Governing Application; Procedures.”

5. **Penalty for Violation.** Any person or persons, corporation or other business entity found to be in violation of this Part shall upon conviction thereof by the appropriate magisterial district judge be sentenced to pay a fine not to exceed $300 for each day the establishment operates in violation of this Part.

(Ord. 281, 1/5/1976; as added by Ord. 388, 3/6/2000, §51-5; and as amended by Ord. 454, 9/2/2008)
Part 11

Off-Street Parking and Loading

§27-1101. Off-Street Parking Facilities.

Accessory off-street parking facilities, including access driveways, shall be required in accordance with the provisions of this Part as a condition precedent to the occupancy of such building or use. Facilities shall be provided for the entire building or use:

A. Whenever a building is constructed or a new use established.

B. Whenever the use of an existing building is changed to a use requiring more parking facilities.

C. Whenever an existing building is altered or enlarged so as to increase the amount of parking spaces required under this Chapter.

(Ord. 281, 1/5/1976, Art. XI, §11.1)

§27-1102. Continuation of Parking Facilities.

1. All off-street parking facilities, or those required as accessory to a use of proposed or altered building, shall continue unobstructed in operation, shall not be used for automobile service or repair and shall not be reduced below the required size as long as the main use remains, unless an equivalent number of spaces is provided for such use in another approved location.

2. In order to insure the continued use for parking purposes of any areas established therefor by persons who are not the owners thereof, the Township Commissioners may require, before approval, evidence in writing that the owner or owners of the land to be included in such parking areas have by covenant agreed to allow the use of such land for the required off-street parking; such covenant to be filed for record with the Recorder of Lebanon County. Except for residential uses, all off-street parking spaces may be provided within 300 feet of the lot line of the principal building or structure.

(Ord. 281, 1/5/1976, Art. XI, §11.2)

§27-1103. Standards and Definitions.

For the purpose of determining accessory off-street parking requirements, definitions and standards shall be as follows:

Accessory parking space - an open or enclosed area accessible from a street for parking of motor vehicles by owners, occupants, employees, customers or tenants of the main building or use. Each parking space shall be not less than 9 feet wide and not less than 18 feet long, exclusive of all drives, curbs, and turning space. The number of spaces shall be determined from an accurate plan of the area.

Floor area - the total area of all the floors measured from the exterior faces of the building (except the floor area used for storage or packaging of merchandise may be excluded), or, where set forth in the schedule in §27-1104, “Schedule of Required Off-Street Parking Spaces,” only the floor area used by a specific use.

Seat - the number of seating units installed or indicated, or each 24 lineal
inches of benches, pews, or space for loose chairs or similar seating facilities; spacing of rows shall be 30 inches on center.

Required minimum parking spaces - the minimum number of spaces required by applying the schedule in §27-1104, “Schedule of Required Off-Street Parking Spaces,” to a specific building or group of buildings. Where the computation results in a fractional unit, one additional off-street parking space shall be provided.

(Ord. 281, 1/5/1976, Art. XI, §11.3; as amended by Ord. 364, 8/7/1994, §193)

§27-1104. Schedule of Required Off-Street Parking Spaces.

1. Institutional.

<table>
<thead>
<tr>
<th>Building or Use</th>
<th>Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic and education; primary and secondary school; library; places for public assembly</td>
<td>1 space for each employee plus 1 space for each 6 seats in assembly rooms</td>
</tr>
<tr>
<td>Governmental; municipal building used for administrative functions</td>
<td>1 space for each 200 sq. ft. of office floor area plus 1 space for each 4 seats in assembly room</td>
</tr>
<tr>
<td>Place of worship</td>
<td>1 space for each 3 seats in principal assembly</td>
</tr>
<tr>
<td>Welfare:</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>1 space per 2 beds plus 1 space for each employee</td>
</tr>
<tr>
<td>Health center</td>
<td>1 space per 150 sq. ft. floor area</td>
</tr>
<tr>
<td>Home for the aging, nursing home</td>
<td>1 space per each 4 guest rooms or apartment units plus 1 space for each employee</td>
</tr>
</tbody>
</table>

2. Residential.

<table>
<thead>
<tr>
<th>Building or Use</th>
<th>Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-, two-, and multi-family residences</td>
<td>2 spaces per dwelling unit</td>
</tr>
</tbody>
</table>

3. Office Building.

<table>
<thead>
<tr>
<th>Building or Use</th>
<th>Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical and dental offices &amp; clinics</td>
<td>1 space per 150 sq. ft. of floor area plus 1 space for each doctor and density and employee</td>
</tr>
<tr>
<td>Other offices</td>
<td>1 space per 200 sq. ft. of ground floor area; 1 space per 300 sq. ft. of floor areas of upper floors</td>
</tr>
<tr>
<td>Motel, hotel</td>
<td>1 space per guest room or unit</td>
</tr>
<tr>
<td>Mortuary</td>
<td>1 space per 30 sq. ft. of assembly rooms, or 1 space for each 4 seats, whichever requires the greater number, but in no case less than 20 spaces</td>
</tr>
</tbody>
</table>

4. Retail Business.

<table>
<thead>
<tr>
<th>Building or Use</th>
<th>Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail stores, banks, service establishments</td>
<td>1 space per 200 sq. ft. of ground floor area; 1 space per 300 sq. ft. of floor area of upper floors</td>
</tr>
</tbody>
</table>
### Building or Use Space Required

<table>
<thead>
<tr>
<th>Building or Use</th>
<th>Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eating places, bars, taverns</td>
<td>1 space per 100 sq. ft. of gross floor area, or 1 space per 2 seats, whichever requires the greater number of spaces</td>
</tr>
<tr>
<td>Club, lodge, or other assembly hall</td>
<td>1 space per 4 seats in building</td>
</tr>
<tr>
<td>Indoor theater</td>
<td>1 space per 4 seats in building</td>
</tr>
<tr>
<td>Dance hall, skating rink, swimming pool</td>
<td>1 space per 50 sq. ft. of area used for dancing, skating, or swimming</td>
</tr>
<tr>
<td>Bowling alley</td>
<td>6 spaces per bowling lane</td>
</tr>
<tr>
<td>Service and storage establishments</td>
<td>1 space for every 2 employees on the combined employment of the 2 largest successive shifts</td>
</tr>
</tbody>
</table>

5. **Manufacturing.**

<table>
<thead>
<tr>
<th>Building or Use</th>
<th>Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive offices, sales offices</td>
<td>1 space per 200 sq. ft. of executive and sales office floor area</td>
</tr>
<tr>
<td>Service and storage establishments, laboratories, manufacturing plants, and other uses permitted in a manufacturing district</td>
<td>1 space for every 2 employees on the combined employment of the 2 largest successive shifts</td>
</tr>
</tbody>
</table>

6. **Other Buildings or Uses.** For a specific building or use not scheduled, the Zoning Officer shall apply the unit of measurement of the above schedule deemed to be most similar to the proposed building or use.

(Ord. 281, 1/5/1976, Art. XI, §11.4)

### §27-1105. Separate or Combined Use of Facilities.

A building containing one use shall provide the off-street parking spaces as required for the specific use. A building or group of buildings containing two or more uses, operating normally during the same hours, and which have different off-street parking requirements, shall provide spaces for not less than the sum of the spaces required for each use.

(Ord. 281, 1/5/1976, Art. XI, §11.5)


Accessory parking facilities shall be located on the same lot as the dwellings served. Each single-family, duplex, two-family and multi-family dwelling shall have on its premises a private parking space sufficient in capacity for the storage at one time of at least two passenger automobiles for each dwelling unit on the premises.

(Ord. 281, 1/5/1976, Art. XI, §11.6)

### §27-1107. Access Drives to Parking Areas.

1. The location and width of entrance and exit driveways to parking facilities shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets. The center line of the access driveways on the frontage street shall be at least 35 feet from the right-of-way...
Where there is more than one driveway to a parking area, the driveways, whenever possible, shall be limited to one-way travel either as an entrance to or exit from the parking area. In no case shall there be more than two driveways for each 100 feet of frontage on any street. In addition, no two such driveways shall be closer to each other than 12 feet, and no driveway shall be closer to a side property line than 3 feet, and no flare shall cross an extended side property line. Entrances and exits shall be limited to three lanes. The width of such entrances and exits, measured at the street property line, shall conform with the following schedule:

<table>
<thead>
<tr>
<th>Width</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Lane</td>
<td>12</td>
<td>14</td>
</tr>
<tr>
<td>Two Lanes</td>
<td>20</td>
<td>28</td>
</tr>
<tr>
<td>Three Lanes</td>
<td>30</td>
<td>40</td>
</tr>
</tbody>
</table>

2. In all cases, the radius of the edge of the driveway apron shall be at least 15 feet so that a car entering or leaving may not obstruct vehicles in other traffic lanes in the driveway or street.

(Ord. 281, 1/5/1976, Art. XI, §11.7)

§27-1108. Improvements to Parking and Loading Areas.

All parking areas, loading areas, and access driveways, except for one- and two-family dwellings, shall have an asphalt, concrete, or other similar hard surface, approved by the Township Commissioners. Surface water shall not be permitted to discharge over on the public sidewalks or roadways or onto other premises. The maximum grade of the parking area shall not exceed 2 percent. Appropriate bumper guards or curbs shall be provided in order to define parking spaces or limits of paved areas and to prevent vehicles from projecting into required yards. The Township Commissioners may require landscape features or a fence between a parking or loading area and a side or rear lot line of a residential use or district. All curbs and bumper guards shall be constructed in accordance with standards established by the Township Commissioners.

(Ord. 281, 1/5/1976, Art. XI, §11.8)

§27-1109. Illumination of Parking and Loading Areas.

Parking and loading areas shall be illuminated whenever necessary to protect the public safety. Such illumination shall be so designed and located that the light sources are shielded from adjoining residences and residential streets, and shall not be of excessive brightness or cause a glare hazardous to pedestrians or drivers.

(Ord. 281, 1/5/1976, Art. XI, §11.9)

§27-1110. Approval of Parking and Loading Plans.

Detailed drawings of off-street parking and loading areas (except for one- and two-family dwellings) shall be submitted to the Zoning Officer for approval prior to their construction. The drawings shall show each space, dimensions of driveways, aisles, and
other features required under the provisions of this Chapter. In instances when the drawings do not show full compliance with the requirements of the Chapter, the Zoning Officer shall reject the plans. The decision of the Zoning Officer may be appealed to the Zoning Hearing Board who may, in specific cases, when the size, shape, or location of the parking or loading area is such that it is impractical to meet the strict requirements of this Chapter, vary the strict terms hereof in accordance with the powers granted in this Chapter.

(Ord. 281, 1/5/1976, Art. XI, §11.10)
§27-1201. Introduction.

Signs may be erected and maintained only when in compliance with the provisions of this Chapter and any and all other ordinances and regulations relating to the erection, alteration, or maintenance of signs and similar devices.

(Ord. 281, 1/5/1976, Art. XII, Introductory Section)

§27-1202. Area of Sign.

1. The “area” of a sign shall be construed to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which is incidental to the display itself. Where the sign consists of individual letters or symbols attached to or printed on a surface, the area shall be considered to be the smallest rectangle which can be drawn to encompass all of the letters and symbols.

2. Double face signs shall be considered one sign.

(Ord. 281, 1/5/1976, Art. XII, §12.1)

§27-1203. General Regulations.

All signs and/or advertising structures, where permitted in this Chapter are subject to the following:

A. It shall not contain moving parts or use flashing or intermittent illumination. The source of light shall be steady and stationary.

B. It shall not cast objectionable light upon any dwelling or mixed-use dwelling on a separate lot.

C. It shall be no higher than 35 feet from the ground to the highest part of the sign.

D. It shall not be so erected as to obstruct entrance to or exit from a required door, window, fire escape, or other required exitway and shall not project over a public right-of-way.

E. Temporary signs of painters, mechanics, contractors, and the like are permissible in all districts, provided that such signs are removed as soon as work is completed on the premises.

F. Temporary signs and banners of a non-commercial nature across rights-of-way are permitted provided permission is obtained from the Township Commissioners, provided it is erected in a location in which it will not cause a traffic hazard, provided it meets safety standards and is maintained, and provided it is removed when its temporary use is completed.

G. Billboards and advertising signboards may be erected and maintained in commercial and industrial districts, provided that a special exception is obtained, subject to Part 15, “Zoning Hearing Board: Powers and Duties.” In addition, the
§27-1203. Total display area of all such signs shall not exceed 20 square feet for each 10 feet of lot frontage, and the display area of any sign shall not exceed 250 square feet in area. In addition to the display area, necessary structural supports and structural margins not exceeding 6 inches in width on each border shall be permitted.

(Ord. 281, 1/5/1976, Art. XII, §12.2)

§27-1204. Signs in Residential District.

The following types of signs may be permitted in the Residential District unless otherwise provided:

A. One nameplate and one house sign for each dwelling unit, professional office or home occupation, provided it does not exceed 2 square feet and it identifies only name and title of occupant. It shall not extend beyond a vertical plane 2 feet inside the lot from the street line. If lighted it will illuminate without objectionable glare. No displays or change in facade shall indicate from the exterior that the building is being used in whole or in part for any purpose other than that of a dwelling.

B. One real estate sign, provided it is unlighted and is not less than 10 feet back from the front lot line, does not exceed 10 square feet in area, and pertains either to the lease, rental, or sale of the premises on which it is maintained.

C. One institutional sign or business identification, provided it does not exceed 16 square feet in area and is not closer to a right-of-way than one-half the depth of the existing front yard. If lighted, it will be illuminated without objectionable glare.

D. Signs, including all directional signs, up to 2 feet square in area on each side, which are necessary for the identification, protection, and operation of public utility facilities.

(Ord. 281, 1/5/1976, Art. XII, §12.3)

§27-1205. Signs in Commercial and Industrial Districts.

1. One wall sign to a property, provided it is attached to the wall of a building and projects horizontally not more than 12 inches therefrom, is not less than 10 feet above the sidewalk, and occupies not more than 20 percent of the total area of the front of the principal building. It shall not project more than 3 feet above the roof line or parapet wall.

2. One projecting sign, provided it shall not project beyond a vertical plane 2 feet inside the right-of-way line and provided that it is not less than 10 feet above the sidewalk, and is not more than 12 square feet.

3. Commercial district identification signs, provided they are separate and are not attached to any building. Maximum of two such signs for any one general area. Heights of signs shall be a maximum of 20 feet measured from the ground and the maximum size of the sign portion itself shall not exceed 100 square feet.

(Ord. 281, 1/5/1976, Art. XII, §12.4)
§27-1301. Administration and Enforcement.

1. An administrative official designated by the Township Commissioners shall administer and enforce this Chapter. He may be provided with the assistance of such other persons as the Township Commissioners may direct.

2. If the administrative official shall find that any of the provisions of this Chapter are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal work being done; or shall take any other action authorized by this Chapter to ensure compliance with or to prevent violation of its provisions.

(Ord. 281, 1/5/1976, Art. XIII, §13.1)

§27-1302. Building Permits Required.

No building or other structure shall be erected, moved, added to, altered, or the use therein changed without a permit therefor issued by the administrative official. No building permit shall be issued by the administrative official except in conformity with the provisions of this Chapter, unless he receives a written order from the Zoning Hearing Board in the form of an administrative review, special exception, or variance as provided by this Chapter.

(Ord. 281, 1/5/1976, Art. XIII, §13.2)

§27-1303. Application for Building Permit.

1. All applications for building permits shall be accompanied by plans in triplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the administrative official, including existing or proposed building or alteration; existing or proposed use of the building and land, the number of families, housekeeping units, or rental units the building is designed to accommodate, conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Chapter.

2. One copy of the plans shall be returned to the applicant by the administrative official, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The original and one copy of the plans, similarly marked, shall be retained by the administrative official. In addition to the building permit, the administrative official shall issue a placard which shall be displayed on the premises during the time construction is in progress.

3. The Zoning Officer shall issue no zoning and building permits for the
construction of dwelling units or other structures requiring sewage disposal systems until the applicant has produced a valid sewage disposal permit showing approval of the proposed system by the Township’s Sewage Enforcement Officer.

(Ord. 281, 1/5/1976, Art. XIII, §13.3)

§27-1304. Certificates of Zoning Compliance for New, Altered, or Nonconforming Uses.

1. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, if erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance has been issued by the administrative official stating that the proposed use of the building or land conforms to this Chapter.

2. No nonconforming structure or use shall be maintained, renewed, changed, or extended until a certificate of zoning compliance shall have been issued by the administrative official. The certificate of zoning compliance shall state specifically wherein the nonconforming use or structure differs from the provisions of this Chapter. Upon enactment or amendment of this Chapter, owners or occupants of nonconforming uses or structures shall apply for certificates of zoning compliance.

3. No permit for erection, alteration, moving, or repair of any building shall be issued until an application has been made for a certificate of zoning compliance and the certificate shall be issued in conformity with the provisions of this Chapter upon completion of the work.

4. A temporary certificate of zoning compliance may be issued by the administrative official for a period not to exceed 6 months during alterations or partial occupancy of a building pending its completion. Such temporary certificates may include such conditions and safeguards as will protect the safety of the occupants and public.

5. The administrative official shall maintain a record of all certificates of zoning compliance and a copy shall be furnished upon request of any person.

6. Failure to obtain a certificate of zoning compliance shall be a violation of this Chapter and punishable under §27-2005, “Enforcement Remedies,” of this Chapter.

(Ord. 281, 1/5/1976, Art. XIII, §13.4)

§27-1305. Temporary Use Permits.

1. Under extreme and unusual circumstances it may become necessary to grant a temporary use permit to accommodate a use or activity that is otherwise prohibited by this Chapter. A temporary use permit may be granted by the Zoning Hearing Board in an emergency situation where no other accommodations can be reasonably found for housing or storage of materials. However, in no way can the temporary use or structure exert a detrimental effect on the community or on other permitted uses in the zoning district in question.

2. The Zoning Hearing Board may, subject to all regulations for the issuance of special exceptions specified in Part 15, “Zoning Hearing Board: Powers and Duties,” direct the administrative official to issue a permit provided that a hardship can be proven and that the use or structure will not be detrimental to the general welfare. The permit is to be issued for a period not to exceed 6 months. Such permits may be
§27-1306. Expiration of Building Permit.

1. If the work described in any building permit has not begun within 90 days from the issuance thereof, said permit shall expire; it shall be cancelled by the administrative official; and written notice thereof shall be given to the persons affected.

2. If the work described in any building permit has not been substantially completed within 2 years of the date of issuance thereof, said permit shall expire and be cancelled by the administrative official, and written notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

(Ord. 281, 1/5/1976, Art. XIII, §13.6)

§27-1307. Construction and Use to Be Provided in Application, Plans, Permits, and Certificates of Zoning Compliance.

Building permits or certificates of zoning compliance issued on the basis of plans and applications approved by the administrative official authorize only the use, arrangement, and construction set forth in such approved plans and applications. Use, arrangement, or construction at variance with that authorized shall be deemed violation of this Chapter, and punishable as provided by §27-2005, “Enforcement Remedies,” hereof.

(Ord. 281, 1/5/1976, Art. XIII, §13.7)
§27-1401. Establishment of Board.

A Zoning Hearing Board is hereby established, which shall consist of three members of the municipality to be appointed by the Township Commissioners for a term of 3 years and shall be so established that one term of office shall expire each year. Members of the Zoning Hearing Board may be removed from office by the Township Commissioners for cause upon written charges and after public hearing. Vacancies shall be filled by resolution of the Township Commissioners for the unexpired term of the member affected. Members of the Zoning Hearing Board shall hold no other office in the Township except that no more than one member of the Board may also be a member of the Planning Commission.

(Ord. 281, 1/5/1976, Art. XIV, Introductory Section)

§27-1402. Hearings.

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

A. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by rules of the Board. 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 1 week prior to the hearing.

B. The hearing shall be held within 60 days from the date of the applicant’s request, unless the applicant has agreed in writing to an extension of time.

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, the appellant or the applicant, as the case may be, in addition to the Township 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. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have 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.

E. The chairman or acting chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

F. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and
cross-examine adverse witnesses on all relevant issues.

G. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

H. 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.

I. 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 after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

J. 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 law, 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 report 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 or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of the said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in subsection (A) of this Section. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

K. 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

27-56
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.

L. The Board of Commissioners shall establish, by resolution, fees with
respect to hearings before the Zoning Hearing Board.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)

§27-1403. Parties Appellant Before the Board.

Appeals raising the substantive validity of any land use ordinance (except those to
be brought before the Board of Commissioners pursuant to the Pennsylvania
Municipalities Code), procedural questions or alleged defects in the process of
enactment or adoption of a land use ordinance; or 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; from a
determination by the Township Engineer or the Zoning Officer with reference to the
administration of any floodplain or flood hazard ordinance or such provisions within a
land use ordinance; from the determination of any officer or agency charged with the
administration of any transfer of development rights or performance density provisions
of this Chapter; from the determination of the Zoning Officer or Township Engineer in
the administration of any land use ordinance or provision thereof with reference to
sedimentation and erosion control and stormwater management insofar as the same
relate to development not involving subdivision and land development or planned
residential development may be filed with the Zoning Hearing Board in writing by the
landowner affected, any officer or agency of the Township or any person aggrieved.
Requests for a variance and for special exception may be filed with the Board by any
landowner or any tenant with the permission of such landowner.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)

§27-1404. Time Limitations.

1. No person shall be allowed to file any proceeding with the Zoning Hearing
Board later than 30 days after an application for development, preliminary or final, has
been approved by the Township 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 had 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 on a tentative plan or from an adverse decision by the Zoning
Officer on a challenge to the validity of this Chapter or an amendment hereto or map
or an amendment thereto shall preclude an appeal from a final approval except in the
case where the final submission substantially deviates from the approved tentative
approval.

2. All appeals from determinations adverse to the landowner shall be filed by the
landowner within 30 days after notice of the determination is issued.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)

1. Upon filing of any appeal proceeding before the Zoning Hearing Board and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board.

2. After the petition is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for a bond. The right to petition the court to order the appellants to post bond may be waived by the appellee, but such waiver may be revoked by him if an appeal is taken from a final decision of the court.

3. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.

4. If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the order of the court below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses and attorney fees incurred by the petitioner.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)
§27-1501. Administrative Review.

To hear and decide appeals where it is alleged there is error in any order, requirements, decision, or determination made by the administrative official in the enforcement of this Chapter.

(Ord. 281, 1/5/1976, Art. XV, §15.1)

§27-1502. Special Exceptions; Conditions Governing Applications; Procedures.

To hear and decide only such special exceptions as the Zoning Hearing Board is specifically authorized to pass on by the terms of this chapter; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this Chapter, or to deny special exceptions when not in harmony with the purpose and intent of this Chapter. A special exception shall not be granted by the Zoning Hearing Board unless and until:

A. A written application for a special exception is submitted indicating the section of this chapter under which the special exception is sought and stating the grounds on which it is requested.

B. The public hearing shall be held. Any party may appear in person or by agent or attorney.

C. The Zoning Hearing Board shall make a finding that it is empowered under the section of this Chapter described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.

D. Before any special exception shall be issued, the Board shall make written findings certifying compliance with the specific rules governing individual special exceptions and that satisfactory provision and arrangement has been made concerning the following, where applicable:

(1) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and the access in case of fire or catastrophe.

(2) Off-street parking and loading areas where required, with particular attention to the items in subparagraph (1) above and the economic, noise, glare, or odor effects of the special exception on adjoining properties generally in the district.

(3) Refuse and service areas, with particular reference to the items in subparagraphs (1) and (2) above.

(4) Utilities, with reference to locations, availability, and compatibility.

(5) Screening and buffering with reference to type, dimensions, and character.
§27-1502 Township of West Lebanon

(6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.

(7) Required yards and other open space.

(8) General compatibility with adjacent properties and other properties in the district.

(Ord. 281, 1/5/1976, Art. XV, §15.2; as amended by Ord. 454, 9/2/2008)

§27-1503. Variances; Conditions Governing Applications; Procedures.

1. To authorize upon appeal in specific cases such variance from the terms of this Chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Chapter would result in unnecessary hardship. A variance from the terms of this Chapter shall not be granted by the Zoning Hearing Board unless and until:

   A. A written application for a variance is submitted demonstrating:

      (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

      (2) That literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Chapter.

      (3) That the special conditions and circumstances do not result from the actions of the applicant.

      (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures, or buildings in the same district.

      (5) No nonconforming use of neighboring lands, structures, or buildings, in other districts shall be considered grounds for the issuance of a variance.

   B. Notice of public hearing shall be given as in §27-1502.

   C. The public hearing shall be held. Any party may appear in person, or by agent, or by attorney.

   D. The Zoning Hearing Board shall make findings that the requirements of paragraph .A have been met by the applicant for a variance.

   E. The Zoning Hearing Board shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible the reasonable use of the land, building, or structure.

   F. The Zoning Hearing Board shall further make a finding that the granting of a variance will be in harmony with the general purpose and intent of this Chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

2. In granting any variance, the Zoning Hearing Board may prescribe appropriate conditions and safeguards in conformity with this Chapter.

3. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Chapter and
punishable under §27-2005, “Enforcement Remedies,” of this Chapter.
(Ord. 281, 1/5/1976, Art. XV, §15.3)


1. In exercising the above mentioned powers, the Zoning Hearing Board may, so long as such action is in conformity with the terms of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and shall have the powers of the administrative official from whom the appeal is taken.

2. The concurring vote of two members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variation in the application of this Chapter.

3. The granting or approval of any special exception or variance shall be valid for the original landowner (appellant) only for a maximum of 2 years from the date of decision. If, however, said property is transferred in ownership prior to the 2-year limitation, the special exception or variance becomes immediately invalid upon such transfer of ownership.

(Ord. 281, 1/5/1976, Art. XV, §15.4)
Part 16

Appeals from the Zoning Hearing Board

§27-1601. Appeals.

Any person or persons, or any board, or bureau of the Township aggrieved by any decision of the Zoning Hearing Board may seek review by a court of record of such decision, in the manner provided by the laws of the State and particularly by Article VI, Pennsylvania Municipalities Planning Code, 53 P.S. §10601 et seq.

(Ord. 281, 1/5/1976, Art. XVI)

1. It is the intent of this Chapter that all questions of interpretation and enforcement shall be first presented to the administrative official, and that recourse from the decision of the Zoning Hearing Board shall be to the courts as provided by law and particularly by Article VI, Pennsylvania Municipalities Planning Code, 53 P.S. §10601 et seq.

2. It is further the intent of this Chapter that the duties of the Township Commissioners in connection with this Chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Part and this Chapter. Under this Chapter the Township Commissioners shall have only the duties of (1) considering and adopting or rejecting proposed amendments or the repeal of this Chapter, as provided by law, (2) establishing a schedule of fees and charges as stated in Part 18 and (3) those duties specifically noted in other Parts of this Chapter.

(Ord. 281, 1/5/1976, Art. XVII)
Part 18

Fees, Charges, and Expenses

§27-1801. Schedule of Fees, Charges, and Expenses.

1. The Township Commissioners shall establish a schedule of fees, charges, and expenses and collection procedure for building permits, certificates of zoning compliance, appeals, and other matters pertaining to this Chapter. The schedule of fees shall be posted in the office of the administrative official, and may be altered or amended only by the Township Commissioners.

2. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

(Ord. 281, 1/5/1976, Art. XVIII)
Part 19

Amendments

§27-1901.  Enactment of Zoning Ordinance Amendments.

1. The Board of Commissioners may from time to time amend, supplement or repeal any of the regulations and provisions of this Chapter. The procedure for the preparation of a proposed zoning ordinance as set forth in §607 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10607, is hereby declared optional.

2. Before voting on the enactment of an amendment, the Board of Commissioners 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 Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least 1 week prior to the date of the hearing.

3. In the case of an amendment other than that prepared by the Planning Committee the Board of Commissioners shall submit each such amendment to the Planning Committee at least 30 days prior to the hearing on such proposed amendment to provide the Planning Committee an opportunity to submit recommendations.

4. 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, the Board of Commissioners shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

5. At least 30 days prior to the public hearing on the amendment by the Board of Commissioners, the Township shall submit the proposed amendment to the County planning agency for recommendations.

6. Within 30 days after enactment, a copy of the amendment to this Chapter shall be forwarded to the County Planning Agency.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)
Part 20

Interpretation; Violations and Separability


In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

(Ord. 281, 1/5/1976, Art. XX)


Whenever a violation of this chapter occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the administrative official. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this Chapter.

(Ord. 281, 1/5/1976, Art. XXI)


1. If it appears to the Township that a violation of this Chapter has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.

2. The enforcement notice shall be sent to the 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. An enforcement notice shall state at least the following:
   A. The name of the owner of record and any other person against whom the Township intends to take action.
   B. The location of the property in violation.
   C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.
   D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
   E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a period of 10 days.
   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.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Board of Commissioners or, with the approval of the Board of Commissioners, an officer of the Township, or any aggrieved owner or tenant of real property 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, or 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 Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Board of Commissioners. No such action may be maintained until such notice has been given.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)


1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

4. Magisterial district judges shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 281, 1/5/1976; as added by Ord. 454, 9/2/2008)
Zoning Map Amendments

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 304</td>
<td>8/17/1981</td>
<td>The hereinafter described tract of land in West Lebanon Township shall be rezoned from Manufacturing to Commercial: Beginning at an iron pin on the northern right-of-way line of Pa. State Highway Routes #422 (West Cumberland Street), said point being the southwestern corner of land of R. &amp; J. Motor, Inc.; thence along said northern right-of-way line of Pennsylvania State Highway Route #422, N. 81°-07' W., 412.92 feet to an iron pin; thence along land of Associates of Lebanon, (Lebanon Valley Mall), the following three courses and distances, N.8°-01'-53&quot; E., 240.0 feet to an iron pin; (2) S.81°-58'-07&quot; E., 140.34 feet to an iron pin; (3) N.80°-22T-49&quot; E., 260.14 feet to an iron pin; thence along land of Cleaver Brooks, Inc., the following two courses and distances, 8.640-151-41&quot; W., 335.28 feet to an iron pin, and N.80°-57'-24&quot; E., 144.30 feet to an iron pin; thence along said land of R. ES S. Motors Inc., the following four courses and distances, (1) S.8°-02' W., 277.75 feet to an iron pin; (2) thence along a curve to the left having a radius of 544.67 feet, an arc distance of 102.98 feet and a chord of S.68°-19' W., 102.85 feet to an iron pin; (3) thence along a curve to the left having a radius of 306.55 feet, an arc distance of 141.34 feet and chord bearing of 5.49°-41'-30&quot; W., 140.09 feet to an iron pin; (4) thence S.36°-29' W., 8.11 feet to the place of beginning. Containing 4.978 Acres</td>
</tr>
<tr>
<td>Ord. 318</td>
<td>10/1/1984</td>
<td>The hereinafter described tract of land in West Lebanon Township shall be rezoned from Residential to Commercial: Beginning at a point in the middle of U.S. Highway Route 422, also known as Cumberland Street, said point being 930.34', more or less, west of the center of the intersection of U.S. Highway Route 422 and Sixteenth Street; thence along the middle of U.S. Highway Route 422, N. 88° 55' W, 183.86' to a point; thence along premises of Faith Baptist Church, of which this is a part, N. 00° 54' E, 304.80' to a point on the south side of Conrail Company right-of-way; thence along the south side of the Conrail Company right-of-way, S. 72° 45' E, 151.11' to a point at premises of Agway, Inc.; thence along the said property of Agway, Inc., S. 00° 54' W, 262.73' to a point in the middle of U.S. Highway Route 422, the place of Beginning</td>
</tr>
</tbody>
</table>
Ord./Res  Date  Subject

Ord. 336  5/18/1987 The hereinafter described tract of land in West Lebanon Township shall be rezoned from Residential to Commercial:
   Beginning at the intersection point of the center line of Pennsylvania State Highway Route #422 and the center line of a 30-foot wide unnamed street; thence along said center line of a 30-foot wide unnamed street, the following two courses and distances, N. 8'-06" E. 242.93 feet to a point; thence N. 8'-46" E. 90.80 feet to a point; thence along land of Conrail Company (now or late), S. 72'-45" E. 174.92 feet to a point; thence along other lands of Agway, Inc., S. 0'-54"W. 304.80 feet to a point in said centerline of Pa. State Highway Route #422; thence along said center line of Pa. State Highway Route #422, the following three courses and distances, N. 88'-55" W. 38.86 feet to a point; thence N. 81'-30" W. 167.82 feet to a point; thence N. 81'-58" W. 5.61 feet to the place of beginning. Containing 1.412 acres (1.290 acres within r/w)

Ord. 342  4/17/1989 The hereinafter described tract of land in West Lebanon Township shall be rezoned from Floodplain to Commercial:
   Being that area on the northwest corner of 16th Street and Pennsylvania State Highway Route #422 appearing on the official map as Zone A5.

Ord. 436  1/3/2007 The hereinafter described tract of land in West Lebanon Township shall be rezoned from Manufacturing to Residential:
   The intersection point of the center line of Lehman Street and the center line of North 16th Street; Thence along said center line of Lehman Street, N.83'-15'-12"W. a distance of 569.18 feet to a point; Thence along lands of West Lebanon Township, N.53'-05'-13"W. a distance of 1191.17 feet to a point; Thence along lands of Dennis G. & Ann L Atkins, N.29'-30'-24"E. a distance of 324.28 feet to a point; Thence through lands of Aspens, Inc., the following four courses and distances, (1) Thence S.54'-21'-32"E. a distance of 73.39 feet to a point; (2) Thence S.60'-13'-32"E. a distance of 274.80 feet to a point; (3) Thence S.73'-12'-32"E. a distance of 87.50 feet to a point; (4) Thence N.89'-12'-28"E. a distance of 177.00 feet to a point; Thence through lands of said Aspens, Inc. and along lands of Nancy Freed, Joyce R. McClain, Helen Wojcik and Edward E. Donald, Robert K. & Joan Pierce, Enos S. Sr. & Betty Shuey, Barbara B. Donley, Wayne W. Phillips & Faye L Weierbach, and James W. Sr. & Isabelle Boltz, N.66'-28'-4"E. a distance of 438.40 feet to a point; Thence through lands of said Aspens, Inc., S.20'-56'-32"E. a distance of 1110.77 feet to the place of BEGINNING.
Appendix

The following ordinances and resolutions are no longer of general interest, primarily because their provisions were carried out directly after their enactment. Since they are mainly of historical or administrative interest, it has not been considered necessary to include their entire text. Instead, they are arranged in groups, according to subject matter, and within each group listed by title in chronological order. The content of the ordinances and resolutions is indexed, in all necessary detail, in the general index at the end of this volume. The annual budget and tax ordinances have been listed only in the "Key to the Disposition of Ordinances." Any person who desires to read the full text of any of the ordinances or resolutions may do so by consulting the original Ordinance Books on file in the Township offices.

The enactments included in this Appendix are grouped under the following headings:

A ................. Adjustments to Township Boundaries
B ................. Debt and Bond Issues
C ................. Franchises and Services
D ................. Governmental and Intergovernmental Affairs
E ................. Plan Approval
F ................. Public Property
G ................. Sewers
H ................. Street Lighting
I ................. Streets and Sidewalks
J ................. Water
K ................. Zoning; Prior Ordinances
Appendix A

Adjustments to Township Boundaries

[Reserved]
## Appendix B

### Bond Issues and Loans

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res. 4/3/1905</td>
<td>4/3/1905</td>
<td>Untitled resolution authorizing the borrowing of $200</td>
</tr>
<tr>
<td>Res. 8/14/1905</td>
<td>8/14/1905</td>
<td>Untitled resolution authorizing the borrowing of $1,000</td>
</tr>
<tr>
<td>Ord. 10/21/1905</td>
<td>10/21/1905</td>
<td>Providing for the holding of an election on Tuesday the seventh day of November, A.D. 1905, at the regular polling place in West Lebanon Township, for the purpose of obtaining the assent of the electors of said Township to create an indebtedness of said Township exceeding 10 percent of the County valuation of the property within said Township, for the purpose of erecting, maintaining and operating waterworks by said Township, for the extinguishment of fires and for other purposes, not to exceed $25,000</td>
</tr>
<tr>
<td>Res. 1/5/1906</td>
<td>1/5/1906</td>
<td>Untitled resolution authorizing the borrowing or $700</td>
</tr>
<tr>
<td>Ord. 7/9/1906</td>
<td>7/9/1906</td>
<td>Providing for an increase of the indebtedness of West Lebanon Township from $25,000 to $30,000, for the purpose of completing and operating the water works, now in the course of erection, for the extinguishment of fire and for other purposes; and providing also for the holding of an election on the second day of June, A.D. 1906, at the regular polling place in said Township for the purpose of obtaining the assent of the electors of said Township to such increase</td>
</tr>
<tr>
<td>Ord. 1/31/1908</td>
<td>1/31/1908</td>
<td>Providing for the making of a loan of $1,000 in behalf of the Township of West Lebanon to pay interest on bonds and for current expenses from the Farmer's Trust Co. of Lebanon, Pennsylvania for the period of 8 months</td>
</tr>
<tr>
<td>Res. 4/24/1908</td>
<td>4/24/1908</td>
<td>Untitled resolution borrowing the sum of $1,000 from the Lebanon National Bank</td>
</tr>
<tr>
<td>Res. 7/12/1909</td>
<td>7/12/1909</td>
<td>Untitled resolution authorizing the borrowing of $1,000</td>
</tr>
<tr>
<td>Ord. 3</td>
<td>6/20/1910</td>
<td>Providing for an increase of the indebtedness of West Lebanon Township from $26,000, to $30,500, for the purpose of completing and paying for the fire house and Town Hall, now in course of erection; and providing also for the holding of an election on July 30, A.D. 1910, at the regular polling place in said Township for the purpose of obtaining the assent of the electors of said Township for such increase</td>
</tr>
<tr>
<td>Ord. 8</td>
<td>1/2/1911</td>
<td>To approve the form of bonds, to be issued in aggregate of $4,500, for the purpose of paying and completing a fire house and Town Hall in the Township of West Lebanon, which said bonds shall be issued pursuant to Bill No. 7, after due and formal passage, which provides for the increase of the indebtedness of the Township of West Lebanon, Lebanon County, PA., in the sum of $4,500, by issuing coupon bonds for said amount, and wherein it is provided for the payment of the principal of said bonds and interest thereon by the assessment, levy and collection of a tax sufficient to pay the principal in 7 years</td>
</tr>
<tr>
<td>Ord./Res</td>
<td>Date</td>
<td>Subject</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Ord. 245</td>
<td>8/7/1967</td>
<td>Authorizing the creation of temporary indebtedness for the payment and installation of water meters, authorizing the giving of a note, securing same and setting the rate of interest</td>
</tr>
<tr>
<td>Ord. 269</td>
<td>5/20/1974</td>
<td>Untitled ordinance to authorize a loan for the fire house</td>
</tr>
<tr>
<td>Ord. 270</td>
<td>7/8/1974</td>
<td>Amending Ord. 269 by adding thereto the establishing of a sinking fund and naming a depository</td>
</tr>
<tr>
<td>Ord. 273</td>
<td>4/24/1975</td>
<td>To authorize the temporary borrowing of $12,000 for the payment of current obligations and to give as security therefor a tax anticipation note, setting the terms and conditions of said note, creating a sinking fund to ensure the payment of same, and meeting the requirements of the Pennsylvania Local Government Unit Debt Act</td>
</tr>
<tr>
<td>Ord. 274</td>
<td>4/28/1975</td>
<td>Awarding tax anticipation note to purchaser. (This was awarded to the Peoples National Bank of Lebanon See Ord. 273, above.)</td>
</tr>
<tr>
<td>Ord. 306</td>
<td>12/21/1981</td>
<td>Authorizing and directing issuance of a general obligation note of this Township, in the principal amount of $130,000, to provide funds for and toward a capital project which consists of: (1) planning, acquiring, constructing and improving a sewage disposal system; and (2) purchasing, acquiring, making and constructing other capital improvements and/or capital equipment for proper municipal purposes</td>
</tr>
<tr>
<td>Ord. 309A</td>
<td>6/6/1983</td>
<td>Authorizing and directing issuance of a series of general obligation bonds, series of 1983, in the maximum aggregate principal amount of $300,000, to provide funds for and toward a capital project which consists of: (1) planning, acquiring, constructing and improving a sanitary sewer system; (2) purchasing, acquiring, making and constructing other capital improvements and/or capital equipment for proper municipal purposes</td>
</tr>
<tr>
<td>Ord. 392</td>
<td>11/1/2000</td>
<td>Setting forth intent to issue a general obligation note, Series 2000, in the aggregate principal amount of $45,000 to provide funds to finance certain capital projects of the Township</td>
</tr>
<tr>
<td>Ord. 433</td>
<td>3/6/2006</td>
<td>Authorizing the Board of Commissioners to borrow money and issue evidences of indebtedness</td>
</tr>
<tr>
<td>Ord. 434</td>
<td>4/10/2006</td>
<td>Authorizing issuance of guaranteed water revenue note in the principal amount of $1,531,000 pursuant to the Local Government Unit Debt Act for the purpose of financing capital improvements to the water system</td>
</tr>
<tr>
<td>Ord. 457</td>
<td>5/4/2009</td>
<td>Setting forth intent to issue a guaranteed water revenue note, series of 2006 in the aggregate principal amount of $1,662,000 to provide funds to finance a project of the Township which consists of, among other things: (1) the planning, designing, acquiring, constructing, furnishing and equipping of capital improvements to the water treatment and distribution system of the Township, and (2) paying the costs and expenses of issuing the note.</td>
</tr>
</tbody>
</table>
### Appendix C

**Franchises and Services**

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 309</td>
<td>9/9/1982</td>
<td>Granting to Lebanon Valley Cable TV Co., Inc., its successors or assigns a license to erect, maintain and operate a cable television system for a period of 10 years, and extensions of this license, from the date of final passage.</td>
</tr>
<tr>
<td>Ord. 335</td>
<td>2/16/1987</td>
<td>Providing for the approval and execution of a contract with Metropolitan Edison Company for the furnishing of electric street lighting service for portions of certain streets and highways within the Township of West Lebanon.</td>
</tr>
<tr>
<td>Ord. 352</td>
<td>11/4/1991</td>
<td>Granting to Lebanon Valley Cable TV Co., Inc., a license to erect, maintain and operate for a period of 5 years, and any extension thereof, a distribution system for the purpose of transmission and distribution of audio, digital and video impulses.</td>
</tr>
<tr>
<td>Ord. 406</td>
<td>10/7/2002</td>
<td>Franchise agreement made between the Township of West Lebanon and Comcast Cablevision of the South, Inc., to provide the services, facilities, and equipment necessary to meet the future cable-related needs of the community and for the construction, operation, and maintenance of a cable system on the terms and conditions set forth.</td>
</tr>
<tr>
<td>Ord. 416</td>
<td>8/2/2004</td>
<td>Authorizing West Lebanon Township to enter into an intermunicipal agreement to provide for the formation of the Lebanon County Code Appeals Board or the establishment of related administrative requirements, in accordance with the provisions of the Pennsylvania Uniform Construction Code.</td>
</tr>
</tbody>
</table>
### Appendix D

**Governmental and Intergovernmental Affairs**

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res. 5/10/1909</td>
<td>5/10/1909</td>
<td>Untitled resolution authorizing the holding of an election on the fifth day of July A.D. 1909, for the purpose of voting for or against the building of a fire house, in accordance with the Act of Assembly approved March 18, 1909</td>
</tr>
<tr>
<td>Ord. 3</td>
<td>7/24/1911</td>
<td>Providing for and authorizing the use of a book, which shall be known as an &quot;Ordinance Book,&quot; wherein all ordinances previous to this date and which shall be made hereafter are to be written therein</td>
</tr>
<tr>
<td>Res. 12/17/1973</td>
<td>12/17/1973</td>
<td>On the planning requirements of Act No. 241, the Pennsylvania Solid Waste Management Act. (The County Solid Waste Management Plan prepared by the Lebanon County-City Planning Department was adopted by the Township.)</td>
</tr>
<tr>
<td>Ord. 268</td>
<td>4/17/1974</td>
<td>Terminating the Joint North Cornwall--West Lebanon Townships Police Force, establishing the furnishing of police protection by North Cornwall Township, establishing a joint police advisory committee, providing for appropriation of money to pay the cost thereof, authorizing the Commissioners to enter into a contract with North Cornwall Township to accomplish said purposes, and establishing the term of said services and method of renewal</td>
</tr>
<tr>
<td>Ord. 320</td>
<td>1/21/1985</td>
<td>Establishing police protection for the Township of West Lebanon for 1985 and any renewal thereof, including appropriation of necessary funds</td>
</tr>
<tr>
<td>Res. 2005-4</td>
<td>4/4/2005</td>
<td>Certified sewage enforcement officer(s) employed by the Lebanon County Planning Department is (are) hereby appoint, authorized and directed.</td>
</tr>
<tr>
<td>Res. 2007-09</td>
<td>12/3/2007</td>
<td>Establishing compensation of the Township Secretary for the year 2008</td>
</tr>
<tr>
<td>Res. 2007-10</td>
<td>12/3/2007</td>
<td>Authorizing an agreement with Police Department of North Lebanon Township to provide necessary law enforcement services for West Lebanon Township</td>
</tr>
<tr>
<td>Res. 2008-06</td>
<td>9/2/2008</td>
<td>A resolution of West Lebanon Township, a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania and located in Lebanon County, Pennsylvania authorizing the joining with other municipalities and school districts within Lebanon County, Pennsylvania and the Lebanon County Earned Income Tax Bureau to appoint Kratzenberg &amp; Associates, Inc. d/b/a Keystone Collections Group (Keystone) to collect the school districts and municipalities within Lebanon County earned Income Tax (EIT), Local Services Tax (LST), and/or per Capita Tax. (PCT).</td>
</tr>
<tr>
<td>Res. 2008-07</td>
<td>10/16/2008</td>
<td>Approving the Identity Theft Prevention Program</td>
</tr>
<tr>
<td>Ord./Res</td>
<td>Date</td>
<td>Subject</td>
</tr>
<tr>
<td>---------</td>
<td>--------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Res. 2008-09</td>
<td>11/3/2008</td>
<td>Establishing compensation of Township Secretary for the year 2009</td>
</tr>
<tr>
<td>Res. 2008-10</td>
<td>12/1/2008</td>
<td>Agreeing to use the dot Grants system to file the required Liquid Fuels forms annually; including, but not limited to, the MS-965, MS-329 and MS-999.</td>
</tr>
<tr>
<td>Res. 2008-11</td>
<td>12/1/2008</td>
<td>Establishing compensation of Township Treasurer and Tax Collector for the years 2010 -2013 included.</td>
</tr>
<tr>
<td>Res. 2009-01</td>
<td>1/5/2009</td>
<td>Adopting the Multi-Jurisdictional Hazard Mitigation Plan for Lebanon County as the jurisdiction's hazard mitigation plan</td>
</tr>
<tr>
<td>Res. 2009-03</td>
<td>2/2/2009</td>
<td>Supporting the proposal to designate a route through West Lebanon Township as the Lebanon County Heritage Trail</td>
</tr>
<tr>
<td>Res. 2009-04</td>
<td>2/2/2009</td>
<td>Authorizing the application for funds from the H2O Pennsylvania water supply, sanitary sewer and storm water project program</td>
</tr>
<tr>
<td>Res. 2009-05</td>
<td>3/2/2009</td>
<td>Entering into a joint agreement as a participating municipality to apply for a grant from the Pennsylvania Department of Conservation and Natural Resources for a peer-to-peer feasibility study on cooperating for municipal parks and community recreation program</td>
</tr>
<tr>
<td>Res. 2009-06</td>
<td>6/1/2009</td>
<td>Authorizing the application for funds from the H2O Pennsylvania water supply, sanitary sewer and storm water project program</td>
</tr>
<tr>
<td>Res. 2009-07</td>
<td>7/6/2009</td>
<td>Authorizing the County of Lebanon to make application for a grant through the PA Conservation Works! Recovery Grant program to implement energy efficiency upgrades to the existing traffic signals in Lebanon County and develop and operationalize a county-wide asset management system for this infrastructure through the Lebanon County Signalization Improvement Project.</td>
</tr>
<tr>
<td>Res. 2009-08</td>
<td>9/8/2009</td>
<td>Authorizing the appointment of a primary voting delegate and an alternate to the Lebanon County Tax Collection Committee</td>
</tr>
<tr>
<td>Res. 2010-01</td>
<td>1/4/2010</td>
<td>Approving the financing through the Lancaster Industrial Development Authority of a certain project for the benefit of Henry Molded Products, Inc.</td>
</tr>
</tbody>
</table>
Appendix E

Plan Approval

[Reserved]
### Appendix F

#### Public Property

<table>
<thead>
<tr>
<th>Ord./Res.</th>
<th>Date</th>
<th>Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 5</td>
<td>10/11/1910</td>
<td>Providing for the purchase of the premises of Speedwell Engine and Hose Company, situate in West Lebanon Township, Lebanon County, Pennsylvania, and providing an appropriation for the payment of the same</td>
</tr>
<tr>
<td>Ord. 6</td>
<td>10/24/1910</td>
<td>Providing for the use and occupation of the premises occupied by the fire company in the Township of West Lebanon, Lebanon County, Pennsylvania</td>
</tr>
<tr>
<td>Ord. 7</td>
<td>1/2/1911</td>
<td>Providing for the completion of the fire house and Town Hall in West Lebanon Township and for the ratification of a certain agreement of October 29, 1909, entered between Charles D. Swope and the Commissioners of West Lebanon Township, and for the ratification of certain specifications prepared by G. K. Warren Rapp relative to the erection of said fire house and Town Hall pursuant to an agreement entered into between the said G. K. Warren Rapp and the Commissioners of West Lebanon Township, and for the readoption of the same; and providing further that a duplicate agreement be entered into, similar in substance to said former agreement, between the said Charles D. Swope and the Commissioners of said West Lebanon Township; and providing for an increase of the indebtedness of the Township of West Lebanon, Lebanon County, Pennsylvania, $4,500 by issuing coupon bonds, the amount thereof to be used for the purpose of purchasing, erecting, building and completing and paying a fire house and Town Hall, to be situated in said Township of West Lebanon, County and State aforesaid; and providing for the payment of the principal and interest thereon by the assessment, levy and collection of a tax sufficient to pay the principal in 7 years</td>
</tr>
<tr>
<td>Res. 6/3/1918</td>
<td>6/3/1918</td>
<td>Untitled resolution approving the plans for the construction of a concrete box structure adjoining the present bridge of the Philadelphia and Reading Railroad over Twenty-fifth Street on the north side of the already constructed bridge in the Township of West Lebanon</td>
</tr>
<tr>
<td>Ord. 235</td>
<td>4/1/1964</td>
<td>Authorizing the leasing of certain real estate, designating said premises as a recreation area. (This land was on the northeast corner of Church Street and 22nd Street, owned by the West Lebanon Township Playground Association.)</td>
</tr>
</tbody>
</table>
### Appendix G

**Sewers**

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 286</td>
<td>7/11/1977</td>
<td>Authorizing the City of Lebanon Authority to perform rehabilitation work on this Municipality's sewage collection system; covenanting to require connections to such system; agreeing that sewage treatment services use charges shall comply with requirements of the Environmental Protection Agency and that treatment and transportation charges payable to the City of Lebanon or its Authority will be paid from sewerage use charges made to the public; consenting to the imposition by the City or said Authority of an industrial cost recovery charge system upon industrial users located within this Municipality; and repealing inconsistent ordinances and resolutions</td>
</tr>
</tbody>
</table>
## Appendix H

### Street Lighting

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 9</td>
<td>1/16/1911</td>
<td>Providing for the erection and placing of three incandescent electric lights on the north side of the Berks and Dauphin Turnpike, opposite the Colebrook Row, and entering into an agreement with the Lackawanna Iron and Steel Company for the erection and maintenance of the same, and also making an appropriation for the payment of the said lights</td>
</tr>
<tr>
<td>Ord. 1</td>
<td>1/9/1912</td>
<td>Authorizing and directing the Township of West Lebanon to enter into a contract with the Lackawanna Iron and Steel Co., for the supply of electric current, by said company for three incandescent electric lights of 32 candle power each, located on the north side of the Berks &amp; Dauphin Turnpike, opposite the Cole Brook Row, for the sum of $16.35 for each of said lights, said contract to begin on the 9th day of January, 1912 and to end on the 9th day of January, 1913</td>
</tr>
<tr>
<td>Res. 12/16/1912</td>
<td>12/16/1912</td>
<td>Untitled resolution authorizing the Edison Electric Illuminating Company to furnish electric current for lighting the Township of West Lebanon, upon the same terms, and at the same rates, as provided for in their most recent contract with the said West Lebanon Township, until an ordinance has been passed and adopted, for furnishing current by said company, from the date of their expiration of their present contract, until the first of April, A.D. 1913</td>
</tr>
<tr>
<td>Ord. 3</td>
<td>9/6/1915</td>
<td>Authorizing and directing the Township of West Lebanon, to enter into a contract with the Lackawanna Iron and Steel Company for the supply by said company of electric current for an additional incandescent electric light of 32 candle power, to be located on the north side of the Berks and Dauphin Turnpike, and making an appropriation therefor</td>
</tr>
<tr>
<td>Ord. 1</td>
<td>1/5/1925</td>
<td>Awarding a contract to Metropolitan Edison Company for the furnishing of electric lighting service to the First Class Township of West Lebanon, Lebanon County, State of Pennsylvania.</td>
</tr>
<tr>
<td>Ord. 2</td>
<td>3/4/1929</td>
<td>Awarding a contract to Metropolitan Edison Company for the furnishing of electric lighting service to the First Class Township of West Lebanon, Lebanon County, State of Pennsylvania. (A contract with Metropolitan Edison Company was authorized)</td>
</tr>
<tr>
<td>Ord. 3</td>
<td>5/22/1934</td>
<td>Untitled ordinance providing for a street lighting contract for 5 years with Metropolitan Edison Company</td>
</tr>
<tr>
<td>Ord. 3</td>
<td>6/9/1937</td>
<td>Providing for the furnishing of electric street lighting service to the First Class Township of West Lebanon, County of Lebanon and State of Pennsylvania. (The contract was with Metropolitan Edison Company.)</td>
</tr>
<tr>
<td>Ord. 202</td>
<td>7/7/1947</td>
<td>Providing for the furnishing of electric street lighting service to the First Class Township of West Lebanon, County of Lebanon, and State of Pennsylvania. (The contract was with Metropolitan Edison Company.)</td>
</tr>
<tr>
<td>Ord./Res</td>
<td>Date</td>
<td>Subject</td>
</tr>
<tr>
<td>---------</td>
<td>--------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Ord. 220</td>
<td>5/6/1957</td>
<td>Providing for the furnishing of electric street lighting service to the first class township of West Lebanon, County of Lebanon, and State of Pennsylvania. (The contract was with Metropolitan Edison Company.)</td>
</tr>
</tbody>
</table>
## Appendix I

### Streets

<table>
<thead>
<tr>
<th>Street</th>
<th>Activity</th>
<th>Description</th>
<th>Ord./Res.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guilford Street</td>
<td>improvement</td>
<td>from Twenty-second Street, from Lehman Street to the Reading Railroad tracks;</td>
<td>Ord. 4</td>
<td>7/9/1937</td>
</tr>
<tr>
<td>Lehman Street</td>
<td>laying</td>
<td>between the eastern line of the Township of West Lebanon and other tracks of said Cornwall Railroad on Lehman Street</td>
<td>Res. 11/3/1919</td>
<td>11/3/1919</td>
</tr>
<tr>
<td>Lehman Street</td>
<td>vacating</td>
<td>between the West Lebanon Township and City line, and the east building line of North Eighteenth Street</td>
<td>Ord. 4</td>
<td>7/13/1931</td>
</tr>
<tr>
<td>Lehman Street</td>
<td>opening</td>
<td>from the western boundary line of the City of Lebanon at a point in the centre line of Lehman, where said street is intersected with the easterly line of Eighteenth Street, then westwardly to the present boundary of said Lehman Street</td>
<td>Ord. 5</td>
<td>7/13/1931</td>
</tr>
<tr>
<td>Lehman Street</td>
<td>improvement</td>
<td>east of Twenty-fourth Street</td>
<td>Ord. 4</td>
<td>7/9/1937</td>
</tr>
<tr>
<td>North Sixteenth Street</td>
<td>vacating</td>
<td>portion from the south building line of Lehman Street</td>
<td>Ord. 3</td>
<td>7/13/1931</td>
</tr>
<tr>
<td>North Twenty-third Street</td>
<td>vacating</td>
<td>Church and Scull Street</td>
<td>Ord. 385</td>
<td>7/6/1999</td>
</tr>
<tr>
<td>Scoll Street</td>
<td>vacating</td>
<td>portion formerly Colebrook Alley between North Twenty-third Street (unopened) and North Twenty-fifth Street</td>
<td>Ord. 375</td>
<td>4/7/1997</td>
</tr>
<tr>
<td>Twenty-fourth Street</td>
<td>improvement</td>
<td>from Guilford Street to Church Street</td>
<td>Ord. 4</td>
<td>7/9/1937</td>
</tr>
<tr>
<td>Twenty-second Street</td>
<td>grade</td>
<td>Lehman Street to the northern boundary</td>
<td>Res. 9/5/1927</td>
<td>9/5/1927</td>
</tr>
<tr>
<td>Twenty-third Street</td>
<td>improvement</td>
<td>from Guilford Street to Church Street</td>
<td>Ord. 4</td>
<td>7/9/1937</td>
</tr>
<tr>
<td>unnamed alley</td>
<td>vacating</td>
<td>at the northwest end of 1947 Church Street</td>
<td>Ord. 453</td>
<td>9/2/2008</td>
</tr>
<tr>
<td>Street</td>
<td>Activity</td>
<td>Description</td>
<td>Ord./Res.</td>
<td>Date</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------</td>
<td>--------------------------------------------------</td>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>unnamed alleys</td>
<td>eliminating</td>
<td>in the Township of West Lebanon</td>
<td>Ord. 349</td>
<td>4/1/1991</td>
</tr>
<tr>
<td>unnamed road</td>
<td>building</td>
<td>from Twenty-fourth Street and Guilford Street</td>
<td>Ord. 3</td>
<td>12/19/1939</td>
</tr>
<tr>
<td>West Lehman Street</td>
<td>grade</td>
<td>Twenty-second Street and the City limits</td>
<td>Res. 9/5/1927</td>
<td>9/5/1927</td>
</tr>
<tr>
<td>Willow Street</td>
<td>accepting</td>
<td>dedication of a portion</td>
<td>Ord. 374</td>
<td>4/7/1997</td>
</tr>
</tbody>
</table>
## Appendix J

### Water

<table>
<thead>
<tr>
<th>Ord./Res</th>
<th>Date</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ord. 6/30/1905</td>
<td>6/30/1905</td>
<td>Untitled ordinance authorizing an agreement with E. H. Myers &amp; Brothers to sink a well on lands of C. D. Gloninger heirs, to test for water supply for Township purposes</td>
</tr>
<tr>
<td>Ord. 8/8/1905</td>
<td>8/8/1905</td>
<td>Providing for the erection, maintenance and operation of water works by West Lebanon Township, Lebanon County, Pennsylvania for the extinguishing of fires and for other purposes</td>
</tr>
<tr>
<td>Ord. 12/26/1905</td>
<td>12/26/1905</td>
<td>Providing for the entering into of a contract by West Lebanon Township with Bolton T. Coon, of Kingston, Pa., for the erection and construction of waterworks for the said Township for the extinguishment of fire and other purposes, to be erected and constructed according to plans, specifications and drawings for the same prepared by T. R. Crowell, and for prices named and the bid submitted by the said Bolton T. Coon, payable upon the terms and conditions named in the specifications upon which the bid of the said Bolton T. Coon was made and authorizing the President and Secretary of the Board of Commissioners of said Township under the seal of said Township to execute the said contract in behalf of the Township; and providing also for the purchase of land, and the procuring a good and sufficient deed thereof in the name of and for the said West Lebanon Township, its successors and assigns, from the C. D. Gloninger heirs on Mt. Hermon in North Lebanon Township, Lebanon County, Pennsylvania, sufficient for the erection, operation and maintenance of water works for said West Lebanon Township, at the rate of $2 per front foot, and providing also for the appropriation of the sum of $25,000 or so much thereof as may be required to pay the cost of said waterworks and the land to be purchased from the C. D. Gloninger heirs, upon which the reservoir, buildings and wells are to be located and for the issuing of bonds by the said West Lebanon Township and on the credit of the same not to exceed an amount in the sum of $25,000 for the purpose of raising said amount, or so much thereof as may be required and for the levying of taxes for the payment of principal and interest on said bonds</td>
</tr>
<tr>
<td>Res. 11/22/1921</td>
<td>11/22/1921</td>
<td>Untitled resolution authorizing an agreement with Kohl Brothers, for the drilling of a well for Township water supply purposes</td>
</tr>
</tbody>
</table>
Appendix K

Zoning; Prior Ordinances

[Reserved]
## Table to Disposition of All Ordinances

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Date</th>
<th>Disposition</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/5/1902(1)</td>
<td>5/5/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5/5/1902(2)</td>
<td>5/5/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5/5/1902(3)</td>
<td>5/5/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5/5/1902(4)</td>
<td>5/5/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/2/1902(5)</td>
<td>6/2/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/2/1902(6)</td>
<td>6/2/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/2/1902(7)</td>
<td>6/2/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/2/1902(8)</td>
<td>6/2/1902</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>7/6/1903(9)</td>
<td>7/6/1903</td>
<td>1903 Taxes</td>
<td></td>
</tr>
<tr>
<td>7/27/1903(10)</td>
<td>7/27/1903</td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>6/27/1904</td>
<td>6/27/1904</td>
<td>1904 Taxes</td>
<td></td>
</tr>
<tr>
<td>5/1/1905</td>
<td>5/1/1905</td>
<td>1905 Taxes</td>
<td></td>
</tr>
<tr>
<td>5/1/1905</td>
<td>5/1/1905</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/30/1905</td>
<td>6/30/1905</td>
<td>Appendix J Water</td>
<td></td>
</tr>
<tr>
<td>8/8/1905</td>
<td>8/8/1905</td>
<td>Appendix J Water</td>
<td></td>
</tr>
<tr>
<td>10/21/1905</td>
<td>10/20/1905</td>
<td>Appendix B Bond Issues and Loans</td>
<td></td>
</tr>
<tr>
<td>12/26/1905</td>
<td>12/26/1905</td>
<td>Appendix J Water</td>
<td></td>
</tr>
<tr>
<td>7/9/1906</td>
<td>7/9/1906</td>
<td>Appendix B Bond Issues and Loans</td>
<td></td>
</tr>
<tr>
<td>7/13/1906</td>
<td>7/13/1906</td>
<td>1906 Taxes</td>
<td></td>
</tr>
<tr>
<td>10/16/1906</td>
<td>10/16/1906</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>--/--/1907</td>
<td>--/--/1907</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>7/8/1907</td>
<td>7/8/1907</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>7/8/1907</td>
<td>7/8/1907</td>
<td>1907 Taxes</td>
<td></td>
</tr>
<tr>
<td>1/31/1908</td>
<td>1/31/1908</td>
<td>Appendix B Bond Issues and Loans</td>
<td></td>
</tr>
<tr>
<td>7/25/1908</td>
<td>7/25/1908</td>
<td>1908 Taxes</td>
<td></td>
</tr>
<tr>
<td>7/12/1909</td>
<td>7/12/1909</td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>7/12/1909</td>
<td>7/12/1909</td>
<td>1909 Taxes</td>
<td></td>
</tr>
<tr>
<td>5/13/1910(1)</td>
<td>5/13/1910</td>
<td>1910 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>--/--/1910</td>
<td>--/--/1910</td>
<td>1910 Taxes</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>6/20/1910</td>
<td>Appendix B Bond Issues and Loans</td>
<td></td>
</tr>
<tr>
<td>6/20/1910(3)</td>
<td>6/20/1910</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>10/11/1910</td>
<td>Appendix F Public Property</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>-------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>6</td>
<td>10/24/1910</td>
<td>Appendix F</td>
<td>Public Property</td>
</tr>
<tr>
<td>7</td>
<td>1/2/1911</td>
<td>Appendix F</td>
<td>Public Property</td>
</tr>
<tr>
<td>8</td>
<td>1/2/1911</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>9</td>
<td>1/16/1911</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>2/6/1911(10)</td>
<td>2/6/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>2/6/1911(11)</td>
<td>2/6/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>2/6/1911(12)</td>
<td>2/6/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3/6/1911(13)</td>
<td>3/6/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3/6/1911(14)</td>
<td>3/6/1911</td>
<td>Fund Transfer</td>
<td></td>
</tr>
<tr>
<td>5/15/1911(1)</td>
<td>5/15/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/12/1911(2)</td>
<td>7/12/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>7/24/1911</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>7/24/1911(4)</td>
<td>7/24/1911</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>11/10/1911(5)</td>
<td>11/10/1911</td>
<td>1911 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>12/1/1911(6)</td>
<td>12/1/1911</td>
<td>Superseded by 242</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1/9/1912</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>1/29/1912(2)</td>
<td>1/29/1912</td>
<td>1912 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3/4/1912(3)</td>
<td>3/4/1912</td>
<td>1912 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3/25/1912(4)</td>
<td>3/25/1912</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>7/9/1912(5)</td>
<td>7/9/1912</td>
<td>1912 Taxes</td>
<td></td>
</tr>
<tr>
<td>7/9/1912(6)</td>
<td>7/9/1912</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>7/9/1912(7)</td>
<td>7/9/1912</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>9/9/1912(8)</td>
<td>9/9/1912</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>10/14/1912(9)</td>
<td>10/14/1912</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>4/14/1913(60)</td>
<td>4/14/1913</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/9/1913(61)</td>
<td>6/9/1913</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>8/12/1913(62)</td>
<td>8/12/1913</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>4/6/1914(1)</td>
<td>4/6/1914</td>
<td>1914 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/4/1914(2)</td>
<td>5/4/1914</td>
<td>1914 Taxes</td>
<td></td>
</tr>
<tr>
<td>5/4/1914(3)</td>
<td>5/4/1914</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>8/3/1914(4)</td>
<td>8/3/1914</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>3/1/1915(1)</td>
<td>3/1/1915</td>
<td>1915 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>6/7/1915(2)</td>
<td>6/7/1915</td>
<td>1915 Taxes</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>-------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>3</td>
<td>9/6/1915</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>3/6/1916(1)</td>
<td>3/6/1916</td>
<td>1916 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>6/19/1916(2)</td>
<td>6/19/1916</td>
<td>1916 Taxes</td>
<td></td>
</tr>
<tr>
<td>7/23/1916</td>
<td>7/23/1916</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>3/5/1917(1)</td>
<td>3/5/1917</td>
<td>1917 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/2/1917(2)</td>
<td>7/2/1917</td>
<td>1917 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/4/1918(1)</td>
<td>2/4/1918</td>
<td>1918 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/1/1918(2)</td>
<td>7/1/1918</td>
<td>1918 Taxes</td>
<td></td>
</tr>
<tr>
<td>3/3/1919(1)</td>
<td>3/3/1919</td>
<td>1919 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/7/1919(2)</td>
<td>7/7/1919</td>
<td>1919 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/2/1920(1)</td>
<td>2/2/1920</td>
<td>1920 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/3/1920(2)</td>
<td>5/3/1920</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/14/1920(3)</td>
<td>6/14/1920</td>
<td>1920 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/7/1921(1)</td>
<td>2/7/1921</td>
<td>1921 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>6/22/1921(2)</td>
<td>6/22/1921</td>
<td>1921 Taxes</td>
<td></td>
</tr>
<tr>
<td>1/2/1922(3)</td>
<td>1/2/1922</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>1/16/1922(1)</td>
<td>1/16/1922</td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>1/16/1922(2)</td>
<td>1/16/1922</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>2/6/1922(3)</td>
<td>2/6/1922</td>
<td>1922 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>6/19/1922(4)</td>
<td>6/19/1922</td>
<td>1922 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/5/1923(1)</td>
<td>2/5/1923</td>
<td>1923 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>6/11/1923(2)</td>
<td>6/11/1923</td>
<td>1923 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/4/1924(1)</td>
<td>2/4/1924</td>
<td>1924 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/7/1924(2)</td>
<td>7/7/1924</td>
<td>1924 Taxes</td>
<td></td>
</tr>
<tr>
<td>–/–/1927(3)</td>
<td>–/–/1927</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1/5/1925</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>1/5/1925(2)</td>
<td>1/5/1925</td>
<td>1925 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/6/1925(3)</td>
<td>7/6/1925</td>
<td>1925 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/1/1926(1)</td>
<td>2/1/1926</td>
<td>1926 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/6/1926(2)</td>
<td>7/6/1926</td>
<td>1926 Taxes</td>
<td></td>
</tr>
<tr>
<td>1/3/1927(3)</td>
<td>1/3/1927</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>2/7/1927(1)</td>
<td>2/7/1927</td>
<td>1927 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>–/–/1927(2)</td>
<td>–/–/1927</td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>7/5/1927(3)</td>
<td>7/5/1927</td>
<td>1927 Taxes</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>--------------</td>
<td>------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>2/6/1928(1)</td>
<td>2/6/1928</td>
<td>1928 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>7/21/1928(2)</td>
<td>7/21/1928</td>
<td>1928 Taxes</td>
<td></td>
</tr>
<tr>
<td>3/4/1929(1)</td>
<td>3/4/1929</td>
<td>1929 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>3/4/1929</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>7/1/1929(3)</td>
<td>7/1/1929</td>
<td>1929 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/3/1930(1)</td>
<td>2/3/1930</td>
<td>1930 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/5/1930(2)</td>
<td>5/5/1930</td>
<td>1930 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/2/1931(1)</td>
<td>2/2/1931</td>
<td>1931 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/4/1931(2)</td>
<td>5/4/1931</td>
<td>1931 Taxes</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>7/13/1931</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>4</td>
<td>7/13/1931</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>5</td>
<td>7/13/1931</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>2/1/1932(1)</td>
<td>2/1/1932</td>
<td>1932 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>2/6/1933(3)</td>
<td>2/6/1933</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>1/3/1933(1)</td>
<td>1/3/1933</td>
<td>1933 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>2/6/1933(2)</td>
<td>2/6/1933</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5/1/1933(3)</td>
<td>5/1/1933</td>
<td>1933 Taxes</td>
<td></td>
</tr>
<tr>
<td>5/22/1934(1)</td>
<td>5/22/1934</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5/22/1934(2)</td>
<td>5/22/1934</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>5/22/1934</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>1/21/1935(1)</td>
<td>1/21/1935</td>
<td>1935 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>4/16/1935(2)</td>
<td>4/16/1935</td>
<td>1935 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/3/1936(1)</td>
<td>2/3/1936</td>
<td>1936 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/4/1936(3)</td>
<td>5/4/1936</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/1/1936(4)</td>
<td>6/1/1936</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>2/1/1937(1)</td>
<td>2/1/1937</td>
<td>1937 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/3/1937(2)</td>
<td>5/3/1937</td>
<td>1937 Taxes</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>6/9/1937</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>4</td>
<td>7/9/1937</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>2/7/1938(1)</td>
<td>2/7/1938</td>
<td>1938 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/2/1938(2)</td>
<td>5/2/1938</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>5/2/1938(3)</td>
<td>5/2/1938</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>8/1/1938(4)</td>
<td>8/1/1938</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>12/5/1938(5)</td>
<td>12/5/1938</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>2/6/1939(1)</td>
<td>2/6/1939</td>
<td>1939 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>5/1/1939(2)</td>
<td>5/1/1939</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>12/19/1939</td>
<td>Appendix I Streets</td>
<td></td>
</tr>
<tr>
<td>1/4/1940(1)</td>
<td>1/4/1940</td>
<td>1940 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3/3/1941(1)</td>
<td>3/3/1941</td>
<td>1941 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>4/7/1941(2)</td>
<td>4/7/1941</td>
<td>1941 Taxes</td>
<td></td>
</tr>
<tr>
<td>2/2/1942(1)</td>
<td>2/2/1942</td>
<td>1942 Appropriation(s)</td>
<td></td>
</tr>
<tr>
<td>3/1/1943(1)</td>
<td>3/1/1943</td>
<td>1943 Budget</td>
<td></td>
</tr>
<tr>
<td>3/1/1943(2)</td>
<td>3/1/1943</td>
<td>1943 Taxes</td>
<td></td>
</tr>
<tr>
<td>3/6/1944(1)</td>
<td>3/6/1944</td>
<td>1944 Budget</td>
<td></td>
</tr>
<tr>
<td>3/6/1944(2)</td>
<td>3/6/1944</td>
<td>1944 Taxes</td>
<td></td>
</tr>
<tr>
<td>3/5/1945</td>
<td>3/5/1945</td>
<td>1945 Budget</td>
<td></td>
</tr>
<tr>
<td>3/5/1945</td>
<td>3/5/1945</td>
<td>1945 Taxes</td>
<td></td>
</tr>
<tr>
<td>202</td>
<td>7/7/1947</td>
<td>Appendix H Street Lighting</td>
<td></td>
</tr>
<tr>
<td>203</td>
<td></td>
<td>1948 Budget</td>
<td></td>
</tr>
<tr>
<td>204</td>
<td></td>
<td>1948 Taxes</td>
<td></td>
</tr>
<tr>
<td>205</td>
<td></td>
<td>1949 Budget</td>
<td></td>
</tr>
<tr>
<td>206</td>
<td>6/6/1949</td>
<td>Superseded by 424 Animals</td>
<td></td>
</tr>
<tr>
<td>207</td>
<td></td>
<td>1950 Budget</td>
<td></td>
</tr>
<tr>
<td>208</td>
<td>10/2/1950</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>209</td>
<td>1/1/1951</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>210</td>
<td></td>
<td>1951 Budget</td>
<td></td>
</tr>
<tr>
<td>211</td>
<td></td>
<td>1952 Budget</td>
<td></td>
</tr>
<tr>
<td>212</td>
<td></td>
<td>1953 Budget</td>
<td></td>
</tr>
<tr>
<td>213</td>
<td></td>
<td>1954 Budget</td>
<td></td>
</tr>
<tr>
<td>214</td>
<td></td>
<td>1955 Budget</td>
<td></td>
</tr>
<tr>
<td>215</td>
<td></td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>216</td>
<td></td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>----------</td>
<td>-------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>217</td>
<td>1956</td>
<td></td>
<td>1956 Budget</td>
</tr>
<tr>
<td>218</td>
<td>8/6/1956</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>219</td>
<td>1957</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>220</td>
<td>5/6/1957</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>221</td>
<td>1/6/1958</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>222</td>
<td>1958</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>223</td>
<td>4/7/1958</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>224</td>
<td>1959</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>225</td>
<td>5/4/1959</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>227</td>
<td>1960</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>228</td>
<td>10/3/1960</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>229</td>
<td>12/12/1960</td>
<td>Expired</td>
<td></td>
</tr>
<tr>
<td>230</td>
<td>1961</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>231</td>
<td>7/10/1961</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>232</td>
<td>1962</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>233</td>
<td>1963</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>234</td>
<td>3/4/1963</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>235</td>
<td>4/1/1964</td>
<td>Appendix F</td>
<td>Public Property</td>
</tr>
<tr>
<td>236</td>
<td>1964</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>237</td>
<td>1965</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>238</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>239</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>240</td>
<td>9/13/1965</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>241</td>
<td>1966</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>243</td>
<td>1967</td>
<td></td>
<td>Budget</td>
</tr>
<tr>
<td>244</td>
<td>6/12/1967</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>245</td>
<td>8/7/1967</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>246</td>
<td>12/4/1967</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>247</td>
<td></td>
<td></td>
<td>1968 Taxes</td>
</tr>
<tr>
<td>248</td>
<td>5/20/1968</td>
<td>§§24-101–24-109</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>249</td>
<td>6/6/1968</td>
<td>Pending Repeal</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------</td>
<td>--------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>251</td>
<td></td>
<td>1969 Budget</td>
<td></td>
</tr>
<tr>
<td>252</td>
<td>7/7/1969</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>253</td>
<td></td>
<td>1970 Budget</td>
<td></td>
</tr>
<tr>
<td>254</td>
<td>8/3/1970</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>255</td>
<td>10/9/1970</td>
<td>Superseded by 341</td>
<td>Solid Waste</td>
</tr>
<tr>
<td>256</td>
<td>11/2/1970</td>
<td>§§21-201–21-206</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>257</td>
<td></td>
<td>1972 Budget</td>
<td></td>
</tr>
<tr>
<td>258</td>
<td>5/3/1971</td>
<td>Superseded by 428</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>259</td>
<td></td>
<td>1972 Budget</td>
<td></td>
</tr>
<tr>
<td>260</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>261</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>262</td>
<td></td>
<td>1973 Budget</td>
<td></td>
</tr>
<tr>
<td>264</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>265</td>
<td></td>
<td>1974 Budget</td>
<td></td>
</tr>
<tr>
<td>266</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>267</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>268</td>
<td>4/17/1974</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>269</td>
<td>5/20/1974</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>270</td>
<td>7/8/1974</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>271</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>272</td>
<td></td>
<td>1975 Budget</td>
<td></td>
</tr>
<tr>
<td>273</td>
<td>4/24/1975</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>274</td>
<td>4/28/1975</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>275</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>276</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>277</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>278</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>279</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>280</td>
<td></td>
<td>1976 Budget</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>----------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>281.1</td>
<td>4/5/1976</td>
<td>§27-802</td>
<td>Zoning</td>
</tr>
<tr>
<td>282</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>283</td>
<td></td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>284</td>
<td>10/18/1976</td>
<td>Superseded by 427</td>
<td>Administration and Government</td>
</tr>
<tr>
<td>285</td>
<td></td>
<td>1977 Budget</td>
<td></td>
</tr>
<tr>
<td>286</td>
<td>7/11/1977</td>
<td>Appendix G</td>
<td>Sewers</td>
</tr>
<tr>
<td>287</td>
<td>8/1/1977</td>
<td>§§21-401–21-403</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>288</td>
<td></td>
<td>Not adopted</td>
<td></td>
</tr>
<tr>
<td>289</td>
<td></td>
<td>1978 Budget</td>
<td></td>
</tr>
<tr>
<td>291</td>
<td>5/23/1978</td>
<td>§18-201</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>293</td>
<td></td>
<td>Not adopted</td>
<td></td>
</tr>
<tr>
<td>294</td>
<td></td>
<td>1979 Budget</td>
<td></td>
</tr>
<tr>
<td>295</td>
<td>10/1/1979</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I, §§1-3</td>
<td></td>
<td>Superseded by 427</td>
<td>Administration and Government</td>
</tr>
<tr>
<td>III, §3</td>
<td></td>
<td>Superseded by 424</td>
<td>Animals</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§§6-101, 6-103–6-105, 6-201–6-202, 6-506, 6-601–6-603, 6-701–6-708</td>
<td>Conduct</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Superseded by 459</td>
<td>Fire Prevention and Protection</td>
</tr>
<tr>
<td>X, §§51-54</td>
<td></td>
<td>Superseded by 421</td>
<td>Health and Safety</td>
</tr>
<tr>
<td>XIII, §§51-59</td>
<td></td>
<td>Superseded by 361</td>
<td>Licenses, Permits and General Business Regulations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§§21-101–21-109, 21-204, 21-206, 21-301–21-303</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>XXI, §51</td>
<td></td>
<td>Repealed by 356</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§§24-102, 24-104</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>XXIV, §§52, 55, 56, 62</td>
<td></td>
<td>Superseded by 428</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§§26-110, 26-114, 26-119, 26-121</td>
<td>Water</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§§27-101, 27-102, 27-908</td>
<td>Zoning</td>
</tr>
<tr>
<td>296</td>
<td></td>
<td>Repealer</td>
<td></td>
</tr>
<tr>
<td>297</td>
<td></td>
<td>1980 Budget</td>
<td></td>
</tr>
</tbody>
</table>

Supp. I; revised 1/4/2010

K-8
<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Date</th>
<th>Disposition</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>253-A</td>
<td>5/19/1980</td>
<td>§6-101</td>
<td>Conduct</td>
</tr>
<tr>
<td>298</td>
<td>8/18/1980</td>
<td>§15-203</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>299</td>
<td></td>
<td>Missing</td>
<td></td>
</tr>
<tr>
<td>300</td>
<td>12/15/1980</td>
<td>§§10-201–10-204</td>
<td>Health and Safety</td>
</tr>
<tr>
<td>301</td>
<td></td>
<td>1981 Budget</td>
<td></td>
</tr>
<tr>
<td>302</td>
<td></td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>303</td>
<td>5/18/1981</td>
<td>§15-302</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>304</td>
<td>8/17/1981</td>
<td>Zoning Map Amendments</td>
<td>Zoning</td>
</tr>
<tr>
<td>305</td>
<td></td>
<td>1982 Budget</td>
<td></td>
</tr>
<tr>
<td>306</td>
<td>12/21/1981</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>306A</td>
<td>5/3/1982</td>
<td>Repealed by 454</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>307</td>
<td>6/7/1982</td>
<td>§15-203</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>309</td>
<td>9/9/1982</td>
<td>Appendix C</td>
<td>Franchises and Services</td>
</tr>
<tr>
<td>309A</td>
<td>6/6/1983</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>310</td>
<td></td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>311</td>
<td>6/20/1982</td>
<td>§§18-301–18-305</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>312</td>
<td>6/1/1983</td>
<td>§§18-311–18-324</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>314</td>
<td></td>
<td>1984 Budget</td>
<td></td>
</tr>
<tr>
<td>315</td>
<td>2/20/1984</td>
<td>§15-303</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>316</td>
<td>3/19/1984</td>
<td>§26-109</td>
<td>Water</td>
</tr>
<tr>
<td>317</td>
<td></td>
<td>Superseded by 395</td>
<td>Fire Prevention and Fire Protection</td>
</tr>
<tr>
<td>318</td>
<td>10/1/1984</td>
<td>Zoning Map Amendments</td>
<td>Zoning</td>
</tr>
<tr>
<td>319</td>
<td></td>
<td>1985 Budget</td>
<td></td>
</tr>
<tr>
<td>320</td>
<td>1/21/1985</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>323</td>
<td>2/4/1985</td>
<td>Superseded by 371</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>324</td>
<td>2/11/1985</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>325</td>
<td>4/1/1985</td>
<td>Superseded by 424</td>
<td>Animals</td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>326</td>
<td>4/1/1985</td>
<td>Superseded by 395</td>
<td>False Alarms</td>
</tr>
<tr>
<td>327</td>
<td>8/19/1985</td>
<td>§§26-108, 26-118</td>
<td>Water</td>
</tr>
<tr>
<td>328</td>
<td>9/16/1985</td>
<td>§15-302</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>331</td>
<td></td>
<td>Number not used</td>
<td></td>
</tr>
<tr>
<td>332</td>
<td>7/14/1986</td>
<td>Superseded by 439</td>
<td>Fire Prevention and Fire Protection</td>
</tr>
<tr>
<td>333</td>
<td></td>
<td>Not Codified</td>
<td></td>
</tr>
<tr>
<td>334</td>
<td>1/2/1987</td>
<td>1987 Budget</td>
<td></td>
</tr>
<tr>
<td>335</td>
<td>2/16/1987</td>
<td>Appendix C</td>
<td>Franchises and Services</td>
</tr>
<tr>
<td>336</td>
<td>5/18/1987</td>
<td>Zoning Map Amendments</td>
<td>Zoning</td>
</tr>
<tr>
<td>339</td>
<td>9/14/1988</td>
<td>Superseded by 454</td>
<td>Fire Prevention and Protection</td>
</tr>
<tr>
<td>340</td>
<td>12/5/1988</td>
<td>1989 Budget</td>
<td></td>
</tr>
<tr>
<td>342</td>
<td>4/17/1989</td>
<td>Zoning Map Amendments</td>
<td>Zoning</td>
</tr>
<tr>
<td>343</td>
<td>11/20/1989</td>
<td>1990 Budget</td>
<td></td>
</tr>
<tr>
<td>344</td>
<td>12/4/1989</td>
<td>Superseded by 371</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>347</td>
<td>11/19/1990</td>
<td>§§24-301–24-306</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>349</td>
<td>4/1/1991</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>352</td>
<td>11/4/1991</td>
<td>Appendix C</td>
<td>Franchises and Services</td>
</tr>
<tr>
<td>353</td>
<td>12/2/1991</td>
<td>1992 Budget</td>
<td></td>
</tr>
<tr>
<td>355</td>
<td>12/7/1992</td>
<td>1993 Budget</td>
<td></td>
</tr>
<tr>
<td>356</td>
<td>2/1/1993</td>
<td>§§21-501–21-503</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>357</td>
<td>3/1/1993</td>
<td>Superseded by 395</td>
<td>False alarms</td>
</tr>
<tr>
<td>358</td>
<td>12/6/1993</td>
<td>1994 Budget</td>
<td></td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>---------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>360</td>
<td>9/16/1994</td>
<td>§15-307</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>362</td>
<td>12/5/1994</td>
<td>Repealed By 419</td>
<td></td>
</tr>
<tr>
<td>363</td>
<td>12/5/1994</td>
<td>1995 Budget</td>
<td></td>
</tr>
<tr>
<td>364</td>
<td>8/7/1995</td>
<td>§27-1103</td>
<td>Zoning</td>
</tr>
<tr>
<td>365</td>
<td>9/9/1995</td>
<td>Repealed by 368</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>367</td>
<td>1/2/1996</td>
<td>§13-302</td>
<td>Licenses, Permits and General Business Regulations</td>
</tr>
<tr>
<td>368</td>
<td>1/2/1996</td>
<td>Superseded by 421</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>369</td>
<td>8/5/1996</td>
<td>§1-301</td>
<td>Administration and Government</td>
</tr>
<tr>
<td>371</td>
<td>12/2/1996</td>
<td>§§18-331–18-337</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>372</td>
<td>12/2/1996</td>
<td>1997 Budget</td>
<td></td>
</tr>
<tr>
<td>373</td>
<td>2/3/1997</td>
<td>§18-313</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§26-116</td>
<td>Water</td>
</tr>
<tr>
<td>374</td>
<td>4/7/1997</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>375</td>
<td>4/7/1997</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>376</td>
<td></td>
<td>1998 Budget</td>
<td></td>
</tr>
<tr>
<td>378</td>
<td>12/7/1998</td>
<td>§§26-201–26-212</td>
<td>Water</td>
</tr>
<tr>
<td>379</td>
<td>12/7/1998</td>
<td>§§6-801–6-802</td>
<td>Conduct</td>
</tr>
<tr>
<td>380</td>
<td>12/7/1998</td>
<td>§6-101</td>
<td>Conduct</td>
</tr>
<tr>
<td>381</td>
<td></td>
<td>1999 Budget</td>
<td></td>
</tr>
<tr>
<td>382</td>
<td>1/4/1999</td>
<td>§§6-301–6-302</td>
<td>Conduct</td>
</tr>
<tr>
<td>383</td>
<td>1/4/1999</td>
<td>§§6-401–6-403</td>
<td>Conduct</td>
</tr>
<tr>
<td>385</td>
<td>7/6/1999</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>386</td>
<td>8/2/1999</td>
<td>§15-306</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>387</td>
<td></td>
<td>2000 Budget</td>
<td></td>
</tr>
<tr>
<td>390</td>
<td>8/7/2000</td>
<td>§15-306</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>391</td>
<td>9/5/2000</td>
<td>§21-202</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>392</td>
<td>11/1/2000</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>393</td>
<td></td>
<td>2001 Budget</td>
<td></td>
</tr>
<tr>
<td>394</td>
<td>2/5/2001</td>
<td>§15-308</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>395</td>
<td>4/2/2001</td>
<td>§§7-201–7-210</td>
<td>Fire Prevention and Protection</td>
</tr>
<tr>
<td>396</td>
<td>6/4/2001</td>
<td>§§6-901–6-902</td>
<td>Conduct</td>
</tr>
<tr>
<td>398</td>
<td>10/1/2001</td>
<td>§§15-701, 15-702</td>
<td>Bicycles</td>
</tr>
<tr>
<td>399</td>
<td>11/5/2001</td>
<td>§7-205</td>
<td>Fire Prevention and Protection</td>
</tr>
<tr>
<td>400</td>
<td>10/1/2001</td>
<td>Superseded by 421</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>402</td>
<td></td>
<td>2002 Budget</td>
<td></td>
</tr>
<tr>
<td>403</td>
<td>6/3/2002</td>
<td>§27-1008</td>
<td>Zoning</td>
</tr>
<tr>
<td>404</td>
<td>8/5/2002</td>
<td>§27-1008</td>
<td>Zoning</td>
</tr>
<tr>
<td>405</td>
<td>8/5/2002</td>
<td>Superseded by 421</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>406</td>
<td>10/7/2002</td>
<td>Appendix C</td>
<td>Franchises and Services</td>
</tr>
<tr>
<td>407</td>
<td></td>
<td>2003 Budget</td>
<td></td>
</tr>
<tr>
<td>410</td>
<td>6/2/2003</td>
<td>§§24-401–24-417</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>411</td>
<td></td>
<td>2004 Budget</td>
<td></td>
</tr>
<tr>
<td>412</td>
<td>4/5/2004</td>
<td>Superseded by 415</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>413</td>
<td>5/3/2004</td>
<td>§18-320</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>416</td>
<td>8/2/2004</td>
<td>Appendix C</td>
<td>Franchises and Services</td>
</tr>
<tr>
<td>417</td>
<td>8/2/2004</td>
<td>§§20-201–20-212</td>
<td>Solid Waste</td>
</tr>
<tr>
<td>418</td>
<td>8/2/2004</td>
<td>Superseded by 447</td>
<td>Stormwater Management</td>
</tr>
<tr>
<td>419</td>
<td>10/4/2004</td>
<td>2005 Tax</td>
<td></td>
</tr>
<tr>
<td>420</td>
<td></td>
<td>2005 Budget</td>
<td></td>
</tr>
<tr>
<td>421</td>
<td>6/6/2005</td>
<td>Superseded by 439</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>422</td>
<td>6/6/2005</td>
<td>§15-208</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>423</td>
<td>6/6/2005</td>
<td>§§21-701–21-710</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>425</td>
<td>8/1/2005</td>
<td>§18-320</td>
<td>Sewers and Sewage Disposal</td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>----------</td>
<td>------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>426</td>
<td>9/6/2005</td>
<td>Superseded by 439</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>427</td>
<td>9/6/2005</td>
<td>§§1-201–1-204</td>
<td>Administration and Government</td>
</tr>
<tr>
<td>428</td>
<td>10/3/2005</td>
<td>Repealed by 449</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>429</td>
<td>10/3/2005</td>
<td>§10-302</td>
<td>Health and Safety</td>
</tr>
<tr>
<td>430</td>
<td>11/7/2005</td>
<td>§§21-801–21-806</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>431</td>
<td>11/7/2005</td>
<td>§24-501</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>432</td>
<td>12/5/2005</td>
<td></td>
<td>2006 Budget</td>
</tr>
<tr>
<td>433</td>
<td>3/6/2006</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>434</td>
<td>4/10/2006</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>435</td>
<td>--/------</td>
<td>2007 Budget</td>
<td></td>
</tr>
<tr>
<td>436</td>
<td>1/3/2007</td>
<td>Zoning Map Amendments</td>
<td>Zoning</td>
</tr>
<tr>
<td>441</td>
<td>1/3/2007</td>
<td>§§5-601–5-603</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>442</td>
<td>1/3/2007</td>
<td>§§5-701–5-703</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>444</td>
<td>1/3/2007</td>
<td>§§5-901–5-903</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>446</td>
<td>1/3/2007</td>
<td>§§5-1101–5-1103</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>448</td>
<td>--/------</td>
<td>2008 Budget</td>
<td></td>
</tr>
<tr>
<td>449</td>
<td>1/1/2008</td>
<td>§§24-201–24-214</td>
<td>Taxation; Special</td>
</tr>
<tr>
<td>450</td>
<td>4/7/2008</td>
<td>§15-302</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>451</td>
<td>4/7/2008</td>
<td>§§1-401–1-404</td>
<td>Administration and Government</td>
</tr>
<tr>
<td>452</td>
<td>5/5/2008</td>
<td>§15-302</td>
<td>Motor Vehicles and Traffic</td>
</tr>
<tr>
<td>453</td>
<td>9/2/2008</td>
<td>Appendix I</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>454</td>
<td>9/2/2008</td>
<td>Adopting Ordinance</td>
<td></td>
</tr>
<tr>
<td>455</td>
<td>10/6/2008</td>
<td>§§11-101–11-108</td>
<td>Housing</td>
</tr>
<tr>
<td>456</td>
<td>12/1/2008</td>
<td></td>
<td>2009 Budget</td>
</tr>
<tr>
<td>457</td>
<td>5/4/2009</td>
<td>Appendix B</td>
<td>Bond Issues and Loans</td>
</tr>
<tr>
<td>458</td>
<td>6/1/2009</td>
<td>§21-502</td>
<td>Streets and Sidewalks</td>
</tr>
<tr>
<td>Ordinance</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>-----------</td>
<td>----------</td>
<td>--------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§10-302</td>
<td></td>
</tr>
<tr>
<td>460</td>
<td>12/7/2009</td>
<td>2010 Budget</td>
<td></td>
</tr>
</tbody>
</table>
Table to Disposition of Significant Resolutions

<table>
<thead>
<tr>
<th>Resolution Date</th>
<th>Resolution Disposition Date</th>
<th>Disposition</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/14/1905</td>
<td>8/14/1905</td>
<td>Appendix B</td>
<td>Bond and Issues and Loans</td>
</tr>
<tr>
<td>1/5/1906</td>
<td>1/5/1906</td>
<td>Appendix B</td>
<td>Bond and Issues and Loans</td>
</tr>
<tr>
<td>7/9/1906</td>
<td>7/9/1906</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>4/24/1908</td>
<td>4/24/1908</td>
<td>Appendix B</td>
<td>Bond and Issues and Loans</td>
</tr>
<tr>
<td>5/10/1909</td>
<td>5/10/1909</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>7/12/1909</td>
<td>7/12/1909</td>
<td>Appendix B</td>
<td>Bond and Issues and Loans</td>
</tr>
<tr>
<td>5/8/1911</td>
<td>5/8/1911</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>6/3/1918</td>
<td>6/3/1918</td>
<td>Appendix F</td>
<td>Public Property</td>
</tr>
<tr>
<td>12/16/1912</td>
<td>12/16/1912</td>
<td>Appendix H</td>
<td>Street Lighting</td>
</tr>
<tr>
<td>9/9/1918</td>
<td>9/9/1918</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>11/22/1921</td>
<td>11/22/1921</td>
<td>Appendix J</td>
<td>Water</td>
</tr>
<tr>
<td>5/1/1922</td>
<td>5/1/1922</td>
<td>Repealed by 296</td>
<td></td>
</tr>
<tr>
<td>9/5/1927</td>
<td>9/5/1927</td>
<td>Appendix I</td>
<td>Streets</td>
</tr>
<tr>
<td>12/17/1973</td>
<td>12/17/1973</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>4-84</td>
<td>--/--/----</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>98-1</td>
<td>2/2/1998</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>99-4</td>
<td>11/1/1999</td>
<td>§1-501</td>
<td>Administration and Government</td>
</tr>
<tr>
<td>2000-5</td>
<td>8/7/2000</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2002-8</td>
<td>12/2/2002</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2004-4</td>
<td>2/2/2004</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2004-5</td>
<td>6/7/2004</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2005-4</td>
<td>4/4/2005</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>§B</td>
<td></td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2005-05</td>
<td>6/6/2005</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2005-7</td>
<td>9/6/2005</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>Resolution</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>------------</td>
<td>------------</td>
<td>------------------------------</td>
<td>---------------------------------------------------</td>
</tr>
<tr>
<td>2006-02</td>
<td>1/2/2006</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2007-01</td>
<td>1/2/2007</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2007-02</td>
<td>1/2/2007</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2007-07</td>
<td>10/1/2007</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2007-08</td>
<td>10/1/2007</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2007-09</td>
<td>12/3/2007</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2007-10</td>
<td>12/3/2007</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2007-12</td>
<td>12/3/2007</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2008-01</td>
<td>1/7/2008</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2008-02</td>
<td>1/7/2008</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2008-03</td>
<td>3/3/2008</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2008-04</td>
<td>8/4/2008</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2008-05</td>
<td>8/4/2008</td>
<td>Superseded by 2008-05</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2008-06</td>
<td>9/2/2008</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2008-07</td>
<td>10/16/2008</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2008-08</td>
<td>11/3/2008</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2008-09</td>
<td>11/3/2008</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2008-10</td>
<td>12/1/2008</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2008-11</td>
<td>12/1/2008</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-01</td>
<td>1/5/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-02</td>
<td>2/2/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-03</td>
<td>2/2/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-04</td>
<td>2/2/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-05</td>
<td>3/2/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>Resolution</td>
<td>Date</td>
<td>Disposition</td>
<td>Subject</td>
</tr>
<tr>
<td>------------</td>
<td>------------</td>
<td>-------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>2009-06</td>
<td>6/1/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-07</td>
<td>7/6/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-08</td>
<td>9/8/2009</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2009-09</td>
<td>11/2/2009</td>
<td></td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>2010-01</td>
<td>1/4/2010</td>
<td>Appendix D</td>
<td>Governmental and Intergovernmental Affairs</td>
</tr>
<tr>
<td>2010-02</td>
<td>1/4/2010</td>
<td>§21-502</td>
<td>Streets and Sidewalks</td>
</tr>
</tbody>
</table>