

Code of Ordinances of the Township of Spring

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CODE OF ORDINANCES

of the

TOWNSHIP OF SPRING

Centre County, Pennsylvania

Published by Authority of the Township

Code originally published by:

PENNS VALLEY PUBLISHERS

(A Division of Fry Communications, Inc.)
Mechanicsburg, Pennsylvania

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OFFICIALS
of the
TOWNSHIP OF SPRING

County of Centre
Pennsylvania

ELECTED OFFICIALS

BOARD OF SUPERVISORS

Chairman	-	Frank Royer
Vice-Chairman/Roadmaster	-	Terry Perryman
Supervisor	-	David Capperella
Tax Collector	-	Nancy Rose
Auditors	-	Kate Shuey
	-	Norman Weber
	-	Edward Fitzgerald

APPOINTED OFFICIALS

Township Manager	-	William MacMath
Secretary	-	William MacMath
Treasurer	-	William MacMath
Codes Officer	-	Vaugh Zimmerman
Solicitor	-	Miller, Kistler, Campbell, Miller and Williams
Engineer	-	Franson Engineering
Auditor	-	Parente Randolph, CPA

FOREWORD

History

This comprises the codification of the ordinances of the Township of Spring. The Township of Spring was originally settled in 1784.

The Code of Ordinances of the Township of Spring was prepared by Penns Valley Publishers, a division of Fry Communications, Inc., and adopted by the Township Board of Supervisors on October 2, 2000, by Ordinance Number 09-00.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Township contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or "one time" nature, (3) the Key to the disposition of each ordinance ever enacted by the Township, 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 Board of Supervisors with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix.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, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 09-00

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF SPRING, CENTRE COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, 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 Board of Supervisors hereby ordains:

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

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

APPENDIX:

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

Key to the Disposition of All Ordinances

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Township 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 "Spring Township Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the Spring Township 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 Spring Township Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

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

A. Consolidations

<u>Chapter, Part,Section</u>	<u>Subject</u>	<u>Ord./Res. No.</u>
15, Entire Chap- ter	Motor Vehicles and Traffic	Res. 62-1965; Ord. 139-1970; Ord. 140-1970; Ord. 160-1970; Ord. 163-1971; Ord. 173-1972; Ord. 193-1973; Ord. 187-1973; Res. 203-1974; Res. 207-1974; Ord. 247-1976; Res. 256-1976; Res. 263-1977; Res. 267-1977; Res. 276-1977; Res. 279-1977; Res. 12-1978; Res. 22-1979; Res. 45-1980; Res. 64-1980; Res. 77-1981; Res. 70-1981; Res. 69-1981; Ord. 15-1982; Res. 12- 1983; Ord. 34-1984; Ord. 45-1985; Res. 58- 1985; Ord. 48-1986; Ord. 51-1986; Res. 99- 1987; Res. 13-1989; Res. 19-1989; Res. 60- 1991; Res. 83-1991; Res. 119-1992; Res. 124- 1992; Res. 152-1993; Ord. 95-102A; Res. 200- 1995; Ord. 105-1996; Ord. 97-08; Ord. 98-04; Ord. 98-05; Ord. 98-07; Ord. 05-00; Ord. 06-00

B. Revisions

<u>Chapter, Part,Section</u>	<u>Subject</u>	<u>Ordinance No.</u>
1, 2, §201	Planning Commission	Ord. 52-1962
2, 1, §§101-108	Dogs Running at Large	Ord. 28-1957
24, 2, §§201- 217	Realty Transfer Tax	Ord. 56-1988

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

<u>Chapter,Part,Section</u>	<u>Subject</u>
1, 4, §§401-403	Firemen's Relief Association
21, 5, §§501-505	Snow and Ice Removal

B. Amendments

<u>Chapter, Part,Section</u>	<u>Subject</u>	<u>Ord./Res. No.</u>
1, 2, §211	Establishment of Educational Service Agency	Res. 40-1980

<u>Chapter.</u> <u>Part.</u> <u>Section</u>	<u>Subject</u>	<u>Ord./Res. No.</u>
1, 3, §302	Police Department; Chief of Police	Ord. 92-1968, §2; Ord. 103-1968, §§1, 2
1, 3, §319	Police Pension; Incidental Death Benefit	Ord. 133-1969, §9; Ord. 20-1979, §1; Res. 44-1980
1, 3, §320	Police Pension; Excess Benefits	Ord. 133-1969, §10; Res. 44-1980
1, 3, §322	Police Pension; Social Security Offset	Ord. 133-1969; Res. 202-1974
1, 3, §323	Police Pension; Interest on Refunds	Ord. 133-1969; Res. 82-1986
10, 2, §201	Junked Vehicles; Definitions	Ord. 182-1973, §1
10, 2, §207	Junked Vehicles; Administration	Ord. 182-1973, §7
13, 1, §103	Alarm Devices; False Alarms	Ord. 52-1986, §3
13, 2, §203	Peddlers and Solicitors; Definitions and Interpretation	Ord. 32-1979, §3
13, 2, §208	Peddlers and Solicitors; License Fee	Ord. 32-1979, §8
13, 3, §303	Junkyards; License	Ord. 71-1966, §3
13, 3, §305	Junkyards; License Fee	Ord. 71-1955, §5
14, 1, §102	Mobile Homes and Mobile Home Parks; Permits and Certificates of Registration	Ord. 92-003, §13-2
14, 1, §107	Mobile Homes and Mobile Home Parks; Water Supply	Ord. 92-003, §13-7
14, 1, §114	Mobile Homes and Mobile Home Parks; Responsibilities of Park Manager	Ord. 92-003, §13-14
18, 3, §307	Holding Tanks; Exclusiveness of Rights and Privileges	Ord. 275-1977, §7
18, 4, §403	Sewage Facilities; Permits	Ord. 224-1975, §3
18, 4, §404	Sewage Facilities; Permits	Ord. 224-1975, §4
18, 4, §405	Sewage Facilities; Adoption of Rules and Regulations of DEP	Ord. 224-1975, §5
18, 4, §406	Sewage Facilities; Fees	Ord. 224-1975, §6
20, 1A, §103	Solid Waste; Definitions	Ord. 102-1995B, §3
21, 2, §202	Dwelling Fuel Material Obstructing Street; Issuance of Permit	Ord. 15-1983, §2

<u>Chapter, Part,Section</u>	<u>Subject</u>	<u>Ord./Res. No.</u>
21, 3, §303	Trees Obstructing Streets; Notice to Owner/Occupier of Premises	Ord. 19-1983
24, 1, §101	Per Capita Tax; Definitions	Ord. 56-1988, §2.1
24, 1, §102	Per Capita Tax; Rate of Tax	Ord. 56-1988, §2.2
24, 1, §103	Per Capita Tax; Date Tax is Imposed	Ord. 56-1988, §2.3
25, 1, §101	Shade Trees; Purpose	Ord. 97-07, §1
26, 2, §204	Water Conservation Standards; Department of Environmental Protection's Recommended Specifications	Ord. 30-1983, §4
26, 3, §302	Stormwater Management; Authority	Ord. 101-1995, §24.2
26, 3, §311	Stormwater Management; General Requirements	Ord. 101-1995, §24.10
26, 3, §313	Stormwater Management; Supplemental Information	Ord. 101-1995, §24.12
26, 3, §321	Stormwater Management; Design Standards	Ord. 101-1995, §24.13
26, 3, §322	Stormwater Management; Sinkhole Protection	Ord. 101-1995, §24.12
26, 3, §323	Stormwater Management; Erosion and Sediment Control	Ord. 101-1995, §24.15

C. Repeals

<u>Ord./Res.</u>	<u>Subject</u>
Ord. 95-1968	Omnibus Conduct
Ord. 116-1968	Building Permits
Ord. 241-1976	Building Permits
Ord. 50-1980	Standard Height for Road Signs
Ord. 53-1987	Building Permits

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:

<u>Chapter,Part,Section</u>	<u>Short Title</u>
None	

Section 7. Land Use Amendments. The Spring Township 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:

<u>Chapter,Part,Section</u>	<u>Subject</u>
27, 13, §§1201-1281	Zoning; Planned Residential Development

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

<u>Chapter, Part,Section</u>	<u>Subject</u>	<u>Ord./Res. No.</u>
14, 1, §108	Mobile Homes; Sewage Disposal	Ord. 92-003, §13-7
14, 1, §116	Mobile Homes; Enforcement and Remedies	Ord. 92-003, §13-16
22, 3, §308	Subdivision and Land Development; Sewage Disposal Systems	Ord. 95-100, §20.22
22, 3, §314	Subdivision and Land Development; Storm Drainage	Ord. 95-100, §20.28
22, 4, §402	Subdivision and Land Development; Enforcement Remedies	Ord. 100-1995, §20.-31
22, 4, §403	Subdivision and Land Development; Preventative Remedies	Ord. 100-1995, §20.-31
27, 2, §202	Zoning, Definitions	Ord. 92-002, §12.08; Ord. 93-01; Ord. 96-01; Ord. 01-00, §§1, 2; Ord. 03-00
27, 4, §402	Zoning; Stream Valley District	Ord.92-002, §12.17; Ord. 93-01
27, 8, §801	Zoning; Floodplain Conservation	Ord. 92-002, §12.28; Ord. 93-01
27, 8, §802	Zoning; Slope Controls	Ord. 92-002, §12.29
27, 8, §804	Zoning; Outdoor Storage	Ord. 92-002, §12.31

27, 8, §805	Zoning; Waste and Sewage Disposal	Ord. 92-002, §12.32
27, 8, §809	Zoning; Off-Street Parking and Loading Regulations	Ord. 92-002, §12.36

C. Repealed Provisions. The following provisions of the Code are repealed, the text of which indicates deletions by strike-through, and are as follows:

<u>Ordinance No.</u>	<u>Subject</u>
Ord. 10-1983	Planned Residential Development

Section 8. Procedural Changes. The following minor procedural changes have been made to existing Township 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 Spring Township Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Spring Township 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 Spring Township. Whoever shall violate this Section shall, upon conviction thereof, be

sentenced to pay a fine of not more than \$600 and costs or, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

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

ENACTED AND ORDAINED THIS 2nd day of October, 2000.

/s/ Frank Royer - Chairman

/s/ Terry Perryman - Vice Chairman

/s/ John Auman - Secretary/Treasurer

FEE RESOLUTION

SUBJECT	FEES
PERMIT FEES	
Demolition or Raising of a Structure	\$35.00
Construction, Alterations and Additions	
\$0 - \$5,000	\$25.00
\$5,001 - \$20,000	\$50.00
\$20,000 +	¼ of one percent (.0025) of construction value
Change of Use	\$50.00
Home Occupation Permit	\$50.00
Highway Occupancy Permit	Per latest PSATS or PennDot Fee Schedule
Permit Extension	\$35.00
<u>[Res. 03-2007]</u>	
CODE ENFORCEMENT	
<p>All costs applicable to any other in ordinance(s) within the Township of Spring, if the costs exceed that of the value of said permit(s), that a charge shall be set forth at \$8.00 per hour additional which may and shall be imposed to meet said applicable costs. A minimum charge of \$8.00 per hour shall be charged for any fraction of an hour thereof to cover the above costs.</p>	
DWELLING FUEL MATERIAL STREET OBSTRUCTION PERMIT (21, §202)	\$10.00
FALSE ALARM CHARGES (13, §103)	
False alarms sounded after first month of installation two alarms semiannually	No Charge
All others	\$100.00 per alarm
JUNKYARD LICENSE FEE (13, §305)	
Less than 15,000 square feet	\$50.00
More than 15,00 square feet but less than 40,000 square feet	\$100.00
More than 40,000 square feet	\$200.00

SUBJECT

FEES

PEDDLER'S AND SOLICITOR'S LICENSE FEE (13, §208) \$5.00

SEWAGE ENFORCEMENT FEES

1. Reimbursable Activities.
 - A. Permits for New Construction. SEO Services will process applications for new construction at the rate of \$400.00 each. It is suggested that the local agency fee be set at \$200.00 for all new applications except those addressed in (B) below.
 - B. Permits for New Construction or Repairs Proposing Individual Residential Spray Irrigation Systems or Systems Using Peat Filters, Drip Tubing or Other New Technologies. SEO Services will process applications for these systems, at the rate of \$550.00 each. It is suggested that the local agency fee, be set at \$275.00 for these applications. Permit fees for these systems are higher to cover additional inspections and design reviews needed.
 - C. Permits for Repairs to Existing Systems. SEO Services will process applications for repairs at flexible rate of \$150.00 to \$400.00, depending on amount of work required. It is suggested that the local agency fee be set at \$75 to \$200, depending on the need. It will be the responsibility of the SEO to coordinate the fee schedule with the local agency to be certain that the fees work within "reimbursement" guidelines.
 - D. Re-issuance of Expired Permits or Permit Transfers Which Require Design Changes. SEO Services will perform these activities at the rate of \$100.00 per application. It is suggested that the local agency set an application fee of \$75.00 for these services.
 - E. Re-issuance of Expired Permits or Permit Transfers Which Require Design Changes. SEO Services will perform these activities at the rate of \$150.00 per application. It is suggested that the local agency set an application fee of \$75.00 for these services.
 - F. Permits for Privies. SEO Services will process these applications for \$180.00. It is suggested that the local agency set a fee of \$90.00 for these applications. The fees assume that soils evaluations are completed or not required.

SUBJECT

FEES

- G. All applications are subject to a fee surcharge if the amount of work exceeds that normally required for permitting. Extra fees shall be payable to the local agency upon billing and shall be calculated to be consistent with the reimbursement program. Normal processing of a new permit applications will require not less than five site visits: soil logs, percolation testing, design review, cover-up and final inspection.
- H. Reimbursable expenses not covered by permit fees are to be billed to the local agency. These activities are to be compensated at a rate of \$30.00 per hour. Malfunction complaints and activities related to permitting which are not covered by permit fees are designated as "general." Also included in the category would be DEP mandated SEO training, assistance with reimbursement forms and attendance at meetings to discuss permit related issues.

2. Non-reimbursable Activities.

- A. These expenses are not reimbursable and must be billed directly to the client requesting the service. These services include, but are not limited to, testing and other chores related to subdivision approval, planning meetings and functions, module review and certain "general" activities requested by the local agency. SEO Services will perform these activities according to the following schedule:

- (1) Primary activities performed by SEO \$30.00 per hour
- (2) Support activities by crew members \$18.00 per hour
- (3) Clerical support \$15.00 per hour

- B. Mileage will be charged at the rate currently permitted by the State of Pennsylvania.
- C. It is suggested that the local agency bill these services to developers, etc., at the rate of 110%. This 10% surcharge will insure that the local agency incur no loss of revenues. SEO Services will include billing information as a part of the normal invoices.
- D. An additional fee of 20% will be added to charges for percolation testing performed between November 15 and March 15, due to harsh weather conditions, but will apply only to subdivision related testing.

3. Reimbursable IRSIS/SFTF Inspections.

SUBJECT

FEES

- A. At least three inspections per year for SFTF and two inspections per year for IRSIS based on Installation and Maintenance Agreement, a \$25.00 fee per inspection should be collected by the local agency with \$50.00 per inspection payable to SEO Services. Lab fees are to be paid by the permittee.
- B. For both SFTF and IRSIS, the number of inspections shall be four the first year and for the first year following any property sale.
- C. Additional inspections as deemed necessary by the SEO, with the same fee payable to SEO Services and billed to the permittee.
- D. Permittee to post a surety in an amount of _____ prior to module approval for SFTF or prior to permitting for IRSIS. Bond to be reduced to _____ after the first year of successful operation of the system and would return to _____ for the first year after ownership changes. Bond to be cash bond or escrow deposit or in a form acceptable to the local agency.
- E. Permittee to pay \$25.00 per year to the local agency to cover costs related to surety administration. Such fees payable within 10 days of billing by the local agency.

SIGNS

The minimum sign fee is \$35.00 per sign or \$1.00 per sq. ft., whichever is greater

[Res. 03-2007]

SUBDIVISION AND LAND DEVELOPMENT

Subdivision of Land

1 to 20 lots	\$110.00 + \$16.00 per lot
21 to 40 lots	\$135.00 + \$15.00 per lot
41 + lots	\$160.00 + \$14.00 per lot
Lot consolidation, lot line corrections	\$100.00
Granting of time extension	
1 st extension	no charge
2 nd extension or more	\$100.00 each occurrence

Land Development

The minimum land development fee is \$500.00 or \$100.00 per acre, whichever is greater

Granting of time extension	
1 st extension	no charge

SUBJECT	FEES
2 nd extension or more	\$100.00 each occurrence
Condo Plans	\$100.00
<u>[Res. 03-2007]</u>	

TRANSIENT RETAIL MERCHANT'S LICENSE FEE (13, §208)	\$25.00
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WATER AUTHORITY GREEN VAN

With an operator	\$15.00 per hour
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ZONING FEES

Zoning Hearing Board Application Fees	
Appeal from action of Zoning Officer or variance	\$350.00
Challenge to validity of the Zoning Ordinance	\$500.00
Curative amendment filing fee	\$500.00
Conditional use hearing	\$500.00
Rezoning request	\$500.00
Parkland fee in lieu	\$2,500.00/unit

[Res. 03-2007]

(Res. 10/2/2000; as amended by Res. 03-2001, 5/7/2001; by Res. 03-2002, --/2002; and Res. 02-2004, 2/2/2004; by Res. 02-2005, 1/3/2005; by Res. 08-2006, 5/1/2006; and by Res. 03-2007, 1/2/2007)

