

Snyder Township
June 26, 1970

ORDINANCE NO. 18

ORDINANCE PROHIBITING JUNK MOTOR VEHICLES WITHIN SNYDER TOWNSHIP, JEFFERSON COUNTY, PENNSYLVANIA AND PROVIDING PENALTIES.

Be it ordained and enacted by the Supervisors of Snyder Township, Jefferson County, Pennsylvania and it is hereby ordained and enacted by the authority of the same as follows:

Section 1: Junk Motor Vehicles prohibited in Snyder Township, Jefferson County, Pennsylvania.

Hereafter, all junk motor vehicles located in Snyder Township, Jefferson County, Pennsylvania are declared public and common nuisances, noxious and offensive to the inhabitants of the Township and are prohibited within the area of the Township of Snyder, Jefferson County, Pennsylvania.

Section 2: Definitions.

A Junk Motor Vehicle is hereby defined as any self-propelled device in, upon or by which any person or property is or may be transported or drawn upon a public highway required to be licensed by the Commonwealth of Pennsylvania pursuant to the Vehicle Code and does not bear registration plates issued by the Commonwealth of Pennsylvania for the current year in accordance with the Vehicle Code.

Section 3: Abatement of Nuisances.

Any nuisance as aforesaid existing within the Township of Snyder, Jefferson County, Pennsylvania, on public or private property, may be summarily abated and removed in any manner deemed by the Township Supervisors or their representatives to be necessary or convenient by persons authorized by the Township Supervisors, or upon notice or knowledge of any such nuisance as aforesaid, the Township Supervisors may require the removal or abatement of such nuisance by the owner or occupier of any grounds, whereon the same is located or maintained within forty eight (48) hours after service of notice as herein provided. Such notice shall be in writing and shall specify the nuisance existing and indicate the abatement or removal required, and shall state that, in default of removal or abatement by such owner or occupier, the Township Supervisors may cause the same to be done, and collect the cost thereof together with a penalty as herein provided. If Personal service cannot be had upon such owner or occupier, service may be made upon the agent or any adult member of the family of said owner or occupier or upon his representative or the one for the time being in charge of the said property, or in charge of any place of business of the said owner or occupier, and, in default thereof, by posting said notice upon the premises affected

Snyder Township
June 26, 1970

ORDINANCE NO. 18
-CONTINUED-

for not less than seventy-two (72) hours before such abatement or removal. After the expiration of the aforesaid forty-eight (48) hours, or, the said property is posted as herein provided, of the aforesaid seventy-two (72) hours, the Township Supervisors, by themselves or through such, other representatives as they may designate, may forthwith abate or remove any such nuisances as aforesaid, and thereafter collect the cost of such abatement or removal, together with a penalty of ten per cent (10%) of such cost, from the said owner or occupant in the manner provided by law.

Section 4: Penalty for Violation.

In addition to any other remedy herein provided, any person, firm, or corporation maintaining or assisting in the maintenance of any nuisance as herein defined and prohibited, shall upon conviction thereof in a summary proceeding before any justice of the peace having jurisdiction, be liable to a fine of not more than one hundred dollars (\$100), or, in default thereof, to imprisonment for not over thirty (30) days; for each offense, and thereafter, during any continuance of said nuisance, to a fine not exceeding fifty dollars (\$50) for each twenty-four (24) hours of said continuance.

Ordained and enacted at a regular meeting of the Supervisors of the Township of Snyder, County of Jefferson and Commonwealth of Pennsylvania, on this 26th day of June, 1970.

Wayne Calhoun
Ronald Pifer
John A. Ross,
Secretary

Snyder Township
April 27, 1979

ORDINANCE NO. 42

AN ORDINANCE OF THE TOWNSHIP OF SNYDER, JEFFERSON COUNTY, PENNSYLVANIA PROVIDING THAT NO ENTRANCE OR DRIVEWAY WHICH CONNECTS TO PUBLIC ROADS OF THE TOWNSHIP OF SNYDER BE CONSTRUCTED, ALTERED, PAVED, OR REPAIRED WITHOUT FIRST SECURING A PERMIT.

Be it ordained by the Township of Snyder, Jefferson County, Pennsylvania, as follows:

Section 1: No person, firm, or corporation shall construct, alter, pave, or repair an entrance or driveway which connects with a public road of the Township except under conditions, restrictions, and regulations as may be prescribed in permits granted by the Township for such purposes.

Section 2: The application for a permit shall be on a form prescribed by the Township and submitted to the Township in duplicate. The application shall be accompanied by a fee as prescribed in said permits, and in addition, two (2) copies of a sketch showing the dimensions, grade, and provisions for drainage for said entrance or driveway and the Township Road.

Section 3: A permit shall be issued to the applicant after a determination that adequate provision has been made for drainage from the said entrance or driveway and the Township Road.

Section 4: Upon completion of the work, the applicant shall give written notice thereof to the Township.

Section 5: Upon completion of the work authorized by the permit, the Township shall inspect the work and when necessary enforce compliance.

When drainage is not adequate, and the applicant fails to rectify the same within sixty (60) days after written notice from the Township to do so. The Township may do the work and impose upon the applicant the cost thereof together with an additional twenty (20) per centum of such cost.

Section 6: Any person, firm, or corporation which shall violate any of the provisions of this ordinance shall be subject, upon conviction before a District Justice, to pay a fine of not more than three hundred dollars (\$300.00) and cost of prosecution, and in default of the payment of such fine and costs to imprisonment in the County Jail for not more than five (5) days.

Snyder Township
April 27, 1979

ORDINANCE NO. 42
-CONTINUED-

Section 7: Any ordinance or part of ordinance inconsistent herewith is hereby repealed insofar as it is inconsistent herewith.

Enacted into an ordinance this 27th day of April, 1979.

Supervisors
Township of Snyder
Fred Whelpley
Ronald Pifer
John A. Ross,
Secretary

TOWNSHIP OF SNYDER

ORDINANCE NO. 102

AN ORDINANCE REGULATING STREET OPENINGS (EXCAVATIONS), SETTING FORTH REQUIREMENTS FOR PERMITS, AND PROVIDING FOR EMERGENCY WORK AND PUBLISHING INCOMPLETE OR SUBSTANDARD WORK.

BE IT ENACTED AND ORDAINED by the Supervisors of Snyder Township of Jefferson County, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION 1. DEFINITIONS AND INTERPRETATION

The following words, when used in this ordinance, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

- A. EXCAVATION - any activity within the right-of-way of any street, alley, or cartway which involves cutting, breaking, or disturbing the surface thereof. In this ordinance, the term OPENING shall have essentially the same meaning as excavation.
- B. STREET - any public street, avenue, road, square, alley, highway, or other public place located in the Township and established for the use of vehicles, but shall not include State highways.
- C. PERSON - any natural person, partnership, firm, association, corporation or municipal authority.

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

SECTION 2. PERMIT REQUIRED TO MAKE OPENING OR EXCAVATION

It shall be unlawful for any person to open or to make any excavation of any kind in any of the streets in the Township without first securing a permit therefor, as hereinafter provided.

SECTION 3. APPLICATION FOR PERMIT

Any person who shall desire to make any opening or excavation in any of the streets in the Township shall make application to the Township Secretary in writing for that purpose. Such application shall be made upon blanks to be furnished by the Township and shall set forth the name of the applicant, the exact location of the proposed

opening or excavation, and the approximate size or depth thereof, and shall contain an agreement on the part of the applicant that the work shall be done in full compliance with the ordinances of the Township and the laws of the Commonwealth in relation thereto, and that the applicant shall well and truly save, defend and keep harmless the Township from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to persons or property resulting in any manner therefrom, or occurring in the prosecution of the work connected therewith, or from any other matter, cause or thing relating thereto.

SECTION 4. PERMIT FEE

Before any permit shall be issued to open or excavate any street in the Township the applicant shall pay a permit fee in the minimum amount of 10.00 to cover the cost of inspection and other incidental services in connection therewith. When application shall be made to open or excavate any longitudinal opening or excavation in excess of ten feet (10'), before any permit shall be issued so to open or excavate, the applicant shall pay in addition to such minimum fee, an additional fee at the rate of _____ for each one hundred feet (100') or fraction thereof to be opened or excavated upon such street.

SECTION 5. ISSUANCE OF PERMITS RESTRICTED

Permits shall be issued only to persons furnishing public utility services or the owner or owners of the real property adjoining the location where such opening or excavation is to be made.

SECTION 6. INFORMATION CONTAINED ON PERMIT

Any permit issued hereunder shall specify the exact location where the opening or excavation is to be made, the approximate permitted size or depth thereof and the time within which the work for which the permit is granted to be completed.

§7. PERMIT APPROVAL/DISAPPROVAL

A permit may be issued to the applicant after all the requirements therefor have been filed. If the applicant is disapproved, written notice of disapproval together with reasons therefor shall be given to the applicant.

§8. RESPONSIBILITY TO CONTACT UTILITIES

The work authorized by the permit is subject to all the provisions of the Act of December 10, 1974, P.L. 852, No. 287, § 1 *et seq.*, as amended or supplemented from time to time. It shall be the permittee's responsibility to contact the utilities that have recorded their facilities in compliance with said Act. A partial list of utilities providing services in the Township and their office addresses may be obtained from the County Recorder of Deeds.

SECTION 9. REFILLING OF OPENING OR EXCAVATION; RESTORATION OF SURFACE;
RESPONSIBILITY FOR DEFECTS OCCURRING WITHIN 2 YEARS

Any person who shall open or excavate any street in the Township shall thoroughly and completely refill the opening or excavation in such a manner as to prevent any settling thereafter, and shall restore the surface to the same condition as it was before the opening or excavation, and such restoration shall be in accordance with the specifications of the Department of Transportation of the Commonwealth of Pennsylvania which are hereby adopted as specifications of the Township for restoration of surfaces of streets in the Township, as restored, the surface shall conform to the proper grade and be of the same surface covering as the part of the thoroughfare immediately adjoining the opening. If within two (2) years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Township for the cost of all necessary repairs to the permanent paving.

SECTION 10. RESPONSIBILITY OF PERMIT HOLDER FOR CERTAIN WORK; RIGHT OF
TOWNSHIP TO DO CERTAIN WORK; CHARGES THEREFOR

All other work in connection with openings in any street, including excavation, protection, refilling and temporary paving, shall be done by or for the person to whom or which the permit has been issued at his or its expense, and all such work shall be subject to the provisions of this ordinance and to the supervision and approval of the Township Roadmaster, provided that the Roadmaster may if he deems it necessary to the proper performance of the work, require that cutting of the surface of streets and the backfilling of all excavations therein shall be done by the Township, in which event the applicant shall pay the actual cost of the work performed by the Township.

SECTION 11. REQUIREMENTS FOR WORK; CORRECTION OF UNSATISFACTORY WORK;
COMPLETION OF INCOMPLETE WORK

1. No opening or excavation in any street shall extend from the curb line into the highway a distance greater than one foot (1') beyond the centerline of the street before being refilled and the surface of the highway restored to a condition safe and convenient for travel.

2. No more than five hundred feet (500') longitudinally shall be opened in any street at any one time.

3. The work of excavation shall be so conducted as not to interfere with the water mains, sewers or their connections with the houses, or any other subsurface lines or constructions, until permission of the proper authorities in connection with such subsurface lines or constructions shall have been obtained.

4. No tunneling shall be allowed without the express approval of the Township Roadmaster and permission therefor endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the Township Roadmaster or an inspector designated by him, and shall be done only in a method approved by him.
5. All openings or excavations shall be backfilled promptly with modified 2A stones and thoroughly compacted in layers, each of which layers shall not exceed eight inches (8") in depth. Backfilling shall be placed to within ten inches (10") of the surface.
6. A temporary paving of coldpatch premix, thoroughly bound and compacted, shall be installed flush with the surface of the adjoining paving and maintained for a period of ninety (90) days.
7. On concrete base streets, such base shall be replaced with concrete and the minimum size of the opening or excavation shall be sixteen (16) square feet.
8. During the making of any excavation in the street, every necessary and reasonable precaution shall be taken by the applicant and the parties making the same to keep the street in a safe and passable condition both day and night by guards, barriers, lanterns and other devices, and all excavating permits granted hereunder are granted under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the Township from any loss in damages, or otherwise whatsoever, which may or shall be occasioned at any time by the said excavation, or by any leak, explosion or other injury from any pipe, apparatus, conduit, or any other matter placed in the said excavation.
9. The applicant shall notify the Township Roadmaster when the opening or excavation is ready for backfilling before and backfilling is done, when backfilling work is completed, when the temporary paving has been installed, and when the street has been permanently restored so that inspections may be made.
10. In the event that any work performed by or for a permit holder shall, in the opinion of the Township Roadmaster be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him, or in the event that the work for which the permit was granted is not completed within the time fixed by the Township Secretary, the Township may proceed to correct such unsatisfactory work or complete any such work not completed, and charge the cost thereof, plus twenty percent (20%) to the applicant.

SECTION 12. EMERGENCY OPENINGS

In the case of any leak, explosion or other accident in any subsurface pipe, line, construction or apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus, to commence an excavation to remedy such

condition before securing a permit, provided that application for a permit shall be made immediately and not later than the next business day thereafter, and that all other provisions of this ordinance are fully complied with. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, constructon, or apparatus, the Township Roadmaster, after such notice as he shall deem necessary under the circumstances of the particular case, shall proceed to do the work necessary and required by such emergency, and charge the same on the basis of cost plus twenty percent (20%) to such owner or person.

SECTION 13. RESTRICTIONS REGARDING TREES AND SHRUBBERY

The permission herein granted does not confer upon the permittee or its contractors the right to cut, remove or destroy trees or shrubbery within the legal right-of-way except under specifications, regulations and conditions as the Township may prescribe.

SECTION 14. WORK NECESSITATING OPENING OR EXCAVATION TO BE DONE PRIOR TO STREET IMPROVEMENT AND NOT UNTIL 5 YEARS THEREAFTER; EXCEPTION

The Township Secretary shall give timely notice to all persons owning property abutting on any street within the Township about to be paved or improved, and to all public utility companies operating in the Township, and all such persons and utility companies shall make all water, gas or sewer connections, as well as any repairs thereto which would necessitate excavation of the said street within thirty (30) days from the giving of such notice, unless such time is extended in writing for cause shown by the Township Secretary at the direction of the Township Board of Supervisors. New paving shall not opened or excavated for a period of five (5) years after the completion thereof, except in case of emergency, the existnece of which emergency and the necessity for the opening or excavating of such paving to be determined by the Township Roadmaster. If it is sought to excavate upon or open a sewer with five (5) years after the completion of the paving, applicant shall make written application to the Township Board of Supervisors, and a permit for such opening shall be issued only after express approval of the Township Board of Supervisors.

SECTION 15. PERMITEE RESPONSIBILTIES FOR FUTURE RELOCATION OF WORK

If at any time in the future the roadway is widened, reconstructed or the alignment or grades are changed, the permittee further agrees to change or relocate all or any part of the structures covered by this permit which interfere with the improvement of the roadway at its own cost and expense.

SECTION 16. CONDITIONS FOR LAYING AND EXTENDING UTILITY LINES

No new water, sewer, steam or gas main or electric, telephone or other utility line shall hereafter be laid or constructed, and no such existing main or line shall be extended, in any of the streets on the Township until the plan therefor shall have been first filed

with the Township Secretary and such plan, and the exact location of such main or line, approved by him/her, at the direction of the Board of Supervisors. The Township Secretary shall not approve the locating of any such main or line at a depth of less than thirty inches (30") from the surface of the street unless he/she shall be convinced that locating the same at a depth of more than thirty inches (30") from the surface is impossible or impractical.

SECTION 17. BOND REQUIRED

No company, corporation or association shall dig up any street or alley without first giving to the Township a bond with some acceptable trust or surety company as surety in the sum of ten thousand dollars (\$10,000.00), conditioned for the faithful performance of these provisions and also for any and all damages, claims, demands, suits, costs and counsel fees occasioned or arising from the digging up, opening or closing of said streets and alleys.

SECTION 18. PAYMENT FOR WORK DONE BY TOWNSHIP

Payment for all work done by the Township under the provisions hereof shall be made by the person made liable therefor under the provisions hereof within thirty (30) days after a bill therefor is sent to such person by the Township. Upon failure to pay such charges within such time, the same shall be collectible by the Township by an action in assumpsit or in the manner provided by law for the collection of municipal claims.

SECTION 19. PENALTIES

Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this ordinance continues shall constitute a separate offense.

SECTION 20. APPLICABILITY

The provisions of this ordinance shall not apply to laying sidewalks or curbs.

SECTION 21. REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

SECTION 22. SEVERABILITY

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that

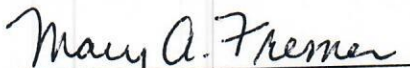
this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 23. EFFECTIVE DATE


This ordinance shall become effective immediately.

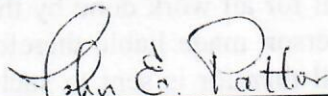
ORDAINED AND ENACTED by the Board of Supervisors of Snyder Township on this 27th day of May, 2004, at the regular meeting of the Snyder Township Board of Supervisors.

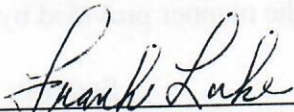
ATTEST:


Mary A. Fremer
Mary Fremer, Secretary

TOWNSHIP OF SNYDER:

By: 
Terry Felt
Terry Felt, Chairman
Board of Supervisors

By: 
John E. Patton
John Patton, Supervisor

By: 
Frank Luke
Frank Luke, Supervisor

ORDINANCE NUMBER 110
SNYDER TOWNSHIP
JEFFERSON COUNTY, PENNSYLVANIA

AN ORDINANCE OF SNYDER TOWNSHIP, JEFFERSON COUNTY, PENNSYLVANIA, REGULATING OUTDOOR FURNACES, PROVIDING FOR STANDARDS OF OPERATION, LOCATION AND PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the members of the Board of Supervisors of Snyder Township have received numerous complaints regarding the operation of outdoor furnaces throughout the Township; and

WHEREAS, these complaints primarily involve the releasing into the atmosphere of smoke, foul-smelling odors and fumes which cross property lines and victimize neighboring lands, homes, and businesses and impair vision on public highways; and

WHEREAS, the members of the Board of Supervisors of Snyder Township have personal knowledge of the release into the atmosphere of smoke, foul-smelling odors and fumes from outdoor furnaces on lands where the furnaces are located which travel across property lines only to irritate, offend and jeopardize the health of neighboring land owners, homes and businesses; and

WHEREAS, the Board of Supervisors of Snyder Township wants to promote the health, safety and welfare of all its citizens; and

WHEREAS, The Second Class Township Code (53 P.S. 65101, et seq., as amended), particularly Sections 1506 (General Powers), 1527 (Public Safety), 1529 (Nuisances), and 1601(c)(1)(2), et al. (Enforcement of Ordinances) grants the Township the specific power to enact ordinances regulating the emission of smoke and establish penalties for violation of said ordinances;

BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors of Snyder Township, to wit:

1. Purpose and Scope.

Residences, commercial and industrial establishments located within Snyder Township are entitled to clean air and environmental conditions free of unreasonable dust, odors, fumes and smells, as well as an environment which is free of stored debris and combustible fuels in outdoor areas within the densely populated Township.

Commonly available research indicates that outdoor furnaces generate emissions which cross property lines and because these emissions, including, but not limited to, smoke, stay close to the ground they readily infiltrate neighboring residences and buildings and can easily come into contact with people and animals both indoors and outdoors. These emissions have been observed

to cause poor visibility, including upon highways, streets, and alleys within the Township. These emissions can aggravate cardiovascular and respiratory health problems, such as angina and asthma, bronchitis and emphysema, as well as irritate breathing and irritate the eyes of healthy persons.

2. Definitions.

Chimney – A tube attached to an outdoor furnace for the purpose of channeling fumes, smoke and odors away from the outdoor furnace.

Fuel – Only fuel approved and recommended for use by the manufacturer of the outdoor furnace shall be burned. In no event will fuel include cardboard, cooking oil, garbage, gasoline, lawn or tree trimmings, leaves, naphtha, paper, plastics, rubber, trash, material treated with petroleum or other substances, or materials the fumes from the combustion of which may be dangerous to the health of an average person or cause poor visibility on any highway, street or alley within the Township.

Outdoor Furnace – Any outdoor fuel burning device, appliance, apparatus, equipment, furnace, container, or any part thereof, whether marketed and sold by a manufacturer as an outdoor furnace or otherwise, which is installed, affixed or situated on property within Snyder Township for the purpose of combustion of fuel to produce heat for a heating system used to heat an interior space or water. Included are outdoor furnaces which have been enclosed by any kind of structure or building of any kind, including a garage or shed separated by space from the residence or building the furnace serves. Any "homemade" outdoor furnace is prohibited.

Person – Any individual, agent, independent contractor, business, partnership or corporation. Use of the singular herein shall include the plural.

Smoke – Any by-product, whether visible or not visible, produced by the combustion or burning of any material when operating an outdoor furnace.

3. Location.

Every outdoor furnace shall be placed at least fifty (50) feet from any property line of the property on which it is located, at least twenty-five (25) feet from the structure it is serving, and at least one hundred fifty (150) feet from any building on any property which borders the property on which the furnace is located. A furnace must be located only upon the same lot as the structure it serves. A furnace shall not be placed on any alley, street, highway, path or trail.

In no event shall an outdoor furnace be located within one thousand (1000) feet of any property line of any of the following: any armory, day care center, hospital, medical facility, including an office of a member of the healing arts, nursery, nursing home, personal care home, school, or United States Highway Number 219 or Pennsylvania State Route Number 28.

4. Installation and Removal.

Every outdoor furnace shall be installed, operated and maintained at all times in accordance with the manufacturer's installation and operation instructions and recommendations and all Township, county, state and federal codes, laws, regulations and rules. In the event of a conflict among any of these, the stricter shall apply. The owner of the outdoor furnace shall keep a copy of the manufacturer's installation, operation and maintenance instructions at the furnace location for inspection by the appropriate agent of the Township.

All outdoor furnaces shall meet the current emission standards and other regulations for such appliances promulgated by the United States Environmental Protection Agency and the Pennsylvania Department of Environmental Protection. These standards, and all amendments, are adopted in total by Snyder Township by reference.

In the event an outdoor furnace is more than seventy-five percent torn down, physically deteriorated or decayed, it must be removed or replaced with a new unit within two weeks of receiving written demand for removal by the Code Enforcement Officer.

5. Fuel.

Every outdoor furnace shall use only the type of fuel as recommended by the manufacturer and required by this Ordinance or other code, law or regulation.

6. Extinguishment.

Upon discovering an outdoor furnace to be operating or being maintained in violation of the provisions of this ordinance, the Township agent shall give the operator of said outdoor furnace written notice to correct or cease the violation within ten (10) days of the date of receipt of the written notice. The written notice shall specify the section of this ordinance the operator is violating and shall be served in person on the operator, or his representative, in accordance with the provisions of the Pennsylvania Rules of Civil Procedure, as amended, regarding manner of service of original process. An extension may be given in excess of this ten (10) day period only by the Board of Supervisors by written request of the outdoor furnace operator during the initial ten (10) day notice period.

However, in the event of an emergency where the continued operation of the outdoor furnace poses an immediate threat to the life or property of a resident of the Township, any code enforcement officer, fire official or other designated official or agent of the Township may order the immediate extinguishment of any fire in any outdoor furnace being operated in violation of the provisions of this Ordinance. Said official or agent may take any reasonably prudent action to extinguish or cause the extinguishment of any fire in any outdoor furnace believed to be operated in a manner which violates the provisions of this Ordinance. Failure to follow the directives of any such official or agent named herein shall constitute a violation of this Ordinance. Any time an outdoor furnace is extinguished pursuant to the provisions of this section, it shall be reported to the Snyder Township Board of Supervisors.

7. Permit.

Any person who wants to install or operate an outdoor furnace shall first obtain a permit from the Snyder Township Code Enforcement Officer. The fee and application form for this permit shall be promulgated and revised from time to time by the Snyder Township Board of Supervisors. No outdoor furnace shall be installed or operated without a valid permit. A permit may be suspended by the Code Enforcement Officer in the event the permittee fails to comply with any provision of this Ordinance, including amendments hereto, or any other code, law or regulation.

Any permit may be revoked for any violation of this Ordinance, particularly (but not limited to) the occurrence of any one of the following conditions:

- a. Emissions from an outdoor furnace which are detectable not on the property for which the permit has been issued;
- b. Emissions from an outdoor furnace which interfere with the reasonable enjoyment of life or property;
- c. Emissions from an outdoor furnace which cause damage to property; or
- d. Emissions from an outdoor furnace which irritate or harm the health of a human or animal.

8. Existing Outdoor Furnaces.

The standards and regulations set forth in this Ordinance, except for Section 3, Location, shall apply to all outdoor furnaces already being operated within Snyder Township on the date this Ordinance is enacted at an effective date set forth below.

9. Penalty

Any violation of any provision of this Ordinance shall be a summary offense. Upon conviction, a person shall be sentenced to pay a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00), plus costs, and, in default of payment, to a term of imprisonment not to exceed thirty (30) days.

Each day a violation exists shall be deemed and constitute a separate offense.

10. Severability

If any sentence, clause, section or part of this Ordinance is found to be unconstitutional, illegal or invalid for any reason, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions of this ordinance which would have been adopted had such invalid sentence, clause, section or part had not been included herein.

11. Repealer

Any portion of any other Ordinance which is in conflict with the terms and provisions of this Ordinance is hereby repealed.

12. Effective Date

This Ordinance shall go into effect five days after enactment. Section 8 shall go into effect November 1, 2007.

ENACTED AND ORDAINED this 27th day of September, 2007.

ATTEST:

SNYDER TOWNSHIP:

Mary A. Frenner
Secretary

Darryl L. Felt
Supervisor

[Signature]
Supervisor

John E. Patton
Supervisor

ORDINANCE NUMBER 136

**SNYDER TOWNSHIP
JEFFERSON COUNTY, PENNSYLVANIA**

AN ORDINANCE OF SNYDER TOWNSHIP, JEFFERSON COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 110 WHICH WAS ENACTED AND ORDAINED ON SEPTEMBER 27, 2007 FOR THE REGULATION OF OUTDOOR FURNACES, PROVIDING FOR STANDARDS OF OPERATION, LOCATION AND PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the members of the Board of Supervisors of Snyder Township have determined that the continuation of the Ordinance regarding the operation of outdoor furnaces throughout the Township continues to be necessary; and

WHEREAS, the members of the Board of Supervisors of Snyder Township have determined that certain amendments need to be made to the existing Ordinance; and

WHEREAS, the Second Class Township Code (53 P.S. 65101, *et seq.*, as amended), particularly Sections 1506 (General Powers), 1527 (Public Safety), 1529 (Nuisances), and 1601(c)(1)(2), *et al.* (Enforcement of Ordinances) grants the Township the specific power to enact ordinances regulating the emission of smoke and establish penalties for violation of said ordinances;

BE IT ENACTED AND ORDAINED that Ordinance No. 110 which was enacted and ordained on September 27, 2007 is hereby amended as follows:

1. Purpose and Scope.

Residences, commercial and industrial establishments located within Snyder Township are entitled to clean air and environmental conditions free of unreasonable dust, odors, fumes and smells, as well as an environment which is free of stored debris and combustible fuels in outdoor areas within the densely populated Township.

Commonly available research indicates that outdoor furnaces generate emissions which cross property lines and because these emissions, including, but not limited to, smoke, stay close to the ground they readily infiltrate neighboring residences and buildings and can easily come into contact with people and animals both indoors and outdoors. These emissions have been observed to cause poor visibility, including upon highways, streets, and alleys within the Township. These emissions can aggravate cardiovascular and respiratory health problems, such as angina and asthma, bronchitis and emphysema, as well as irritate breathing and irritate the eyes of healthy persons.

This Ordinance shall go into effect five (5) days after enactment. **The amendments to Ordinance No. 110, as set forth in the within Ordinance, shall go into effect five (5) days after enactment.**

ENACTED AND ORDAINED THIS 28th DAY OF April, 2016.

ATTEST:

Mary A. Framer
Secretary

SNYDER TOWNSHIP:

Thomas Sedora
Supervisor

Michael H. Hart
Supervisor

John E. Patton
Supervisor

**SNYDER TOWNSHIP
ORDINANCE 113**

AN ORDINANCE REGULATING OUTDOOR BURNING

WHEREAS, it has been brought to the attention of the Board of Supervisors of Snyder Township, Jefferson County, Pennsylvania, by the Brockway Volunteer Fire Department that there have been numerous call outs to extinguish fires which have gotten out of control on properties within the Township; and

WHEREAS, the call outs prevent the Fire Department from attending more serious calls which may occur simultaneously at other locations; and

WHEREAS, it is commonly recognized that certain inherently dangerous activities, such as burning, are potentially destructive to persons and property at certain times of the year and during certain weather conditions; and

WHEREAS, the Board of Supervisors of Snyder Township believe it would be in the best interest and safety of the citizens of the Township to regulate outdoor burning;

THEREFORE, BE IT ORDAINED and DECREED that:

§ 1. Burning restricted.

Except as hereinafter provided, no person shall burn, authorize, or permit another to burn anything out of doors within the Township other than in accordance with the provisions of this ordinance.

§ 2. Definitions.

The following words, terms, and phrases, when used in this ordinance, unless the context clearly indicates otherwise, shall have the following meaning ascribed to them:

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

Domestic Refuse – Waste which is generated from normal occupancy of a structure occupied solely as a dwelling. The term includes appliances, carpets, demolition waste (insulation, shingles, siding, etc.), furniture, mattresses or box springs, paint, petruscible waste, solvents, tires, or treated wood.

Open Burning – A fire, the air contaminants of which are emitted directly into the upper atmosphere and not directed thereto through a flue.

§ 2. Minimum distances and attending a fire.

- A. Willful burning shall not take place within 30 feet of the nearest structure.
- B. Except as otherwise provided, all outdoor burning must be constantly attended by an adult over the age of 18 years, having at hand at all times the means to completely extinguish the fire.

§ 3. Hours for burning.

No outdoor burning may take place after sunset or before sunrise.

§ 4. Waste burning prohibited.

Domestic refuse, as defined herein, shall not be burned within the Township.

§ 5. Notification of intent to burn.

Any person who burns, authorizes, or permits another to burn anything out of doors in accordance with this ordinance shall notify Jefferson County Control through their non-emergency telephone number, that currently being 814-849-1617, no less than two hours prior to igniting a fire. It is specifically prohibited to use the Jefferson County Control Emergency 911 number for this service.

§ 6. Wind conditions.

No fire under this section shall be started or, if started, be allowed to continue to burn or smolder when the wind conditions present an unreasonable risk of spreading the fire.

§ 7. Extinguishment of dangerous fires and ban on burning.

Any fire on public or private property may be extinguished by any local fire company or police officer having jurisdiction, with or without the consent of the landowner, his agents or workmen, if, within the opinion of the Snyder Township Emergency Management Agency Coordinator, such fire constitutes a danger to persons or property. In addition, the Emergency Management Agency Coordinator may institute a complete burning ban if deemed necessary in his opinion by notifying the local fire departments and the Jefferson County Emergency Management Agency.

§ 8. Violations and penalties.

Any person who violates or permits a violation of this ordinance, shall, upon conviction in a summary proceeding brought before a magisterial district judge, be guilty of a summary offense and shall be punishable by a fine of not less than \$25.00 for a first offense, plus costs of prosecution. Subsequent offenses shall be punishable by a fine of not more than \$1,000.00, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding ninety days in the Jefferson County Jail. Each day or portion that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this ordinance that is violated shall also constitute a separate offense.

§ 9. Severability.

If any sentence, clause, section or part of this ordinance is found to be unconstitutional, illegal or invalid for any reason, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions of this ordinance which would have been adopted had such invalid sentence, clause, section or part had not been included herein.

§ 12. Repealer.

Any ordinance or portion thereof which is in conflict with the terms and provisions of this ordinance is hereby repealed.

§ 13. Effective Date.

This ordinance shall go into effect five days after enactment.

ORDAINED this 31st day of July, 2008.

ATTEST:

Mary A. Frenner
Secretary

SNYDER TOWNSHIP:

Gary L. Goff
Chairman

William E. Carr
Supervisor

John E. Patton
Supervisor

**TOWNSHIP OF SNYDER
JEFFERSON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 125

**AN ORDINANCE CREATING FACILITIES FOR
ADMINISTRATION OF THE HEALTH LAWS THROUGH A
HEALTH OFFICER.**

WHEREAS, 53 P.S. 68001 of the Second Class Township Code permits the Township to administer the Health Laws and Ordinances by a Health Officer instead of a Board of Health, and

WHEREAS, the Supervisors desire to abolish the Board of Health and authorize the Administration of the Health Laws through a Health Officer only, and

WHEREAS, the Supervisors desire to set fees for the administration of public eating and drinking places within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Supervisors of the Township of Snyder, Jefferson County, Pennsylvania, and it is hereby **ORDAINED AND ENACTED** by the authority of the same, as follows:

1. **Health Administration.** The administration of the Health Laws and Ordinances in the Township of Snyder shall be enforced by a Health Officer and a Code Enforcement Officer. The Board of Health for the Township of Snyder is hereby abolished.
2. **Health Officer.** The Township Supervisors shall appoint a Health Officer who has been certified in accordance with the regulations of 53 P.S. 68001, and the Pennsylvania Code. Such Health Officer shall have the powers and perform the duties provided by 53 P.S. 68001 et seq. All official actions shall be performed in the name and under the signature of the Health Officer.
3. **Powers of the Health Officer.** The Health Officer shall have the power and duty to supervise the enforcement of the Health Laws of the Commonwealth as well as regulations of the State Department of Health and all Health Ordinances in the Township of Snyder in accordance with 53 P.S. 68001 et seq.

4. **Secretary to Health Officer.** The Health Officer shall use the services of the Township Secretary, when needed, perform the duties as outlined in 53 P.S. 68001.
5. **Fee Schedule.** The following fee schedule is hereby adopted for Public Eating and Drinking Licenses:
 - a. Change of proprietorship - \$82.00
 - b. New Facilities
 - i. Corporations and/or over 50 seats - \$241.00
 - ii. Sole proprietorship and less than 50 seats - \$103.00
 - c. Annual renewals - \$82.00
 - d. Temporary licenses - \$14.00
 - e. Duplicate license - \$14.00
 - f. 2nd re-inspection - \$150.00
 - g. 3rd re-inspection - \$300.00

The Supervisors may amend the foregoing fee schedule by duly adopted Resolution.

6. **Repealer.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinances or parts thereof are specifically repealed.
7. **Effective Date.** This Ordinance shall become effective thirty (30) days after enactment.

ORDAINED AND ENACTED at a regular meeting of the Supervisors of the Township of Snyder on the 30th day of August, 2012.

ATTEST:


TOWNSHIP OF SNYDER:



Mary Alice Fremer, Secretary



Fred Barefield, Chairman



Thomas Sedlock, Supervisor



John Patton, Supervisor

**TOWNSHIP OF SNYDER
JEFFERSON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 126

AN ORDINANCE OF THE TOWNSHIP OF SNYDER, JEFFERSON COUNTY, PENNSYLVANIA ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDING 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 IN THE TOWNSHIP OF SNYDER, JEFFERSON COUNTY, PENNSYLVANIA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the statutes of the Commonwealth of Pennsylvania have given authority to adopt building, housing, property maintenance, plumbing and other regulations "by reference to a standard building code, housing code or other standard codes, or to parts thereof", and

WHEREAS, the Township of Snyder adopts the 2012 Edition of the International Property Maintenance Code, and to repeal any other Ordinances inconsistent herewith.

NOW THEREFORE, BE IT ORDAINED that the Supervisors of the Township of Snyder, Jefferson County, Pennsylvania hereby **ENACT** as follows:

Section 1. That a certain document, three (3) copies of which are on file in the Office of the Secretary of the Township of Snyder, Jefferson County, Pennsylvania, being marked and designated as the International Property Maintenance Code, 2012 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Snyder, Jefferson County, Pennsylvania, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe,

sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the Office of the Secretary of the Township of Snyder, Jefferson County, Pennsylvania, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2. of this Ordinance.

Section 2. The following Sections are hereby revised:

Section 101.1 Replace [Name of Jurisdiction] with: the Township of Snyder, Jefferson County, Pennsylvania.

Section 102.3 Replace this Section in its entirety with Section 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the provisions of the Pennsylvania Uniform Construction Code, and any codes adopted pursuant thereto. Any reference in this Code to the International Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, or any other Code, including but not limited to ASME, ASTM or NFPA Standards or Codes, shall mean the version of that particular Code or Standard adopted by or currently in effect through the Pennsylvania Uniform Construction Code.

Section 103.1 Replace this Section in its entirety with: Section 103.1 General. The Code Enforcement Officer of the Township of Snyder, Jefferson County, Pennsylvania, shall be known as the Code Official.

Section 103.5 Replace [JURISDICTION TO INSERT APPROPRIATE SCHEDULE] with: As set by Resolution of the Supervisors of the Township of Snyder from time to time.

Section 111.7 Delete "for a writ of certiorari" from paragraph and replace "Chief Administrative Officer" with "Secretary of the Township of Snyder."

Section 112.4 Replace the first [AMOUNT] with: \$50.00. Replace second [AMOUNT] with: \$500.00.

Section 302.4 Replace (jurisdiction to insert height in inches) with: ten inches (10").

Section 304.14 Replace "[DATE] to [DATE]" with: March 1st to October 31st.

Section 602.3 Replace "[DATE] to [DATE]" with October 1st to April 30th.

Section 602.4 Replace "[DATE] to [DATE]" with: October 1st to April 30th.

Section 3. That all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that Supervisors of the Township of Snyder, Jefferson County, Pennsylvania, would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this Ordinance or in the Property Maintenance 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 as cited in Section 3. of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. That the Secretary is hereby ordered and directed to cause this Ordinance to be published for adoption.

Section 7. The within Ordinance shall have the following exceptions that shall apply:

- A. In regards to the height of grass and weeds as set forth in Section 302.4, this shall not apply to farm or wooded areas.
- B. In regards to Section 302.8 on motor vehicles, this Section shall not apply to farming equipment and other vehicles used in farming operations.

Section 8. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

ORDAINED AND ENACTED at a regular meeting of the Supervisors of the Township of Snyder on the 30th day of August, 2012.

ATTEST:

TOWNSHIP OF SNYDER:

Mary Alice Fremer
Mary Alice Fremer, Secretary

Fred E. Barefield
Fred Barefield, Chairman

Thomas Sedlock
Thomas Sedlock, Supervisor

John E. Patton
John Patton, Supervisor

ORDINANCE NUMBER 137

**SNYDER TOWNSHIP
JEFFERSON COUNTY, PENNSYLVANIA**

AN ORDINANCE OF SNYDER TOWNSHIP, JEFFERSON COUNTY, PENNSYLVANIA, WHICH WAS ENACTED AND ORDAINED ON September 29, 2016 FOR THE REGULATIONS REQUIRING WATER CONNECTION BY ALL PROPERTY OWNERS AND CITIZENS THROUGH WHICH WATER LINES MAY BE EXTENDED OR MAINTAINED BY THE BROCKWAY BOROUGH MUNICIPAL AUTHORITY WITHIN THE TOWNSHIP OF SNYDER, PENNSYLVANIA.

§101 - Definitions - Certain words and phrases shall have the meaning ascribed to them, as follows:

1. **AUTHORITY:** The Brockway Borough Municipal Authority or "BBMA".
2. **DEVELOPERS WATER EXTENSION:** Any extension to the water system by a Developer or Contractor in accordance with Rules and Regulations adopted by the Brockway Borough Municipal Authority for laying and maintaining a water system.
3. **HOUSE WATER:** The water pipe(s) line extending from a building or household to a water system on the Authority's Water System.
4. **WATER CONNECTION:** Any Water System constructed or operated by the Authority in the Township.
5. **WATER TAP:** A "Y" or "T" installed in the Township water line for connection purposes.
6. **TOWNSHIP:** The Township of Snyder and the Snyder Township Board of Supervisors.

§102 - General Regulations

1. Water connections to the water system shall be made only by a water tap installed by the Authority, or in accordance with a Developers or Authority's water extension.

2. All water connections and house sewers shall be constructed or reopened, inspected and approved in accordance with specifications supplied by the Authority.
3. A separated water tap and connection shall be provided for every principal building. The Authority may permit the connection of two (2) principal buildings to one (1) water tap provided that the water running from the water tap to the point of intersection of the water lines for each principal building is at least six (6) inches inside diameter and further provided that such connection will not be in any way detrimental to operation of the water system.
4. No water tap shall be opened, used or connected to a house water line except in accordance with a notice to connect or a connection permit.
5. During construction of a water system, water taps shall be installed to serve every principal building or home required to connect; and taps for vacant land shall be installed upon request of property owner, subject, however, to such regulations as may be adopted by the Authority.

§103 - Water Connection Required

1. Every property owner shall connect each principal building or dwelling to the water system, provided that it is accessible to and within one hundred fifty (150) feet of the water system or within such other distance as may be fixed by law or by any Township Subdivision Regulations and in accordance with the Authority Rules and Regulations.
2. When a water tap is installed during construction of any water system by the Authority, the connection shall be made by the property owner within sixty (60) days from the date of written notice to connect, unless an extension of time is granted for good cause.
3. When a water tap is installed in a Developers or Authority's Water Extension, the connection shall be made by the Developer or Contractor before the principal building or first building is occupied or used.
4. All other connections shall be made by the Authority upon application for a permit in accordance with §104.

§104 - Permits and Fees

1. A permit for connection to a water tap installed by the Authority shall be issued by the Authority Manager or Secretary upon application and payment of a permit fee.

2. No permit shall be required for connection to a water tap installed during construction of the water system.
3. The fee for a water connection permit shall be as established by resolution of the Authority. Where the connection to the water is by Authority or Township labor, there shall be an additional fee. All fees shall be paid to the Authority or Township at the time of making application.
4. The fee or charges for installation of a water tap during construction of the water system shall be fixed and collected by the Authority.
5. The Applicant shall also pay an inspection fee of, as established by resolution, at the time of making application for connection. This single fee shall cover all necessary inspections. This fee may, at the discretion of the Authority, be waived in the following instances:
 - (A) Where the connection is made to an existing building as part of a project by the Authority to extend the water system;
 - (B) Where the connection is made at the same time that the Authority installs the water tap; or,
 - (C) Under such other circumstances as the Board for the Authority may from time to time deem appropriate.

§105 - Penalties and Enforcement

1. Any person, firm or corporation who shall violate any provision of this Part I shall, upon conviction thereof, be sentenced to pay a fine not more than Three Hundred (\$300.00) Dollars; and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate offense.
2. If any owner neglects or refuses to connect to the water system within sixty (60) days from service of notice, the Authority shall have the rights and remedies prescribed by law, and particularly the Township Code, including the right to enter upon the premises and constructed such connection and house waters as may be required, the right to bill the owner for the itemized cost of construction, and the right to file a municipal lien for such construction within six (6) months of the date of completion.

3. The Township shall be responsible for enforcing the Rules and Regulations of the within Ordinance in accordance with the Rules and Regulations of the Authority for its property owners and citizens

ENACTED AND ORDAINED THIS 29th DAY OF September, 2016.

ATTEST:

Mary A. Freeman
Secretary

SNYDER TOWNSHIP:

Thomas Scott
Supervisor

Michael W. Hunt
Supervisor

John E. Patton
Supervisor

ORDINANCE NO. 141

AN ORDINANCE OF SNYDER TOWNSHIP, JEFFERSON COUNTY, COMMONWEALTH OF PENNSYLVANIA, REGULATING THE CONSTRUCTION, OPERATION, BONDING AND DECOMMISSIONING OF SOLAR ELECTRIC ENERGY FACILITIES.

Section 1. Title:

This Ordinance shall be known as the Solar Electric Energy Facilities and Systems Ordinance for Snyder Township, Jefferson County, Pennsylvania.

Section 2. Purpose:

The purpose of this Ordinance is to provide for regulations and requirements for the construction, installation, operation and decommissioning of Large-Scale and Medium-Scale Solar Electric Energy Facilities and Systems in Snyder Township, subject to reasonable conditions that will protect the public health, safety and welfare of the citizens and adjoining property owners in the Township.

Section 3. Definitions:

- A. "Applicant" is the Landowner, Leaseholder or Developer and includes but is not limited to their heirs, successors, agents and assigns, who has filed an Application or other related documents for development of a Solar Electric Energy Facility or System under this Ordinance.
- B. "Facility Owner" means the person or entity having an equity interest in the Solar Electric Energy Facility or System, including their heirs, successors, agents and assigns.
- C. "Operator" means the entity responsible for the day-to-day operation and maintenance of the Solar Electric Energy Facility or System.
- D. "Solar Electric System" means the components and subsystems that, in combination, convert solar energy into electric energy suitable for use. The term includes but is not limited to photovoltaic and concentrated solar power systems.
- E. "Solar Electric Energy Facility" means a Large-Scale or Medium-Scale Solar Electric Energy Facility, whose main purpose is to generate and supply electricity and consists of one or more Solar Electric Systems and other accessory structures

and buildings, including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. The facilities shall not include Solar Electric Energy Systems meant for Residential or smaller business use.

Section 4. Applicability:

- A. This Ordinance applies to any Solar Electric Energy Facility of 2 acres or more proposed to be constructed after the effective date of the Ordinance.
- B. A Solar Electric Energy Facility constructed prior to the effective date of this Ordinance shall be required to meet the requirements of this Ordinance and any Federal, State or County regulations and laws; provided that any physical modification or alteration to an existing Solar Electric Energy Facility that materially alters the size, type or components of the Solar Electric System shall require a permit under this Ordinance. Routine operation and maintenance or like-kind replacements do not require a Permit.

Section 5. Permit Requirements:

- A. No Solar Electric Energy Facility, or addition of a Solar Electric System to an existing Solar Electric Energy Facility, shall be constructed or located within Snyder Township unless a permit has been issued to the Facility Owner or Operator approving construction of the Solar Electric Energy Facility under this Ordinance.
- B. The Permit Application or amended Permit Application shall be accompanied with a fee in the amount of \$1,000.00.
- C. Any physical modification to an existing and permitted Solar Electric Energy Facility that materially alters the size, type and number of Solar Electric Systems or other equipment shall require a permit modification under this Ordinance, Like-kind replacements shall not require a Permit modification.

Section 6. Permit Application:

- A. The Permit Application shall demonstrate that the proposed Solar Electric Energy Facility will comply with this Ordinance.
- B. Among other things, the Application shall contain the following:

1. A narrative describing the proposed Solar Electric Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the Solar Electric Energy Facility, the approximate number, representative types and height and range of heights of the panels or other Solar Electric System equipment to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of all ancillary facilities.
 2. An Affidavit of similar evidence of agreement between the Landowner of the real property on which the Solar Electric Energy Facility is to be located and the Facility Owner, demonstrating that the Facility Owner has permission of the Landowner to apply for necessary Permits or approvals for construction and operation of the Solar Electric Energy Facility ("Participating Landowner Agreement").
 3. Identification of the properties thereof on which the proposed Solar Electric Energy Facility will be located, and the properties adjacent to where the Solar Electric Energy Facility will be located.
 4. A Site Plan and map showing the planned location of each Solar Electric Energy Facility, property lines, setback lines, access roads and turnout locations, substation(s), electrical cabling from the Solar Electric System to the substation(s), ancillary equipment, buildings and structures, including associated distribution and/or transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
 5. Documents relating to the Decommissioning, including a schedule for Decommissioning, and Bond in an amount of no less than \$500,000.00 shall be obtained and provided by the operating and landowner prior to the commencement of any site development or construction of Solar Energy Electric Facility or any equipment on the site.
 6. Other relevant studies, reports, certifications and approvals as may be provided by the Applicant or required by Snyder Township to ensure compliance with this Ordinance.
- C. Within thirty (30) days after receipt of a Permit Application, Snyder Township will determine whether the application is complete and advise the applicant accordingly.

- D. Within sixty (60) days of a completeness determination, Snyder Township will schedule a Public Hearing. The applicant shall participate in the Hearing and be afforded an opportunity to present the project to the public and Municipal Official, and answer questions about the project. The public shall be afforded an opportunity to ask questions and provide comment on the proposed project.
- E. Within one hundred twenty (120) days of a completeness determination, or within forty-five (45) days after the close of any hearing, whichever is later, Snyder Township will make a decision whether to issue or deny the Permit Application.
- F. Throughout the Permit process, the applicant shall promptly notify Snyder Township of any changes to the information contained in the Permit Application.
- G. Changes to the pending application that do not materially alter the initial Site Plan may be adopted without a renewed Public Hearing.

Section 7. Design and Construction:

- A. Design Safety Certification: The design of the Solar Electric Energy System shall conform to applicable industry standards, including those of the American National Standards Institute. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories (UL), IEEE, Solar Rating and Certification Corporation (SRCC), ETL, Pennsylvania Solar Energy Center (PSEC), Florida Solar Energy Center (FSEC), DEP or other similar certifying organizations.
- B. Uniform Construction Code: The Solar Electric Energy Facility and the Solar Electric System shall be constructed to and comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended, and any regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the UCC, except where an applicable industry standard has been approved by the Department of Labor and Industry under its regulatory authority.
- C. Visual Appearance / Power Lines:
 - 1. Solar Electric Energy Facilities shall not be artificially lighted, except to the extent required by safety or by any applicable federal, state or local authority.
 - 2. Solar Electric Energy Facilities shall not display advertising, except for reasonable identification of the panel, inverter or other equipment manufacturer, and the Facility Owner.

3. On-site transmission and power lines shall, to the maximum extent practicable, be placed underground.

D. Warnings:

1. A Solar Electric Energy Facility shall be enclosed by a fence, barrier or other appropriate means to prevent or restrict unauthorized persons or vehicles from entering the property.
2. Clearly visible warning signs shall be placed on the fence, barrier or Solar Electric Energy Facility perimeter to inform individuals of potential voltage hazards.

Section 8. Setbacks:

- A. Property Lines: All Solar Electric Energy Systems shall be located a minimum of 300 feet from all property lines where the System is located. These distances shall be measured from the closest edge of the Solar Electric Energy System to the property line.
- B. A Solar Electric Energy Facility shall be constructed and sited in such a way that it presents no threat to traffic or to public health and safety.

Section 9. Decommissioning:

- A. The Facility Owner and Operator shall, at their expense, complete Decommissioning of the Solar Electric Energy Facility or individual Solar Electric System within 12 months after the end of the useful life of such Facility or System. A Solar Electric Energy Facility or System will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of 12 months.
- B. Decommissioning shall include removal of all Solar Electric Energy Systems, buildings, cabling, electrical components, roads, foundations and any other associated facilities.
- C. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
- D. The Operator or Developer shall be required to post Bond prior to the time of commencement of any site development, excavation or construction of the Solar Electric Energy Facilities, System and equipment, in an amount of no less than

\$500,000.00 at all times, and shall continue to renew and provide Bond and all necessary liability and property insurances on the property prior to commencement of the same, and during any construction or operation of the Solar Electric Energy Facilities, and up to and including anytime of Decommissioning and removal of the Facilities and Systems from the property.

Section 10. Remedies:

- A. It shall be unlawful for any person, firm or corporation to violate or fail to comply with or take any action that is contrary to the terms of this Ordinance or a Permit issued under this Ordinance or cause another to violate or fail to comply, or take any action which is contrary to the terms of this Ordinance or a Permit issued under this Ordinance.

- B. If, after 30 days from the date of the notice of violation, Snyder Township determines, in its discretion, that the parties, owners, leaseholders or operators have not resolved the alleged violation, Snyder Township may institute civil enforcement proceedings or any other remedy at law or in equity to ensure compliance as provided in this Ordinance of Snyder Township and any other applicable Ordinances, local regulations, state or federal regulations or statute.

Section 11. Effective Date:

This Ordinance shall take effect on 5-25, 2023.

Mary A. Freeman
Secretary

Michael H. Holt
Michael Holt, Chairman
Snyder Township
Board of Supervisors

SNYDER TOWNSHIP
JEFFERSON COUNTY, PENNSYLVANIA
ORDINANCE # 142

AN ORDINANCE OF SNYDER TOWNSHIP, JEFFERSON COUNTY, PENNSYLVANIA, PROVIDING FOR THE OPERATION OF ALL-TERRAIN VEHICLES OR ATV/UTV VEHICLES AND SNOWMOBILES ON ALL OF THE TOWNSHIP STREETS, ROADS AND ALLEYS PROPERLY POSTED; ESTABLISHING DEFINITIONS; IMPOSING RESTRICTIONS ON USE, AGE AND NOISE, AND PROVIDING PENALTIES FOR VIOLATION OF THE SAME.

WHEREAS, the SNYDER TOWNSHIP BOARD OF SUPERVISORS is empowered by virtue of the laws of the Commonwealth of Pennsylvania, 75 Pa. C.S.A. §7722, et seq., to designate highways, roads or streets as ATV/UTV vehicle and snowmobile roads;

AND WHEREAS, the Board of Supervisors wish to adopt an Ordinance designating ALL STREETS, ROADS AND ALLEYS of Snyder Township, excluding state highways, as ATV/UTV vehicle and snowmobile roads.

AND NOW, this 29th day of June, 2023, the Snyder Township Board of Supervisors, by and through its Board at a duly authorized meeting, the Township does hereby ENACT AND ORDAIN, and it is hereby enacted, adopted and ordained as follows:

1. DESIGNATION OF ROADS

All Township streets, roads and alleys located within the Township of Snyder, Jefferson County, Pennsylvania, excluding state highways and roads, are hereby designated as ATV/UTV and snowmobile roads. All such Township roads shall be shared with vehicle traffic, subject to the conditions and restrictions set forth in this Ordinance and as provided by state, federal and local laws.

2. DEFINITIONS

(a) All-terrain vehicles or ATV/UTV vehicles are described as motorized off-highway vehicles traveling on three (3) or more low pressure inflatable tires, capable of traversing all types of terrain, including water, as set forth in detail in 75 Pa. C.S.A. §7702.

(b) A snowmobile is defined as an engine-driven vehicle which is all of the following: (1) is designed to travel over snow or ice; (2) has an endless belt track or tracks; (3) is steered by a ski or skis; and (4) has an overall width of 48 inches or less.

3. OPERATION OF ATV/UTV VEHICLES AND SNOWMOBILES UPON DESIGNATED ROADS

Pursuant to the restrictions as otherwise contained herein, ATV/UTV vehicles and snowmobiles may be operated on all of the said Township streets, roads and alleys properly posted. Said ATV/UTV vehicles and snowmobiles shall be operated in conjunction with the normal vehicular traffic thereon. All vehicles must remain on the designated areas and in no way shall enter private property without the consent of the owner or lessor or cross any waterway. Posting shall be as set forth in 17 Pa. Code. Any person operating such ATV/UTV vehicles and snowmobiles shall comply with the requirements as set forth in 75 Pa. C.S.A. §7701-7753, and the Pennsylvania Code.

4. RESTRICTION ON USE

It shall be unlawful for any person to operate ATV/UTV vehicles and snowmobiles on any highway, street, road or alley in Snyder Township other than as provided in Article 3 above. Provided, however, nothing in this Ordinance shall prohibit any person from operating ATV/UTV vehicles and snowmobiles on any other highway, street, road or alley in Snyder Township:

(a) As authorized by §7721 of the Pennsylvania Vehicle Code for emergency and bridge crossing and for direct crossing on streets or two-lane highways; or

(b) For special ATV/UTV vehicle events authorized in advance and for which the street is blocked off as provided in §7723 of the Pennsylvania Vehicle Code.

(c) All such vehicles must display a valid DCNR license plate, registration sticker and a valid Township sticker and possess a current certificate of insurance.

5. AGE RESTRICTION

No person under 16 years of age may operate ATV/UTV vehicles or snowmobiles on the street, road or alley designated under §7722 of the Vehicle Code (relating to designation of ATV/UTV vehicles and snowmobile roads) as open to ATV/UTV vehicles and snowmobiles and vehicular traffic. A person under 16 years of age who holds the appropriate safety certificate may operate ATV/UTV vehicles and snowmobiles on roads designated under §7724(b) (relating to operation on private or state property) as open to ATV/UTV vehicles and snowmobiles and vehicular traffic providing he/she is under the direct supervision of a person 18 years of age or older.

6. NOISE RESTRICTION

All ATV/UTV vehicles and snowmobiles must be equipped with a muffler in good working order and the sound intensity produced by the said vehicle may not exceed the requirements as set forth in 75 Pa. C.S.A. §7743.

7. CONFORMITY WITH PENNSYLVANIA MOTOR VEHICLE CODE

Every person operating ATV/UTV vehicles and snowmobiles upon Township land shall be subject to and shall operate said ATV/UTV vehicles and snowmobiles in conformity with the provisions of the Pennsylvania Vehicle Code, the regulations, if any, promulgated thereunder, and all other applicable acts of law including the requirement of insurance. This Ordinance is not intended to limit any provisions or scope of authority of the Pennsylvania Vehicle Code or any other Act.

8. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to the penalties prescribed in §7752 of the Vehicle Code designated a summary offense and shall upon conviction:

(a) For a first offense, be sentenced to pay a fine of not less than \$50.00 nor more than \$200.00 and costs of prosecution and, in default of the payment of the fine or costs, shall be imprisoned for not more than ten (10) days.

(b) For a subsequent offense, be sentenced to pay a fine of not less than \$100.00 nor more than \$300.00 and costs of prosecution and, in default of the payment of the fines or costs, shall be imprisoned for not more than 30 days.

9. SEVERABILITY

The provisions of this Ordinance shall be severable, and if any provision or phrase shall be held unconstitutional or invalid, such decision shall not affect the validity of any remaining provisions or phrases hereof, it being the intention of the Township Supervisors to enact and adopt each section independently or every other section.

10. EFFECTIVE DATE

This Ordinance shall become effective upon the expiration of five (5) days after the date of adoption set forth herein.

IN WITNESS WHEREOF, Snyder Township Board of Supervisors have caused this Ordinance to be adopted this 29th day of June, 2023.

ATTEST:

SNYDER TOWNSHIP
BOARD OF SUPERVISORS:




Mary Fremer, Secretary



Michael Holt, Chairman

Thomas Sedlock



Ronald Fremer

