

Code of Ordinances
of the
Township of Old Lycoming
Lycoming County, Pennsylvania

Published by Authority of the Township

Adopted by *Ord. 231*, 10/14/2008

Revised and Supplemented through:
Supplement IV; April 12, 2016

KEYSTATE PUBLISHERS, INC.
300 West King Street, P.O. Box 366
Shippensburg, PA 17257

The Township of Old Lycoming Code of Ordinances was adopted by the Township of Old Lycoming by *Ord. 231* and published by Keystate Publishers, Inc., on October 14, 2008. It has been subsequently revised and supplemented as follows:

Supplement I; September 15, 2009

Supplement II; May 10, 2011

Supplement III; August 14, 2012

Supplement IV; April 12, 2016

CONTENTS

Municipal Officials	v	
Foreword	vii	
Adopting Ordinance	ix	
Fee Schedule	xxi	
Chapter 1	Administration and Government	1-1
Chapter 2	Animals	2-1
Chapter 3	Reserved	3-1
Chapter 4	Buildings	4-1
Chapter 5	Code Enforcement	5-1
Chapter 6	Conduct	6-1
Chapter 7	Fire Prevention and Fire Protection	7-1
Chapter 8	Reserved	8-1
Chapter 9	Reserved	9-1
Chapter 10	Health and Safety	10-1
Chapter 11	Housing	11-1
Chapter 12	Reserved	12-1
Chapter 13	Licenses, Permits and General Business Regulations	13-1
Chapter 14	Reserved	14-1
Chapter 15	Motor Vehicles and Traffic	15-1
Chapter 16	Parks and Recreation	16-1
Chapter 17	Reserved	17-1
Chapter 18	Sewers and Sewage Disposal	18-1
Chapter 19	Reserved	19-1
Chapter 20	Solid Waste	20-1
Chapter 21	Streets and Sidewalks	21-1
Chapter 22	Subdivision and Land Development	22-1
Chapter 23	Reserved	23-1
Chapter 24	Taxation; Special	24-1
Chapter 25	Reserved	25-1
Chapter 26	Stormwater Management	26-1
Chapter 27	Zoning	27-1
<u>Appendix</u>		
A	Adjustments to Township Boundaries	A-3
B	Debt and Bond Issues	A-5
C	Franchises and Services	A-7
D	Governmental and Intergovernmental Affairs	A-9
E	Plan Approval	A-11
F	Public Property	A-13
G	Sewers	A-15
H	Streets and Sidewalks	A-17
I	Water	A-19
J	Zoning; Prior Ordinances	A-21
Table to the Disposition of All Ordinances	K-1	
Table to the Disposition of Significant Resolutions	KR-1	
Index	I-1	

Officials
of the
Township of Old Lycoming
County of
Lycoming, Pennsylvania

ELECTED OFFICIALS

Board of Supervisors

Chairman	-	John W. Eck
	-	Linda Mazzullo
	-	Sam Aungst
Tax Collector	-	David C. Frey

APPOINTED OFFICIALS

Manager	-	Robert Whitford
Secretary	-	Robert Whitford
Treasurer	-	Debra Shilling
Zoning Officer	-	Kathie Hunter
Solicitors	-	J. David Smith, Esquire
Engineer	-	Vassallo Engineering
Auditors	-	Larson, Kellett & Associates, P.C.

FOREWORD

*History*¹

On August 22, 1997, “OLT,” as we like to call ourselves, was 212 years old; having been established on August 22, 1785. Do you realize that our country was only 9 years old at that time?

Well, we are still here; somewhat smaller than we were originally, but still standing. We have grown up with our country.

Originally, Old Lycoming Township extended to the Susquehanna River and included Newberry and Jaysburg. Today, our boundaries are Daughertys Run Road to the West, Beautys Run Road to the North, Lycoming Creek to the East and Short Street to the South.

One of our major assets is our good residents. OLT has always been blessed with a wide variety of people, most of whom have been exceedingly loyal to their Township. We are also blessed with natural beauty. Lycoming Creek, known by the Indians as Legani Hanne, winds its way along our border, flowing next to the glorious hills and occasionally crossing the valley here and there. The Indian name for Lycoming was mispronounced by the early settlers and eventually became Lycoming instead of Legani. Hanne, of course, means stream, like Susquehanna.

In the bygone years, the hills around here were covered with virgin forest of hemlock and pine. Williamsport’s lumber era was fed by many a tree from the Lycoming Creek Valley. The forests in which the Native Americans roamed gave way to clearance and then cultivation. May history always remind us of our original residents – the Indians, who were without a doubt, the greatest environmentalists the world will ever know.

Of course, time does not stand still and change always comes. Through the years changes have occurred in our Township. The Indian way of life may be gone, but not altogether. Their trail became a road, a railroad and even a bikepath. Their creek is still traveled by canoes, fished in and swam in. As for hunting, it’s not all done at the Weis Market. Hunters are still tracking through the forested hills. There are still deer, bears, raccoons, opossums, skunks, rabbits, turkeys, pheasants, squirrels, minks, groundhogs, muskrats, beavers, etc., and an infinite variety of birds that inhabit our area. The Indians never made any of these species extinct. What a marvelous legacy has been left to us.

Our landscape is still breathtaking! Drive any of our country roads and be rewarded with the beauty of nature. Gaze from the hills at scenic views. Every season has its own kind of beauty.

We are a good mix of city and country. Downtown Gardenview is our commercial center and seems to add a new feature every year. Just about everything we need is available in our Township; the services, the commodities; no need to drive for miles if we don’t to or haven’t the time.

¹Editor’s Note: Adapted from the Township history posted to the Township website, www.oldlycoming.org.

Most of the industries we have in the Township have been here quite a while. They are good ones, and we hope they will stay. A lot of us work in the Township we live in. That's convenience and economy.

Most of the changes from our past have been gradual, and we have grown gracefully and learned a lot about development. We have learned how important it is to plan carefully for the future, no matter what aspect of township growth we are dealing with; housing, public services, recreation, etc.

We have had heroes from all the wars. We've had peacetime heroes, too. Some heroism has been performed quietly, while some gained more recognition. We've had our share of traumas. We've experienced floods, fires, a tremendous gas explosion, a major highway cutting through the very heart of our municipality; but we have always stood. We've always had those who loved their neighbor as much as themselves and were willing to put that belief into practice.

Life will go on. Some will leave our Township; some will stay; and there will be newcomers; but the underlying current will always be the same one that has held us together so strongly for 212 years. We care about each other; therefore, we care about our community – Old Lycoming Township.

The Code of Ordinances of the Township of Old Lycoming was prepared by Keystone Publishers, Inc., and adopted by the Township of Old Lycoming Board of Supervisors on October 14, 2008 by *Ord. 231*.

Organization

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

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

The Key to disposition indicates what action has been taken by the Township of Old Lycoming 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 of Old Lycoming, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 231

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF Old LYCOMING, LYCOMING 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 Township of Old Lycoming hereby ordains:

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

TABLE OF CONTENTS

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

APPENDIX:

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

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

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

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

Section 3. Saving Clause. The provisions of the Township of Old Lycoming Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township of Old Lycoming 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.*

Section	Subject	Ordinance No., Section
15, Entire Chapter	Motor Vehicles and Traffic	18, 40, 42, 44, 68, 126, 131, 138, 167, 171, Res. 04.10.07.01, Res. 07.10.07.05, Res. 10.09.07.03

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.*

Section	Subject
§§1-101–1-111	Preliminary Provisions

Section	Subject
§§7-201–7-203	Display of Fireworks
15, Entire Chapter	Motor Vehicles and Traffic

B. *Amendments.*

Section	Subject	Ordinance No., Section
§1-203	Additional Requirements	176, §2; 222, §4
§1-402	Access and Process	208, §2
§2-103	Nuisances	119, §3
§2-104	Unnecessary Noise or a Nuisance	119, §4
§2-105	Warning	119, §5
§2-106	Pens and Kennels for Dogs	119, §6
§2-108	Penalties for Violation	119, §8; 182, §2.P
§4-101	Existing Buildings; Address Number Posting	212, §1
§4-102	Owner/Residence Acknowledgment	212, §2
§4-103	Address Number Posting; New Buildings, Structures and Mobile Homes	212, §3
§4-104	Display of Address Number	212, §4
§4-105	Private Road Name Signage	212, §5
§4-107	Definition of Person	212, §7
§4-108	Penalty for Violation	212, §8
§5-101	Implementation of Uniform Construction Code	214
§7-101	Burning of Garbage Prohibited	190, §1
§7-102	Burning of Refuse Prohibited	190, §2
§7-105	Burning of Paper	190, §5
§7-106	Unsafe Burning Prohibited	190, §6
§7-107	Controlled Burns	190, §7
§7-109	Fires to Be Extinguished upon Order	190, §9
§7-111	Penalty	190, §12
§10-101	Definitions	132, §1
§10-103	Written Notice to Violators Required	132, §3
§10-104	Penalty for Violation	132, §4; 182, §2.M
§10-201	Unnecessary Noises a Nuisance	194, §I

Section	Subject	Ordinance No., Section
§10-204	Creation of Dust	194, §IV
§10-205	Penalty	194, §V
§11-103	Penalty	207, §3
§11-202	Tax Collector Report	16, §3
§11-203	Penalty	16, §4; 69, §3
§13-103	License Fee Exceptions	123, §3
§13-105	Suspension of License	123, §5
§13-106	Fee	123, §6
§13-109	Penalty	123, §9
§13-202	Procedure to Obtain Permit	114, §2
§13-203	Location of Adult Bookstore and Adult Moviehouses	114, §3
§13-204	Penalty for Violation	114, §4; 182, §2.Q
§16-103	Use of Facilities	158, §III
§16-105	Park Regulations	158, §V
§16-106	Erection of Temporary and Permanent Facilities	158, §VI
§16-107	Permits fro Food Services and Retailing	158, §VII
§16-108	Specialty Areas	158, §VIII
§16-109	Motorized Vehicles and Horses Prohibited	158, §IX
§16-111	Responsibility for Damages	158, §XI; 182, §2.E
§16-115	Violation and Penalties, Liability	158, §XV
§18-105	Enforcement	198, §VI
§18-112	Definitions	219, §II
§18-115	Enforcement	219, §V
§18-303	Penalty	203, §3
§18-402	Definitions	154, §II
§18-405	Replacement Areas	154, §V
§18-406	Inspections	154, §VI
§18-407	Operation	154, §VII
§18-409	System Rehabilitation	154, §IX
§18-411	Disposal of Storage	154, §XI
§18-412	Administration	154, §XII

Section	Subject	Ordinance No., Section
§18-414	Penalties	154, §XIV; 182, §2.H
§18-427	Exclusiveness of Rights and Privileges	181, §7
§18-429	Violations	181, §9
§20-101	Short Title	134, Art. I, §1
§20-111	Definitions	134, Art. II, §1
§20-122	Unlawful to Deposit in Water	134, Art. III, §2
§20-124	Irregular and Unscheduled Hauling	134, Art. III, §4
§20-131	Unauthorized Collectors Prohibited	134, Art. IV, §1
§20-132	Issuance of License	134, Art. IV, §2
§20-142	Proper Containers	134, Art. V, §2
§20-144	Storage of Hazardous Waste	134, Art. V, §4
§20-161	Spillage from Vehicles	134, Art. VII, §1
§20-171	Disposal of Approved Facility	134, Art. VIII, §1
§20-172	Unlawful to Dispose at Unauthorized Facility	134, Art. VIII, §2
§20-173	Bulky Wastes	134, Art. VIII, §3
§20-181	Penalty	134, Art. IX, §1
§20-182	Township May Remove Garbage; Collection of Costs	134, Art. IX, §2
§20-183	Appointment of Enforcement Officer	134, Art. IX, §3
§20-202	Definitions	147, §2
§20-211	Franchise or License	147, §11
§20-212	Violation and Penalty	147, §12; 182, §2.J
§20-225	Penalties	172, §v; 182, §2.A
§21-101	Permit Required	151, §1
§21-108	Penalty	151, §1; 182, §2.I
§21-202	Penalty	184, §2
§21-303	Continuing Violation	102, §3
§21-304	Penalty	102, §4; 182, §2.R
§21-402	Care and Maintenance of Trees	191, §2
§21-403	Violations	191, §3
§21-501	Sidewalks and Curbs to Be Constructed to Established Grade	12, §1
§21-504	Permit Required	12, §4

Section	Subject	Ordinance No., Section
§21-505	Penalty	12, §5
§21-506	Sidewalk or Curb Not Built to Established Grade Declared a Nuisance	12, §6
§24-104	Disposition of Tax; Interest	143, §4
§24-209	Power and Authority of Tax Collector	9, §9
§24-415	Penalty	104, §17
§24-626	Penalties for Violations	22, §26
§24-630	Information Confidential	22, §30
§24-810	Notice of Assessment to Be Provided to Buyer of Real Estate in Writing by Seller	107
§24-817	Penalty	177, §7
§26-102	Authority	183, Art. I, §2
§26-406	Penalties for Failure to Comply	183, Art. IV, §6

Section 6. Land Use Amendments. The Township of Old Lycoming 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. *Revised Provisions.* The following provisions of the Code are revised, the text of which indicates deletions by ~~strike-through~~ and additions shown by underline, and are summarized as follows:

Section	Subject	Ordinance No.
§22-203	Preliminary Plans	174, §202
§22-204	Final Plans	174, §203
§22-303	Preliminary and Final Plans	174; §302; 224, Art. 1
§22-405	Sewage Facilities	174; §404
§22-406	Water Supply	174; §405
§22-408	Site Preparation Requirements	174; §407
§22-409	Stormwater Management	174; §408
§22-410	Wetlands	174; §409
§22-411	Floodplain Management	174; §410
§22-503	Residential Developments	174; §502
§22-504	Commercial Developments	174; §503
§22-505	Industrial Developments	174; §504

Section	Subject	Ordinance No.
§22-506	Recreational Developments	174; §505
§22-507	Institutional Developments	174; §506
§22-601	Mobile Home Parks	174; §600
§22-602	Campgrounds	174; §601
§22-706	Enforcement Remedies	174; §705
§22-802	Definitions	174; §801
§27-101	Short Title	168, §100
§27-102	Authority	168, §101
§27-103	General Purposes	168, §102
§27-104	Community Development Objectives	168, §103
§27-105	Disclaimer	168, §104; 213, Art. 1
§27-202	District Purpose Statements	168, §201
§27-204	Interpretation of Zoning District Boundaries	168, §203
§27-205	Floodplain District Boundary Changes	168, §204
§27-302	Use Regulations and Dimensional Requirements	168, §301
§27-303	R-A Residential Agriculture District	168, §302; 175, §§3, 5; 213, Art. 3; 227, Art. 1
§27-304	R-R Residential Rural District	168, §303; 175, §5; 213, Art. 3; 221, Art. 2; 223, Art. 1; 227, Art. 1
§27-305	R-S Residential Suburban District	168, §304; 175, §§1, 5, 13, 14, 24; 213, Art. 3; 221, Art. 2; 223, Art. 1; 227, Art. 1
§27-306	R-U Residential Urban District	168, §305; 175, §§2, 4, 5, 7-10, 15, 16, 24, 25; 213, Art. 3
§27-307	C Commercial District	168, §306; 169, §1; 175, 5; 189, §14; 195, §8; 213, Art. 3
§27-308	I Industrial District	168, §307; 189, §14
§27-402	Uses Not Provided for	168, §401; 213, Art. 4
§27-403	Dwelling Units	168, §402; 213, Art. 4
§27-404	Mobile Homes on Individual Lots	168, §403; 189, §1
§27-405	Single-Family Attached Dwellings	168, §404; 189, §2; 213, Art. 4; 223, Art. 2

Section	Subject	Ordinance No.
§27-406	Multi-Family Dwellings	168, §405; 213, Art. 4; 223, Art. 2
§27-407	Planned Residential Developments	168, §406; 213, Art. 4
§27-410	Day Care Centers	168, §409; 213, Art. 4
§27-411	Recreation Facilities, Parks and Play-grounds	168, §410; 213, Art. 13
§27-412	Camps, Lodges and Vacation Homes	168, §411; 213, Art. 4
§27-413	Recreational Vehicle Parks; Campgrounds	168, §412
§27-414	Retail Establishments	168, §413
§27-417	Kennels	168, §416
§27-418	Automotive Service Stations and/or Repair Shops	168, §417
§27-419	Industrial Uses	168, §418; 189, §4
§27-421	Scrap Processing Operations/Junkyards	168, §420
§27-422	Public Utilities/Essential Services	168, §421
§27-423	Agricultural Uses	168, §422; 213, Art. 4
§27-424	Mineral Extraction Operations	168, §423; 189, §5; 213, Art. 13
§27-425	Swimming Pools	168, §424; 175, §26; 189, §6; 213, Art. 4
§27-426	Home Occupations	168, §425; 175, §5; 213, Art. 4
§27-428	Temporary Uses and Structures	168, §427; 213, Art. 13; 223, Art. 2
§27-429	Temporary Uses in Floodplain Areas	168, §428; 213, Art. 13
§27-430	Docks, Piers and Other Water-Related Uses	168, §429
§27-431	Group Homes	168, §430; 213, Art. 4
§27-432	Borrow Pits	168, §431; 213, Arts. 4 and 13
§27-433	Sanitary or Municipal Waste Landfills	168, §432; 213, Art. 13
§27-435	Timber Harvesting	168, §434; 189, §7; 195, §1; 213, Art. 13
§27-436	Tract Facilities	168, §435; 195, §2
§27-438	Communications Antennas, Towers and/or Equipment Buildings	168, §437; 213, Art. 4

Section	Subject	Ordinance No.
§27-503	Yard Requirements	168, §502; 175, §§18, 19, 21; 223, Art. 3
§27-504	Height Regulations	168, §503
§27-505	General Lot Regulations	168, §504; 175, §§17, 20, 22; 189, §8; 213, Arts. 5 and 13
§27-507	Screen Planting	168, §506
§27-510	Outdoor, Unenclosed Storage	168, §509
§27-603	Flood Damage Control Provisions	168, §602; 189, §9; 213, Art. 6
§27-604	Water Management Uses	168, §603; 213, Art. 6
§27-605	Existing Structures in Floodplain Areas	168, §604; 195, §7; 213, Art. 6; 223, Art. 4
§27-607	Development Which May Endanger Human Life	168, §606
§27-608	Activities Requiring Special Permits	168, §607; 213, Art. 13
§27-610	Variances in Floodplain Districts	168, §609
§27-611	Special Exceptions in Floodplain Districts	168, §610
§27-612	Additional Floodplain Regulations	168; 195, §4
§27-701	Types of Signs	168, §700
§27-702	General Sign Regulations	168, §701; 189, §10; 213, Art. 13
§27-803	Driveways and Access Drives	168, §802; 189, §11
§27-901	Nonconforming Uses and Structures	168, §900; 213, Art. 9
§27-1001	Amendments to Zoning Ordinance or Map	168, §1000; 213, Art. 10
§27-1002	Conditional Uses	168, §1001; 213, Art. 10
§27-1101	Organization and Procedure	168, §1100; 175, §27
§27-1103	Hearing Procedures	168, §1102; 189, §12; 213, Arts. 11 and 13
§27-1201	Duties of Zoning Officer	168, §1200; 213, Art. 12
§27-1203	Zoning Permits	168, §1202; 180, §1; 213, Arts. 12 and 13
§27-1206	Violations and Enforcement	168, §1205; 213, Art. 12 and 13
§27-1207	Fees	168, §1206; 213, Arts. 12 and 13

Section	Subject	Ordinance No.
§27-1302	Definitions	168, §1301; 189, §13; 195, §3; 213, Art. 13; 221, Art. 2; 223, Art. 5; 227, Art. 2
§27-1403	Severability and Validity	168, §1402

Section 7. Procedural Changes. The following minor procedural changes have been made to existing Township of Old Lycoming 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 8. 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 9. Responsibility for Code of Ordinances. It shall be the responsibility of the Township of Old Lycoming Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Old Lycoming Code of Ordinances and shall be available for public inspection.

Section 10. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of Old Lycoming. Whosoever shall violate this Section shall be guilty of an offense under §4911, "Tampering with Public Records or Information," of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

Section 11. Severability of Parts of Codification. It is hereby declared to be the intention of the Township of Old Lycoming 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 14th day of October, 2008.

ATTEST:

Township of Old Lycoming

/s/ Linda D. Mazzullo
Secretary

/s/ John W. Eck
Chairman, Board of Supervisors

Fee Resolution

A resolution establishing fees for the filing of applications, permits and licenses for the Township of Old Lycoming.

WHEREAS, the Board of Supervisors of the Township of Old Lycoming has adopted a codification, consolidation and revision of the ordinances of the Township of Old Lycoming; and,

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

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

Subject	Fees
ADULT ENTERTAINMENT BUSINESS	
Procedure to obtain license	§13-202
application	\$300
INTERNATIONAL PROPERTY MAINTENANCE CODE	
APPEALS	\$350 per appeal
	§5-101.8
OPEN RECORDS' REQUEST FEE STRUCTURE	
Copies (A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page)	.10 per page per side
Certification of a record	Old Lycoming shall impose a fee of \$5 for official certification of copies at the behest of the requester and for the purpose of legally verifying the public record. Please note that certification fees do not include notarization fees.
Specialized documents (For example, but not limited to, blue prints, color copies, non-standard sized documents)	Actual cost
Facsimile/microfiche/other media	Actual cost
Redaction fee	No redaction fee may be imposed

Subject

Fees

Conversion to paper

If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the requester specifically requests for the record to be duplicated in the more expensive medium.

Postage fees

Fees for postage may not exceed the actual cost of mailing

Please Also Be Advised:

Statutory Fees. If a separate statute authorizes an agency to charge a set amount for a certain type of record, the agency may charge no more than that statutory amount. Police departments have the authority to charge up to \$15 per report for providing a copy of a vehicle accident report. 75 Pa.C.S. §3751 (b)(2). Old Lycoming Township Police Department shall charge \$15 per report.

Inspection of Redacted Records. If a requester wishes to inspect rather than receive a copy of a record and the record contains both public and non-public information, the agency shall redact the non-public information. An agency may not charge the requester for the redaction. However, the agency may charge for the copies it must make of the redacted material in order for the requester to view the public record. The fee structure outlined above will apply. If, after inspecting the records, the requester chooses to obtain the copies, no additional fee will be charged.

Enhanced Electronic Access. If an agency offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a requester, the agency may establish user fees specifically for the provision of the enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for inspection and duplication by a requester as required by this fee resolution. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access or any other reasonable method and any combination thereof. **The user fees for enhanced electronic access must be reasonable, must be pre-approved by the Office of Open Records and shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the agency.** Old Lycoming Township will contact the Office of Open Records if this occasion should arise.

Fee Limitations. Except as otherwise provided by statute, the law states that **no other fees may be imposed** unless the agency necessarily incurs costs for complying with the request, and such fees must be reasonable. No fee may be imposed for an agency's review of a record to determine whether the record is a public record, legislative record or financial record subject to access in accordance with this fee resolution. No fee may be charged for searching for or retrieval of documents. An agency may not charge staff time or salary for complying with a RTK request. Old Lycoming Township will charge only fees listed and not for staff time to complete requests as stated herein.

Subject

Fees

Prepayment. Prior to granting a request for access in accordance with this fee resolution, an agency may require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100.

Once the request is fulfilled and prepared for release, the Office of Open Records recommends that the agency obtain the cost of the records prior to releasing the records. This recommendation is designed to avoid situations in which the agency provides the records and the requester fails to submit payment. Old Lycoming Township will expect fees to be paid before releasing information to requester.

This resolution will remain in effect until such time that the Office of Open Records changes the above fees and/or fee structure.

[Res. 01.05.09.06]

ROAD WEIGHT RESTRICTION

No permit shall be issued until such fees have been paid to the Township by the applicant. All such fees are nonrefundable. Permits to operate vehicles in excess of the posted weight restrictions on Township roads.

1. **Preliminary Inspection Fee.**The fee for Old Lycoming Township to inspect the Township roads prior to any hauling will be \$40 for the first mile and \$25 per each additional mile prorated per tenth of a mile.
2. **Administrative Fee.** The fee for the Old Lycoming Township Zoning Officer to complete all paperwork necessary to issue a permit to operate vehicles in excess of the posted weight restrictions on Township roads will be \$100 per permit.
3. **Interim Inspection Fee .**The fee for Old Lycoming Township to inspect the Township roads prior to any significant hauling hiatus by the permittee will be \$40 for the first mile and \$25 per each additional mile prorated per tenth of a mile.
4. **Post-use Inspection Fee.** The fee for Old Lycoming Township to inspect the Township roads once all hauling has been concluded will be \$40 for the first mile and \$25 per each additional mile prorated per tenth of a mile.
5. **Third Party Consultation Fees.** In the event that the Old Lycoming Township Board of Supervisors determines that a third party consultation is necessary the permittee is responsible for all costs associated with said consultation. Example: Solicitor fees or fees to determine the extent of damage caused by excessive hauling, etc.

Permit Approval. The Township hereby delegates the authority to approve permits and set security to the Roadmaster or other official of the Township.

Rates for Old Lycoming Township Equipment. The following equipment rates will apply when an excess maintenance agreement provides for repair work to be performed by the posting authority or its contractor.

Equipment	Price/Hour
Backhoe and operator	\$100
Grader and operator	\$100
Loader and operator	\$100
Dump truck and operator	\$100

[Res. 02.10.09.01]

Subject

Fees

SEWERS

Discount—anyone wishing to pay their sewer bill annually will receive a 5 percent discount.

Penalty—anyone not paying their bill within the 30 days allowed will receive a 10 percent penalty.²

Vacancy Credit—a vacancy credit of \$10 per month per EDU, which represents the treatment cost only, be granted to the owner of a property using the public sewer system if the following criteria is met:

1. Old Lycoming Township Sewer Clerk is notified in advance in writing when a property is going to be vacated.
2. Said property will be completely vacated for a minimum of 30 days or more.
3. Monthly billing for the remainder of sewer cost continues - \$30 per month per EDU minus \$10 per EDU equals \$20 per month per EDU.³
4. Old Lycoming Township is notified immediately when said property is once again occupied.

SUBDIVISION AND LAND DEVELOPMENT

I. Township Fees

A. Municipal Plan Processing Fees.

(1) Subdivision Fees. The following fees shall be paid to Old Lycoming Township at the time of plan submission or filing for evaluation and processing of proposed subdivision plans. No plan shall be considered filed until the appropriate processing fee is received. No fees shall be refundable.

- | | |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Single lot or add lot(s) | \$50 per plan |
| (b) Sketch Plans | No charge |
| (c) Subdivision Plans
(Two or more lots) | Fee for processing of all other subdivision plans shall be \$100 plus \$10 for each lot. The above fee may be paid half for preliminary plans and half for final plan. The total fee must be paid when final plan is submitted. |

²Effective January 1, 2009, pursuant to *Res. 10.14.08.03*, 10/14/2008, a penalty of 5 percent will be charged for all outstanding sewer bills that have not been paid by the date due. Sewer bills are dated the first day of the month following the end of the quarter for which they have been assessed and are due the thirtieth day of that same month.

³Effective January 1, 2009, the EDU rate per month increases to \$40 as per *Res. 06.10.08.02*, 6/10/2008.

Subject	Fees
(2) Land Development Fees. Fees for land development plans shall be payable to Old Lycoming Township at the time of filing according to the following schedule:	
(a) Residential Land Development	\$50 plus \$15 per dwelling unit
(b) Commercial Land Development	\$125 plus \$.04 per gross square foot of principal and accessory buildings or structures

B. **Improvement Design Review Fees.** The applicant shall reimburse the Township for all reasonable and necessary charges by the Township Engineer and/or consultant for review of site improvement or development designs and report thereon to the Township in accordance with the procedure set forth in §22-706.1.B of the Old Lycoming Township Subdivision and Land Development Ordinance [Chapter 22].

C. **Improvement Inspection Fees.** Where improvements are required by the Township to be installed as a condition of final approval of a subdivision or land development plan, said improvements must be inspected by the Township Engineer in accordance with the procedure established in §22-305.3 of the Old Lycoming Township Subdivision and Land Development Ordinance [Chapter 22] upon their completion.

The applicant shall reimburse the Township for all reasonable and necessary expenses associated with the inspection of required improvements by the Township Engineer in accordance with the procedure set forth in §22-707.1.C of this Chapter.

II. County Plan Review Fees

The applicant shall be responsible for assuming all costs associated with the review of his subdivision and/or land development plans by the Lycoming County Planning Commission, according to the fee schedule and procedure established by the County.

TRANSIENT RETAIL BUSINESS

License fee	§13-106
day	\$20
each week	\$50
month	\$100

ZONING

Appeal to the Zoning Hearing Board	\$175
------------------------------------	-------

(Res. 10.14.08.01, 10/14/2008; as amended by Res. 10.14.08.03, 10/14/2008; by Res. 01.05.09.06, 1/5/2009; and by Res. 02.10.09.01, 2/10/2009)

