

SECTION 112. - LANGUAGE INTERPRETATION

112.A. In this Ordinance, when not inconsistent with the context:

1. Words in the present tense imply also the future tense.
2. The singular includes the plural.
3. The male gender includes the female gender.
4. The word "person" includes an individual, partnership, corporation, firm, company, association, governmental entity, trustee, receiver, assignee or similar representative.
5. The term "shall" or "must" is always mandatory.

112.B. References to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies or officials are to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies or officials of the Township or the Commonwealth of Pennsylvania as in effect or office from time to time including amendments thereto or revisions or successors thereof, unless the text indicates another reference is intended.

SECTION 113. - SPECIFIC WORDS AND PHRASES

The following words and phrases shall have the meaning assigned by this section in the appropriate sections of this Ordinance. Any word not included in this section will be defined as described in the latest edition of the Webster's Abridged Dictionary, or other accepted Planning and Zoning Dictionary.

ACCESS DRIVE - An improved cartway designed and constructed to provide for vehicular movement between a public or private road and the off-street parking and/or loading area for any use other than one single-family dwelling unit or farm.

ACCESS DRIVE THROAT LENGTH – That portion of an access drive in which exiting vehicles queue at a traffic control point along which there is no conflicting vehicle access point, or that portion of an access drive in which entering encounter no conflicting vehicle access points.

ACCESSORY BUILDING – A detached, subordinate building, the use of which is customarily incidental to that of the principal use and which is located on the same lot as the principal use.

ACCESSORY OCCUPATION – An occupation where any business activity is conducted outside the dwelling or property lot. The property owner(s) accessory occupation may store equipment or materials, incidental to the off-premises business activity, within the dwelling's garage or accessory structure, not to exceed 50 percent of the garage or an accessory structure's total square footage. No repairs, manufacturing, services, retail sales, or wholesale commerce shall be conducted on the premises. No signage advertising any business is permitted on the property and only one vehicle advertising the business or employer's company vehicle is allowed to be parked on the property. The following are classified as allowable accessory occupations; self-employed contractor, landscaper, food vendors, salespersons, computer service, or similar off-premise occupations.

AGRICULTURE - The tilling of the soil, the raising of crops, horticulture, and the keeping or raising of livestock such as alpacas, birds, beaver, bees, cattle, chinchilla, cows, emus, fowl, foxes, hogs, horses, lynx, sable, sheep, goats, llamas, mink, ostriches, peacocks, pot-belly pigs, poultry, rabbits, raccoons, seal, shellfish and other similar animals for commercial distribution. This definition also includes noncommercial greenhouses and mushroom houses as well as the processing and retail sale of goods produced on the farm. This definition also includes uses devoted to research into agricultural technology that would change the conduct of normal farming operations and custom work. For the purposes of this definition custom work shall mean the hiring of another person or agency who does not reside on the subject property to perform one or more activities necessary to the function of the principal farm use as a whole. This definition does not include concentrated animal feeding operations, concentrated animal operations, commercial produce operations and gardening, each, as defined herein.

AIRCRAFT - Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into flight through the air.

AIRPORT - Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or navigation facilities or rights of way, together with all airport buildings and facilities thereon.

- A. Private Airport - An airport that is privately owned and which is not open or intended to be open to the public, as defined in 74 Pa.Const.Stat. Section 5102.
- B. Public Airport - An airport that is either publicly or privately owned and that is open to the public as defined in 74 Pa.Const.Stat. Section 5102.

ALLEY - A minor right-of-way, privately or publicly owned, primarily for service access to the rear or sides of properties.

ALLUVIAL SOILS MAPS - Soils maps prepared by the United States Department of Agriculture, Soil Conservation Service which indicate the location of soil types. Alluvial soils on these maps are soils of floodplains that are sediment deposits washed from upland areas. The presence of an alluvial soil indicates that the land has been flooded at some previous point in time.

ALTERATIONS - Any exterior structural addition to a building; any renovation to a building which would change its use; any change or rearrangement in the structural parts of a building such as bearing walls, columns, beams or girders, joists or rafters, or enclosing walls; the moving of a building from one location or position to another.

ALTERNATIVE ENERGY PRODUCTION FACILITIES - Any device installed as an accessory use that supplies energy principally for the principal use of the property that is derived from natural sources (e.g. solar panels, wind turbines, hydro turbines, geo-thermal exchangers and similar and emerging technologies.) This definition shall expressly exclude outdoor furnaces, as defined herein.

AMUSEMENT ARCADE - A commercial establishment which provides as a principal use, amusement devices and/or games of skill or chance (e.g., pinball machines, video games, skeet-ball, electronic or water firing ranges and other similar devices). This definition does not include the use of less than eight (8) such devices as an accessory use.

FARM OCCUPATION – Where permitted by this ordinance, a business or commercial activity that is conducted on actively-farmed parcels containing at least twenty-five (25) acres as a secondary use to a principal agricultural or horticultural use.

FARMERS AND/OR FLEA MARKET - A retail sales use where more than one vendor displays and sells general merchandise that is new or used on a regularly occurring basis. Farmers and/or flea markets can include indoor and outdoor display of merchandise.

FCC – The Federal Communications Commission of the United States of America.

FELLING – The act of cutting a standing tree so that it falls to the ground.

FILL - Material placed or deposited so as to form an embankment or raise the surface elevation of the land.

FISH HATCHERIES OR FISH FARMS – A principal use devoted to the raising of fish for wholesale distribution and/or wholesale public release.

FLAG LOT – A lot type permitted in the Agricultural district under specific requirements of this Ordinance whose lot width at its frontage is less than that required at the building line.

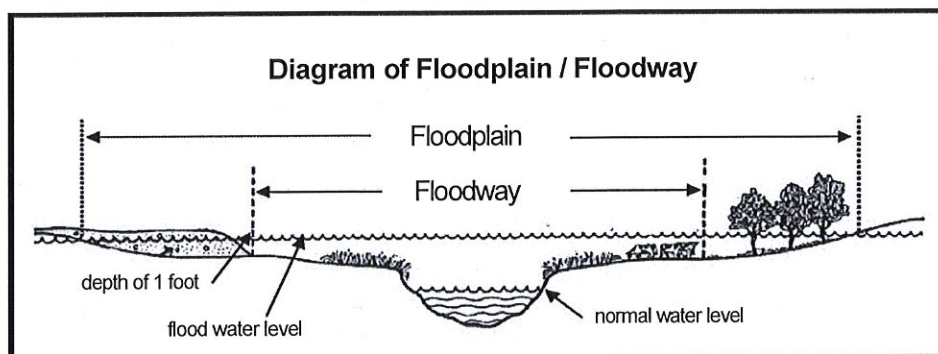
FLOOD - A general and temporary inundation of normally dry land areas by water from waterway overflows or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD ELEVATION - The projected heights, in relation to the North American Vertical Datum of 1988 (NAVD), reached by floods of various magnitudes and frequencies in the floodplain areas.

FLOOD INSURANCE RATE MAP (FIRM) - The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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

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



RIGHT-OF-WAY – An area secured for public use and which may, but need not, be improved with streets, utilities, stormwater management facilities, traffic control facilities, curbs, sidewalks, bicycle lanes or paths, streetlights, and similar improvements for public benefit or enjoyment.

RIGHT-OF-WAY, LEGAL – The existing width or area of land currently owned by the Township, the State, or some other public agency or authority.

RIGHT-OF-WAY, REQUIRED – The width or area of land necessary to accommodate present or future public improvements.

RIPARIAN BUFFER – An area adjoining a watercourse where a natural succession of vegetation is provided and maintained.

ROADSIDE STAND – Where permitted, an agricultural use for the sale of local agricultural or horticultural produce, livestock or merchandise.

RURAL OCCUPATION – Where permitted, a business or commercial activity that is conducted within an accessory structure of a principal single-family detached dwelling.

SALES - A use devoted to the transfer of ownership and/or rental of goods and products. This term shall not include “adult uses” as defined herein.

SATELLITE DISH ANTENNA - A device incorporating a reflective surface which is solid, open mesh or bar-configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally-based uses.

SAW MILL – A principal use devoted to the processing of natural wood products into semi-finished products for wholesale distribution.

SCHOOL - A principal use in which supervised education or instruction is offered according to the following categories:

- A. **Commercial School:** A school not operated by a public agency that can offer any of a wide range of curriculums including, but not limited to, all levels of academic, business and technical instruction and training in artistic, dance, baton-twirling, athletic, martial arts, musical, gymnastics, cosmetology and other similar activities. Commercial schools are principal uses that are neither home occupations nor day-care operations. These uses shall not include vocational and/or mechanical trade schools as defined in this Ordinance. Nursery schools shall be considered commercial school if they are operated as a business.
- B. **Private School:** A school that offers nursery, elementary, secondary, post-secondary, post-graduate, or any combination thereof, education that may, or may not, be operated as a gainful business, and is not operated by the School District or another governmental agency.
- C. **Public School:** A school licensed by the Department of Education for the purpose of providing nursery, elementary, secondary, vocational, post-secondary, post-graduate, and adult education, or any combination thereof, and operated by the School District.

Article 2

ZONING DISTRICTS

SECTION 200 - AGRICULTURAL DISTRICT (A)

200.A. PURPOSE OF DISTRICT

The purpose of this Agricultural District is to protect areas within the municipality possessing prime agricultural soils (Class I, II, and III soils) which have historically been highly productive soil types most capable of supporting agricultural activities, so that agriculture as an on-going economic activity in the municipality is preserved. The Township acknowledges animal husbandry as an agricultural operation as defined by the Municipalities Planning Code. Agricultural operations are enhanced by permitting only those land uses and activities which are either agricultural in nature or are in direct support of agricultural activities.

The regulations for this District are specifically designed to and shall be construed and interpreted to:

1. Protect and enhance agricultural operations in the District.
2. Facilitate adaptation to other agricultural technologies.
3. Minimize conflicting land uses detrimental to agricultural operations.
4. Limit development which requires infrastructure in excess of those required by agricultural operations.
5. Maintain agricultural tracts in sizes which will preserve existing agricultural operations and facilitate adaptations to other agricultural technologies.
6. Encourage and protect a locally available renewable energy source, encourage and protect a locally available renewable food source.
7. Preserve, protect, and enhance natural, man-made, and historic features and amenities of the Township that have contributed to the historic character of the community.

In addition to the creation and perpetuation of this District, the Township supports creation of agricultural security areas and shall promote expansion of current agricultural security areas. The regulations are not intended to restrict agricultural operations, or changes to or expansions of agricultural operations in geographical areas where agriculture has traditionally been present.

The regulations of this District are not intended to violate or exceed the provisions of the Act of May 20, 1993 (P.L. 12, No.6), known as the "Nutrient Management Act," the Act of June 30, 1981 (P.L. 128, No.43), known as the "Agricultural Area Security Law," or the Act of June 10, 1982 (P.L. 454, No.133), entitled "An Act Protecting Agricultural Operations from Nuisance Suits and Ordinances Under Certain Circumstances" as mandated by the Act and any subsequent amendments thereto.

Section 200

200.B. AGRICULTURAL DISTRICT USE TABLE

Use	Section Number	Permitted By Right	Conditional Use	Special Exception	Accessory	Page
Agricultural and Horticultural, including one single-family detached dwelling contained on site	200.C.1	Yes				5
Concentrated Animal Feeding Operations (CAFO) and Concentrated Animal Operations (CAO)	200.C.2	Yes				5
Forestry Uses	200.C.3	Yes				6
Fish hatcheries and/or fish farms	200.C.4	Yes				6
Single Family Detached Dwellings	200.C.5	Yes				6
Municipal and Governmental Uses	200.C.6	Yes				6
Co-location of Communication Antennas upon Existing Structures outside of the right-of-way	200.C.7	Yes				7
Communications Antennas and Towers in the Public Rights of Way	404.9.M	Yes				A4-79
Animal Hospitals and Veterinary Offices	200.C.8	Yes				7
Group Family Dwellings	200.C.9	Yes				7
Nursery and Garden Center	200.C.10	Yes				7
Churches and Related Uses	200.C.11	Yes				8
Cemeteries, including but not limited to Pet Cemeteries	200.C.12	Yes				9
Kennels	200.C.13	Yes				9
Public Schools	200.C.14	Yes				10
Private Schools on 0 to 5 acres of land	200.C.15	Yes				10
Exposition Overlay	200.C.16	Yes				10
Accessory Occupations	319.A				Yes	A3-44
Alternative Energy Production Facilities	319.B				Yes	A3-45
Domestic Pets	319.C				Yes	A3-47
Domestic Compost	319.D				Yes	A3-47
ECHO Housing	319.E				Yes	A3-47
Family Day Care Homes	319.F				Yes	A3-48
Farm Occupations	319.G				Yes	A3-48
Fences and Freestanding Walls	319.H				Yes	A3-50
Garage Yard and/or Moving Sale	113 - Definitions				Yes	A1-25

Section 200

Use	Section Number	Permitted By Right	Conditional Use	Special Exception	Accessory	Page
Garages and Sheds for Storage of Personal Vehicles and/or Personal Property (Residential Accessory Structures)	319.I				Yes	A3-51
Gardening and Raising of Plants for Personal Use	113 - Definitions				Yes	A1-25
Home Occupations	319.J				Yes	A3-51
Keeping of Carriage and Buggy Horses	319.K				Yes	A3-52
Man-made Lakes, Dams, Ponds, and Impoundments	319.L				Yes	A3-53
Manure Storage Facilities	319.M				Yes	A3-54
No-Impact Home Based Business	319.N				Yes	A3-54
Noncommercial Keeping of Livestock	319.O				Yes	A3-55
Ornamental Ponds and Wading Pools	319.P				Yes	A3-56
Play Structures	113 - Definitions				Yes	A1-43
Recycling Collection Facilities	319.Q				Yes	A3-56
Residential Swimming Pools	319.R				Yes	A3-56
Roadside Stands	319.S				Yes	A3-57
Rural Occupations	319.T				Yes	A3-57
On Farm Agricultural Composting	319.U				Yes	A3-58
Outdoor Residential Athletic Courts	319.V				Yes	A3-58
Satellite Dish Antennas	319.W				Yes	A3-59
Outdoor Furnaces	319.X				Yes	A3-59
Signs	See Sign Ordinance No. 296				Yes	N/A
Airports and Heliports (Private and Public)	402.1		Yes			A4-7
Golf Courses and Driving Ranges	402.8		Yes			A4-27
Mining, Quarrying and Related Processing Operations	402.12		Yes			A4-35
Oil or Gas Well Sites, Natural Gas Compressor Stations, or Natural Gas Processing Plants	402.13		Yes			A4-39
Outdoor Shooting Ranges	402.14		Yes			A4-43
Wind and/or Solar Farms	402.18		Yes			A4-53
Adaptive Reuse of Agricultural Buildings	404.2			Yes		A4-60

Use	Section Number	Permitted By Right	Conditional Use	Special Exception	Accessory	Page
Agriculturally Oriented Commercial Establishments including but not limited to Farm Implement Dealers, Feed Mills, Seed Stores, Butchering Shops	404.3			Yes		A4-61
Bed and Breakfasts	404.5			Yes		A4-65
Campgrounds	404.6			Yes		A4-65
Commercial Greenhouses	404.7			Yes		A4-67
Commercial Produce Operations	404.8			Yes		A4-68
Freestanding Communication and Wireless Communications Antennas and Freestanding Communication and Wireless Communications Facilities Support Structures	404.9			Yes		A4-70
Private Schools on Greater than 5 Acres	404.17			Yes		A4-90
Riding Stables	404.18			Yes		A4-91
Sale of Compost, Mulch, Woodchips, and Coal	404.20			Yes		A4-92
Saw Mills	404.21			Yes		A4-93
Semi-Public or Private Recreational Areas, Camps and Structures	404.22			Yes		A4-93
Septage and Spent Mushroom Compost Processing and/or Commercial Mushroom Operations	404.23			Yes		A4-93
Wholesale Commercial Yard Waste Based Mulching and Composting, Agricultural Animal Based Composting, and Topsoil Screening	404.25			Yes		A4-97

200.C. USES PERMITTED BY RIGHT

For uses permitted by right, the following standards must be satisfied prior to approval of any application for a land development (when applicable) or a zoning permit. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance.

Permitted Uses:

1. **Agricultural and Horticultural, including one single-family detached dwelling contained on site**

Subject to the following:

A. No Special Conditions.

2. **Concentrated Animal Feeding Operations (CAFO) and Concentrated Animal Operations (CAO)**

Subject to the following:

A. Approval for such operations shall be granted by the Pennsylvania Department of Environmental Protection, as required by the Nutrient Management Act Regulations, Title 25, Chapter 83, as amended, and any other agency required to review said operations under the said act and related regulations.

B. Facilities constructed for such operations, including, but not limited to, structures and manure storage facilities related to the use, except reception pits and transfer pipes, shall not be constructed:

1. Within 100 feet of a stream, river, spring, lake, pond or reservoir.
2. Within 100 feet of a private water well or open sinkhole.
3. Within 100 feet of a wetland delineated on the National Wetlands Inventory Maps, if the wetland is within the 100-year floodplain of an exceptional value stream.
4. Within 100 feet of an active public drinking water well, water source surface intake, or both, unless other state or federal laws require a greater distance.
5. Within 100 feet (200 feet for new operations) of a property line, unless the adjacent landowners within 100 feet (200 feet for new operations) from the facility otherwise agree and execute a waiver in a form acceptable to the Township Solicitor.
6. Within 200 feet of a perennial stream, river, lake, pond, reservoir, wetland (as described above), or any water well where such facilities (except permanent stacking and composting facilities) are located on slopes exceeding 8 percent or have a capacity of 1.5 million gallons or greater.
7. Within 200 feet (300 feet for new operations) of any property line where such facilities (except permanent stacking and composting facilities) are located on slopes exceeding 8 percent where the slope is toward the property line or have a capacity of 1.5 million gallons or greater, unless the adjacent landowners within 200 feet (300 feet for new operations) from the facility otherwise agree and execute a waiver in a form acceptable to the Township Solicitor.
8. Within 200 feet of any property in the R-1, R-2, or OI Zoning Districts.

C. The applicant shall furnish evidence from the local field office of the Natural Resources and Conservation Service (NRCS) that the proposed use has a certified conservation plan that meets NRCS standards and specifications. All subsequent operations and activities

Section 200

shall be conducted in accordance with such conservation plan. If, at any time, the conservation plan is amended, the applicant must again furnish evidence from the (NRCS) that the amended plan has been approved.

- D. The applicant shall furnish evidence from the Lebanon County Conservation District that the proposed use has an approved Nutrient Management Plan. All subsequent operations and activities shall be conducted in accordance with such Nutrient Management Plan. If, at any time, the Nutrient Management Plan is amended, the applicant must again furnish evidence from the Lebanon County Conservation District that the amended plan has been approved.
- E. On-site manure storage facilities shall not be permitted until such time as compliance with the Nutrient Management Act Regulations, Title 25, Chapter 83, as amended, is demonstrated by the applicant in writing. The previously enacted provisions of the Township regarding the regulation of manure handling and facilities remain in full force and effect to the extent that they are not preempted by State or Federal law or as modified by this subsection.
- F. The property whereupon the CAO or CAFO is located shall be graded such that runoff from the area of the operation is not discharged onto surrounding properties, onto public roads, or into any permanent surface water unless properly managed in accordance with the Township's Stormwater Management Ordinance.

3. **Forestry Uses**

Subject to the following:

- A. In accordance with Article 5 of this ordinance.

4. **Fish Hatcheries and/or Fish Farms**

Subject to the following:

- A. No Special Conditions

5. **Single Family Detached Dwellings**

Subject to the following:

- A. No Special Conditions

6. **Municipal and Governmental Uses**

Subject to the following:

- A. No Special Conditions.

7. Co-location of Communication Antennas upon Existing Structures outside of the Right-of-Way

Subject to the following:

- A. Communication antennas that are co-located upon existing structures (e.g. utility transmission towers, observation towers, communication towers, silos, steeples, smokestacks, water towers, flagpoles, and other similar structures), are a use permitted by right, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance and specifically as follows:
 - 1. The height of the commercial communications antennas and apparatus attaching the commercial communications antennas thereto shall not exceed by more than twenty (20) feet the height of such existing structure.
 - 2. When site conditions permit, the applicant shall use stealth technology or other appropriate measures to camouflage or conceal the antennas, such as the use of neutral materials that hide antennas, the location of antennas within existing structures, such as steeples, silos, and advertising signs, the replication of steeples and other structures for such purpose, the simulation of elements of rural landscapes, such as trees, and such other measures as are available for use for such purpose.
 - 3. Up to five (5) metal boxes may be placed on a concrete pad not exceeding twenty-five (25) feet by thirty (30) feet in area housing the receiving and transmitting equipment necessary to the operation of the antennas provided that: the pad and boxes meet the applicable accessory yard setback for the district it is located in; the combined height of the pad and boxes does not exceed fifteen (15) feet; and an evergreen landscape buffer screen in accordance with Section 317 is planted and maintained.

8. Animal Hospitals and Veterinary Offices

Subject to the following:

- A. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be located within the rear yard and meet the principal setbacks for the district.

9. Group Family Dwellings

Subject to the following:

- A. No Special Conditions

10. Nursery and Garden Center

Subject to the following:

- A. No Special Conditions

11. Churches and Related Uses

Subject to the following:

- A. House of Worship
 - 1. Minimum lot area - Two (2) acres.
 - 2. Maximum lot area within the (A) District – Five (5) acres.
 - 3. Minimum lot width - Two hundred (200) feet.
 - 4. All houses of worship shall have vehicular access to an arterial or collector road.
 - 5. Side yard setback - Fifty (50) feet on each side.
 - 6. All off-street parking areas shall be set back at least twenty-five (25) feet from the street right-of-way line.
- B. Church-Related Residences (Rectories, Parsonages, and Convents)
 - 1. All residential uses shall be accessory and located upon the same lot, or directly adjacent to a lot containing a house of worship.
 - 2. All residential uses shall be governed by the location, height and bulk standards imposed upon other residences within the R-2 District.
- C. Church-Related Educational or Day-Care Facilities
 - 1. All educational or day-care uses shall be accessory, and located upon the same lot as a house of worship.
 - 2. An outdoor area shall be provided in accordance with State and Federal Regulations. Off-street parking lots shall not be used as outdoor areas. Outdoor areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor areas shall be completely enclosed by a six (6) foot high fence, and screened from adjoining residentially-zoned properties. The use of outdoor areas shall be limited to the hours between 8:00 a.m. and 8:00 p.m.
 - 3. Enrollment shall be defined as the largest number of persons under day-care supervision at any one time during a seven-day period.
 - 4. All educational or day-care uses shall be governed by the location, height and bulk standards imposed upon principal uses within the underlying District.
- D. The maximum permitted lot coverage for churches and related uses shall be sixty (60) percent.

12. Cemeteries, including but not limited to Pet Cemeteries

Subject to the following:

- A. Maximum lot area – Ten (10) acres.
- B. Minimum lot width - Two hundred (200) feet.
- C. All cemeteries shall have vehicular access to an arterial or collector road.
- D. Side yard setback - Fifty (50) feet on each side.
- E. All off-street parking areas shall be set back at least twenty-five (25) feet from the street right-of-way line.

13. Kennels

Subject to the following:

- A. Table 2.1 lists minimum required lot sizes and required setbacks based upon the number of animals kept:

Table 2.1 - Minimum Required Lot Sizes

Type and Number of Animals Kept	Minimum Required Lot Area	Minimum Required Setback of Unenclosed Animal Boarding Buildings, Pens, Stalls, Runways, and Running Areas from the Nearest Property Line
1 dog to 50 dogs	5 acres	150 feet
1 to a maximum of 200 animals, other than dogs	5 acres	150 feet
1 dog to 50 dogs, plus 1 to a maximum of 200 animals, other than dogs	5 acres	150 feet
More than 50 dogs	10 acres	300 feet
More than 50 dogs, and/or more than 200 animals, other than dogs	10 acres	300 feet

- B. The use shall comply with the applicable Township Noise Ordinance.
- C. The applicant must furnish a plan for the storage and disposal of deceased animals within 24 hours of an animal's death.
- D. If applicable, the applicant must demonstrate evidence of compliance with the PA Dog Law.

- E. The applicant must document in writing measures to be used to ensure that all animal wastes shall be regularly cleaned up and properly disposed of to prevent odors and unsanitary conditions.
- F. The applicant is required to submit written information indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations.

14. **Public Schools**

Subject to the following:

- A. No Special Conditions.

15. **Private Schools on 0 to 5 Acres of Land**

Subject to the following:

- A. No Special Conditions.

16. **Exposition Overlay**

Subject to the following:

- A. The land area as graphically shown on the Zoning Map shall be subject to the underlying Agricultural Districts requirements and the Exposition Overlay requirements.
- B. The Exposition Overlay is designed to accommodate the development of a planned indoor and outdoor exposition facility which is accessible and has adequate site area with a goal to permit quality design and sound economic value for the Township and the County of Lebanon.
- C. Permitted Uses in the Exposition Overlay Include:
 - 1. Animal shows, demonstrations and sales, both domestic and livestock including equestrian events.
 - 2. Any 4-H or FFA related activities.
 - 3. Accommodation of temporary overnight stays.
 - 4. Buildings and structures to house any permitted use.
 - 5. Concerts and other musical events.
 - 6. Conferences, conventions, banquets, receptions, and meeting.
 - 7. Fairs, carnivals, circuses, and similar events.
 - 8. Flea markets and table top sales.

Section 200

9. Auto, truck, boat, tractor, and equipment shows; and sales of show related items at the time of the show.
 10. Sports and athletic events and competitions.
 11. Hobby and related events.
 12. Farmers' markets.
 13. Greenhouses.
 14. Exposition related administrative offices.
 15. Governmental offices.
 16. Motor sports demonstrations and races.
 17. Museums.
 18. Temporary parking or storing motor vehicles related to the event.
 19. Rental of any permitted facility to the public for a permitted use.
 20. Tractor and truck shows and pulls.
 21. Temporary emergency evacuation and/or staging site.
 22. Auctions.
 23. Any use determined by the Zoning Officer to be of the same general character as those above-listed uses.
- D. Floor Space: An exposition facility must have at least seventy-five thousand (75,000) square feet of exposition floor area.
- E. Density – Total floor space of all building uses in gross square feet shall not exceed fifty (50) percent of the total lot area as measured in square feet. Where an addition is made to an existing structure the total space of the resulting structure shall be considered in computations.
- F. Minimum Required Lot Area – None.
- G. Minimum Required Lot Width – See Table 2.3.
- H. Required Minimum Yard Setbacks – See Table 2.3.
- I. Maximum Permitted Impervious Lot Coverage – See Table 2.3.
- J. Maximum Permitted Height – See Table 2.3.
- K. Signage – Signs shall be installed pursuant to the Sign Ordinance, No.296.

Section 200

- L. All uses, except for off-street parking or loading/unloading space and outdoor functions shall be conducted within a completely enclosed building except that shipping or storage containers, pallets or other items related to an exposition function may be stored outside provided that areas for storage shall be screened by an opaque fence or wall from adjacent property, parking lots on site, and public rights-of-way. Recreational vehicles (RV's) and trucks used in transporting exhibit materials at scheduled exposition functions may be parked on site during the term of exposition and five days preceding or following the exposition.
 - M. Temporary Structures – Tents, amusement rides, and similar temporary facilities shall not be erected more than fifteen (15) days prior to the event and shall be removed not more than fifteen (15) days after the event.
 - N. All uses permitted within this District shall also comply with the applicable Environmental Protection Standards contained within Article 5 of this Ordinance.
 - O. All access drives shall be in accordance with Sections 301, 302, and 303 of this Ordinance except that no access drive shall be greater than twenty-two (22) feet wide.
 - P. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads. If, at any time, the Township determines that traffic back-ups are occurring on adjoining roads, and such back-ups are directly related to the means of access to the subject property, the Township can require the applicant to revise means of access to relieve the undue congestion.
 - Q. Off-street loading and parking shall be provided in accordance with Sections 309 and 310.
17. Any use determined by the Zoning Officer to be of the same general character as the above-listed permitted uses.

200.D. ACCESSORY USES CUSTOMARILY INCIDENTAL TO THE ABOVE PERMITTED USES

The following Accessory Uses, which are customarily incidental to a Permitted Use, are permitted in accordance with specific use criteria that can be found in Article 3, Section 319.

- 1. Accessory Occupations
- 2. Alternative Energy Production Facilities
- 3. Domestic Pets
- 4. Domestic Compost
- 5. ECHO Housing
- 6. Family Day Care Homes
- 7. Farm Occupations

Section 200

8. Fences and Freestanding Walls
9. Garage Yard and/or Moving Sale
10. Garages and Sheds for Storage of Personal Vehicles and/or Personal Property (Residential Accessory Structures)
11. Gardening and Raising of Plants for Personal Use
12. Home Occupations
13. Keeping of Carriage and Buggy Horses
14. Man-made Lakes, Dams, Ponds, and Impoundments
15. Manure Storage Facilities
16. No-Impact Home Based Business
17. Noncommercial Keeping of Livestock
18. Ornamental Ponds and Wading Pools
19. Play Structures
20. Residential Swimming Pools
21. Roadside Stands
22. Rural Occupation
23. On Farm Agricultural Composting
24. Outdoor Residential Athletic Courts
25. Satellite Dish Antennas
26. Outdoor Furnaces
27. Signs
28. Any use determined by the Zoning Officer to be of the same general character as the above-listed accessory uses.

200.E. USES PERMITTED BY CONDITIONAL USE

In addition to the general criteria listed in Article 4, Section 401.B of this Ordinance, specific use standards can be found in Article 4, Section 402. These standards must be satisfied prior to approval of any application for a conditional use by the Board of Supervisors. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance.

Section 200

Conditional Uses:

1. Airports and Heliports (Private and Public)
2. Mining, Quarrying and Related Processing Operations
3. Outdoor Shooting Ranges
4. Wind and/or Solar Farms
5. Oil or gas Well Sites, Natural Gas Compressor Stations, or Natural Gas Processing Plants
6. Golf Courses and Driving Ranges
7. Any use determined by the Zoning Officer to be of the same general character as the above-listed conditional uses.

200.F. USES PERMITTED BY SPECIAL EXCEPTION

In addition to the general criteria listed in Article 4, Section 403.A.2 of this Ordinance, specific use standards can be found in Article 4, Section 404. These standards must be satisfied prior to approval of any application for a special exception by the Zoning Hearing Board. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance.

Special Exceptions:

1. Adaptive Reuse of Agricultural Buildings
2. Bed and Breakfasts
3. Campgrounds
4. Commercial Produce Operations
5. Freestanding Communication Antennas, Towers, and Equipment
6. Agriculturally Oriented Commercial Establishments including but not limited to Farm Implement Dealers, Feed Mills, Seed Stores, Butchering Shops
7. Saw Mills
8. Semi-Public or Private Recreational Areas, Game and Wildlife Hunting and Gun Clubs, Camps and Structures
9. Riding Stables
10. Sale of Compost, Mulch, Woodchips, and Coal
11. Septage and Spent Mushroom Compost Processing and/or Commercial Mushroom Operations
12. Wholesale Commercial Yard Waste Based Mulching and Composting, Agricultural Animal Based Composting, and Topsoil Screening

Section 200

13. Commercial Greenhouses
14. Private Schools on Greater than five (5) Acres
15. Any use determined by the Zoning Officer to be of the same general character as the above-listed special exemption uses.

200.G. LIMITATIONS ON SUBDIVISION AND/OR LAND DEVELOPMENT

1. In order to preserve agricultural properties, it is the express intent of the Agricultural District regulations that large contiguous areas of farmland be protected. Therefore, the subdivision of lots, or the development of nonagricultural uses and structures, shall be limited regardless of whether such development is accomplished by subdivision or land development as those terms are defined in the Municipalities Planning Code. In addition, it is the express intent of these provisions that the maximum size of lots created for any use other than agriculture be limited in order to provide for the retention of tracts of sufficient size to be used for agricultural purposes. It is the intent of the Board of Supervisors to implement the mandate of Section 604(3) of the Municipalities Planning Code to preserve prime agricultural land through the enactment of these regulations.
2. Table 2.2 shall be used to determine the permissible number of lots which may be subdivided, or the number of new principal uses that may be established, respectively, within this District. The "Lot Area" calculation contained within the following table shall be based upon all contiguous land within the Agricultural District held in single and separate ownership, which was held by the landowner or his/her predecessor(s) in title on April 29, 2008 (original date of enactment of these specific regulations). If such land was not classified within the Agricultural District on April 29, 2008, the "Lot Area" calculation shall be based upon the contiguous land held in single and separate ownership on the date such land was first rezoned to the Agricultural District. For the purposes of this section, land held in single and separate ownership shall be considered to be contiguous regardless of whether:
 - A. Such land is divided into one or more lots, parcels, purparts, or tracts.
 - B. Such land was acquired by the landowner at different times or by different deeds or other means.
 - C. Such land is separated by public or private streets or rights-of-way.

Table 2.2 – Permissible Number of Lots

Lot Area (Acres)		Total number ¹ of permitted lots and/or principal uses.
At least	Less than	
0	10	Lot area, lot width, lot coverage, yard depths, and building height satisfying the requirements of Table 2.3 in this Section
10	25	4
25	50	5
50	75	6
75	100	7
100	126	8
126 or more		8, plus 1 per each 25 acres in excess of 125 acres

¹ The total number of permitted lots and/or principal uses does not include the residual lot or existing use(s)

3. No subdivision shall be permitted which shall increase the lot size of a lot used for residential purposes in excess of the maximum lot size, except as set forth in Footnote #2 of Table 2.3 in Section 200.H. of this Ordinance.
4. A subdivision that merely transfers land from one farm to another farm shall not be counted against the permitted number of lots to be subdivided in Section 200.G.2 of this Ordinance.
5. A subdivision to create a lot which will be transferred to the Township, or a municipal authority created by the Township, shall not be included when computing the permissible number of lots to be subdivided from a tract, as set forth in Section 200.G.2 of this Ordinance.
6. Any subdivision or land development plan hereafter filed shall specify which lot or lots shall carry a right of further subdivision or development, as provided for in Section 200.G.2 of this Ordinance. Each deed shall clearly denote the property's future subdivision/land development rights under this Section. Such information shall also be included in the deed for any new lots. If this information is not included on a subdivision or land development plan, it shall be presumed that the largest lot remaining after the subdivision shall carry the right of further subdivision or land development under Section 200.G.2 of this Ordinance.
7. The number of lots which may be created, or single-family dwellings or other principal nonagricultural uses which may be established, shall be fixed according to the size of the parent tract. This number shall not be increased by the subdivision of such parent tract. Any subsequent owner of a parent tract, land remaining in the parent tract after subdivision, or land which was formerly part of a parent tract shall be bound by the actions of his predecessor.

200.H. AREA & DESIGN REQUIREMENTS WITHIN THE (A) DISTRICT – All uses within the Agricultural District shall comply with those standards listed in Table 2.3.

Table 2.3 - AREA & DESIGN REQUIREMENTS WITHIN THE (A) DISTRICT

Use	Minimum Required Lot Area	Maximum Permitted Lot Area	Minimum Required Lot Width	Required Minimum Yard Setbacks				Maximum Permitted Building Coverage	Maximum Permitted Height ⁶
				Front	One Side	Both Sides	Rear		
Agriculture, horticulture, forestry, and other principal uses ^{3,4}	1 acre ^{3,7}	N/A	150 ft.	50 ft. ¹	20 ft. ¹	40 ft. ¹	50 ft. ¹	20%	35 ft.
Municipal and governmental uses ³	None	None	None	None	None	None	None	100%	Unlimited
Single-family detached dwellings ³	1 acre ³	2 acres ^{2,7}	150 ft.	40 ft.	15 ft.	30 ft.	40 ft.	25%	35 ft.
Residential accessory structures ⁵	Included in above	Included in above	N/A	Not permitted in front yard, unless a minimum 100 ft. setback is provided.	5 ft.	10 ft.	5 ft.	Included in above	25 ft.

¹ Special setback requirements - Except as provided for as follows, no compost area, new slaughter area, area for the storage or processing of garbage, agricultural byproducts or composted materials, structures for the cultivation of mushrooms shall be permitted within three hundred feet (300') of any adjoining property. The Zoning Hearing Board may, as a special exception, however, reduce the above special setback requirements where it is shown that, because of prevailing winds, unusual obstructions, topography, or other conditions, a lesser distance would protect adjoining lands from odor, dust or other hazards. In no case, however, shall the Zoning Hearing Board reduce the special

- b. If on-site sewer or water systems are to be used, the applicant shall submit evidence to the Zoning Officer showing that the total number of occupants in both the principal dwelling and the elder cottage will not exceed the maximum capacities for which the one-unit systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing on-site sewer system shall be subject to the review and approval of the sewage enforcement officer.
6. A minimum of one (1) all-weather off-street parking space, with unrestricted ingress and egress to the street, shall be provided for the elder cottage, in addition to that required for the principal dwelling.
7. The elder cottage shall be installed and located only in the side or rear yards, and shall adhere to all side and rear yard setback requirements for principal uses.
8. The elder cottage shall be removed from the property within twelve (12) months after it is no longer occupied by a person who qualifies for the use.
9. Upon the proper installation of the elder cottage, the Zoning Officer shall issue a temporary Zoning Certificate of Use.

319.F. FAMILY DAY CARE HOMES

1. The family day care must be operated within a single-family detached dwelling having a minimum lot size of ten thousand (10,000) square feet.
2. All family day-care facilities with enrollment of more than three (3) minors shall comply with the applicable regulations of the Pennsylvania Department of Human Services.
3. An outdoor area shall be provided in accordance with state law. Off-street parking lots shall not be used as outdoor areas. Outdoor areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor areas shall be completely enclosed by a six (6) foot high fence, and screened from adjoining property within the R-1 and R-2 Districts or residential uses. The use of outdoor areas shall be limited to the hours between 8:00 a.m. and 8:00 p.m.

319.G. FARM OCCUPATIONS

1. No subdivision of the farm occupation shall be permitted.
2. A farm occupation may only be conducted on actively-farmed parcels containing at least twenty-five (25) acres. A "farm" shall be considered to include an area of land operated as a single economic agricultural enterprise, regardless of the number of contiguous parcels, plots, or tracts comprising such an enterprise.
3. Farm occupations may involve one of the following uses:

Section 319

- a. Retail sales of agricultural products principally produced on the farm (with a display area not to exceed 600 square feet).
 - b. Facilities for the service and repair of farm machinery and equipment, and small engines.
 - c. Facilities contributing to the agrarian lifestyle characteristic of the residents of the Township. Such facilities include but are not limited to:
 - i. Arts and crafts manufacturing, with a retail sales display area not to exceed six hundred (600) square feet.
 - ii. Blacksmith and tool sharpening shops.
 - iii. Carriage, buggy, wagon and related appurtenances manufacturing, sales and service;
 - iv. Carpenters.
 - v. Woodworking, furniture, and cabinet making shops.
 - vi. Metalworking shops.
 - vii. Country housewares, hardware and dry goods stores with a retail display area not exceeding one thousand (1,000) square feet.
 - viii. Tailor and shoe shops.
 - ix. Bake shops with no more than six hundred (600) square feet of retail sales display area.
 - x. Any use determined by the Zoning Officer to be of the same general character as those above-listed uses.
4. No more than one (1) acre of land shall be devoted to such use, including areas used for structures, parking, storage, display, setbacks, landscaping, etc. However, any lane serving the farm occupation and a home and/or farm contained upon the same lot shall not be included as lot area devoted to the farm occupation.
5. At least one owner of the farm occupation must live on the property on which the use is conducted.
6. No farm occupation shall be located within three hundred (300) feet of any property used principally for residential purposes (except for dwellings located upon the same parcel as the farm occupation), nor any lands within the R-1 or R-2 Districts. Such distances shall be measured as a straight line between the closest points of the property containing the farm occupation and the residentially used or zoned properties.
7. All farm occupations shall be conducted upon the same lot as an actively farmed parcel.
8. No more than two (2) nonresidents of the farm parcel shall be employed by the farm occupation.

Section 319

9. The use must be conducted within one completely-enclosed building. In no case shall such use occupy more than four thousand (4,000) square feet of gross floor area.
10. Any out-building used for such farm occupation shall be located behind the principal farm residence on the site or, as an alternative, at least three hundred (300) feet from the street right-of-way.
11. Any outdoor storage of supplies, materials or products shall be located behind the building in which the farm occupation is located. Such outdoor storage shall also be screened from adjoining roads and properties.
12. Any activities that produce excessive dust, odor, light or noise, perceptible at the property line are prohibited.
13. Manufactured homes are permitted but not for habitation.
14. The applicant shall submit written evidence from the SEO that the proposed use has an approved means of sewage disposal.
15. Any new building constructed for use by the farm occupation shall be of a design so that it can be readily converted to agricultural use, or removed, if the farm occupation is discontinued.

319.H. FENCES AND FREESTANDING WALLS

1. Upon properties used for residential purposes, no fence or freestanding wall (except athletic court walls or fences, or a retaining wall as noted below in Section 3 shall be erected to a height of more than:
 - a. Three (3) feet in a front yard; except that, fences and freestanding walls erected upon reverse frontage and corner lots may extend up to height of six (6) feet within those yards that do not contain vehicular access onto an adjoining road.
 - b. Six (6) feet in any side or rear yard.
 - c. On corner lots, fences shall be setback five (5) feet from the right-of-way line.
2. No fence or freestanding wall shall interfere with the required clear sight triangle as listed in Sections 301.C, 303, and 304.C. of this Ordinance.
3. The use of freestanding retaining walls higher than four (4) feet up to a maximum height of twelve (12) feet is permitted, subject to the following findings:
 - a. That the proposed height of the retaining wall is necessary to facilitate an efficient use of the site and/or protect an important or sensitive natural or cultural feature of the site.

Section 319

- a. All permitted portable or temporary swimming pools must be removed by September 15th or violation and fines may be enforced. A portable pool shall be located a minimum of five (5) feet from any side or rear yard. The portable pool location shall be inspected and approved by the Township's Zoning Officer. A permit will not be issued without the Zoning Officer's written approval documentation attached to the temporary pool permit.
 - b. Only portable or temporary pools shall be permitted without an operable filtration system and must utilize chlorine, bromine, or some other antibacterial agent. Pools with electrical filtration pumps must be inspected under current UCC regulations by the Township's building code inspector.
6. The pumping of pool water shall be dechlorinated and shall not be discharged and directed onto an adjoining street or property.

319.S. ROADSIDE STAND

1. Roadside stands shall not exceed two hundred fifty (250) square feet of total display area.
2. Roadside stands must be located at least ten (10) feet from the right-of-way line.
3. Any structure shall meet the required minimum side and rear yard setbacks.
4. No structures housing a roadside stand or accompanying parking area may be located within one hundred (100) feet of any intersecting street rights-of-way.
5. No more than one (1) roadside stand per property shall be permitted.

319.T. RURAL OCCUPATION

1. Only one (1) rural occupation may be conducted as an accessory use on the same property as the owner's principal residence, and shall not exceed the area of the principal residence's ground floor or one thousand (1,000) square feet, whichever is the lesser.
2. A rural occupation shall only be conducted within one completely-enclosed outbuilding that is limited to one (1) story in height, or twenty (20) feet, whichever is lesser, is located in the rear yard of the principal residence, and is set back at least fifty (50) feet from any side or rear lot lines.
3. In no case shall any new rural occupation building be constructed before the owner resides on the subject property. In addition, rural occupations may only be conducted so long as the sole owner of the business resides on the site.
4. All off-street parking and loading spaces shall be screened from adjoining residential uses.
5. No outdoor storage or display shall be permitted. All vehicles, machinery and equipment associated with the rural occupation must be kept within a completely-enclosed structure at all times, except that one (1) commercial truck of not more than eleven thousand (11,000) pounds

Section 319

gross vehicle weight may be parked behind the principal residence so long as it is screened from adjoining roads and properties

6. No rural occupation and its principal dwelling shall generate more than twenty (20) vehicle trips per day to or from the site. The applicant shall a written statement on the expected numbers of vehicle trips associated with the proposed use.
7. Vehicular access to the rural occupation shall be limited to the same driveway connection with the public street that serves the principal residence. No additional roadway connections shall be permitted.
8. The maximum number of employees who do not reside on the site shall be equal to two (2) full-time positions. For the purposes of this section, "employees" shall be defined as those involved in the on-site conduct of the rural occupation; off-site employees who only occasionally visit the site shall not be limited.
9. Rural occupations shall only be conducted between the hours of 6 a.m. and 9 p.m.
10. No manufacturing, mechanical or industrial use shall be permitted which causes any noise, odor, glare, fume, smoke, dust, vibration, electromagnetic interference, or other hazard that is noticeable at the property line. No use that requires application or permitting by the PA DEP for the handling of hazardous waste or other substances shall be permitted, except for wastewater treatment.
11. Any area devoted to retail sales display shall be limited to twenty (20) percent of the overall size of the rural occupation.
12. The applicant shall furnish evidence that an approved means of sewage disposal shall be utilized, and further that such means is part of the same system in use for the principal residence.
13. No subdivision of the rural occupation is permitted and no land development approval is required.

319.U. ON FARM AGRICULTURAL COMPOSTING

Subject to the following:

1. The applicant shall furnish evidence of an effective means to dispose dead animals according to the regulations of the Pennsylvania Department of Agriculture.

319.V. OUTDOOR RESIDENTIAL ATHLETIC COURTS

Subject to the following:

1. All courts shall either be setback a sufficient distance from any lot line to prevent the trespass of balls or other play objects onto adjoining properties or be equipped with fences or other barriers that will prevent such trespass.

3. Loud speakers, amplifiers for advertising: Using, operating or permitting the playing, use or operation of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure, except in the course of legitimate business activity or auction sales.

4. Yelling, shouting, etc.: Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of eleven o'clock, P.M. and seven o'clock, A.M., or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

5. Exhausts: The discharge into the open air of the exhaust of any stationary internal combustion engine or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

7. Noise Exemptions

a. Noise emitted from the following sources shall be exempt from the noise standards specified herein:

1. All safety signals and warning devices (e.g. intrusion alarms, back-up alarms on trucks); authorized vehicles when responding to emergencies (e.g. police, fire, ambulance sirens or any other device used to alert persons to an emergency or used during the conduct of emergency work).

2. The provision, repair and maintenance of municipal services or public utilities.

3. Bells, chimes and carillons used for religious purposes or in conjunction with national celebrations or public holidays.

4. Appliances, lawn and garden equipment, chain saws, snow removal equipment and power tools in use between the hours of 7:00 a.m. (prevailing time) and 9:00 p.m. (prevailing time), provided such are operated within the manufacturer's specifications and with all standard

noise-reducing equipment in use, unmodified, and in proper operating condition.

5. Heavy construction equipment when being used on a specific short term project (such as constructing a building: constructing, repairing or cleaning a road; drilling a well; and other similar short term, specific construction, demolition, or repair projects) between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, for the duration of such short term, specific project; provided, such heavy construction equipment is operated within the manufacturer specifications and with all standard noise-reducing equipment in use, unmodified and in proper operating condition.

6. Air conditioners, fans, heating units and similar comfort devices, provided such are operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified, and in proper operating condition.

7. Airplanes, helicopters, and normal activities of properly licensed airports; trains operating on railroads.

8. Musical, recreational, village festivals, and athletic events conducted by or permitted by schools, local government, or community associations, or events sponsored by non-profit organizations, including street fairs, arts & craft shows, cars shows, exposition center events, or similar events or activities, deemed permissible by the local government.

9. Existing private weapons firing ranges during day time or military training activities.

10. All motor vehicles being operated on the public road in North Cornwall Township, provided such are operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified and in proper working condition.

11. Activities permitted by special waiver, as provided herein, according to the terms and conditions of said waiver.

12. All farm-related operations and activities, including any agricultural fairground events.

13. Any existing legitimate or licensed business, commercial, or industrial operation between the hours of 7:00 a.m. and 11:00 p.m., prevailing time, provided any appliances, equipment, machinery or devices used in such operation are operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified and in proper operating condition.

b. Special Waiver - A temporary waiver from strict compliance with the noise standards specified herein may be granted to persons during emergency circumstances, as determined by the Board of Supervisors, to permit reasonable time to effect repairs.

8. Personal Conduct

a. Attractive Nuisance. Creating, allowing or permitting nuisances on any public or private property whether or not such property is owned, leased, occupied or otherwise controlled is prohibited.

b. Personal Behavior. It shall be unlawful for any person to make indecent remarks or use vile language, or to be found in a drunken or disorderly condition within the Township, causing a disturbance of the peace and good order of the Township.

c. Littering. Littering is prohibited in accordance with Township Ordinances.

d. Loitering. It shall be unlawful for any person found begging or being vagrant within the limits of the Township, or for any person to sit, stand, walk, run, or park in a vehicle in any of the Township's parks, ballfields, and playgrounds, when the park is closed.

e. Throwing Objects. It shall be unlawful for any person to throw, hurl or cast any metal, stone, snowball, or any other item as a missile at any Township personnel or equipment, people, or animal passing along or standing at any of the streets, roads, lanes, alleys or sidewalks of the Township.

9. Sanitary Sewer and Storm Water Drainage

a. Cesspools. It shall be unlawful for any person to permit and maintain open vaults, drains, failed cesspools and failed septic systems prejudicial to public health.

36. Repeat Violation. A violation of the same regulation in any location in the Township by the same person, for which voluntary compliance previously has been sought or a notice of civil violation has been issued, within the immediately preceding 18-month period.

37. Refuse. Refuse includes, but is not limited to, the waste or remains of any living thing, garbage or food waste, glass, metal, ashes, dirt, tires, rubbish of any kind, pasteboard and paper materials, garden and yard waste.

38. Residential Lawn. An area of ground planted with domesticated grass and mowed regularly, generally where occupied and non-occupied structures are located.

39. Street Right-of-Way. The total deeded width of a paved cartway and any adjacent additional area, measured on both sides, from the center line of the roadway.

40. Sight Triangle. The distance in feet from each direction of the center point of intersecting streets, forming a triangle.

41. Township. North Cornwall Township, Lebanon County, Pennsylvania.

42. Trash. Worthless or discarded material or objects; refuse or rubbish, compost, junk, debris, litter, waste.

43. Trash-Covered Premises. Any premises containing trash or abandoned materials, except that which is kept in garbage cans or containers maintained for regular collection.

44. Trespass. To enter another person's land unlawfully; to go onto another person's land or enter another person's property without permission.

45. Unreasonable Noise. In residential districts, or if the abutting property is used for residential purposes, it shall be considered an unreasonable noise and a public nuisance, between the hours 11:00 p.m. of one day and 7:00 a.m. the following day, regardless of the sound level which is emitted, for any person to play or permit the playing of any radio, television, drum, musical instrument, music player, sound amplifier, phonograph or similar device which produces, reproduces or amplifies sound in such a manner as to be plainly audible across a property line or from within another dwelling unit; to rebuild, test or otherwise work on any motorcycle,

motor vehicle, motorboat or aircraft in such a manner as to be plainly audible across a property line; to yell, shout, whistle, sing or otherwise create noise across property lines that disturbs the quiet, comfort or repose of persons in any dwelling, hotel, or other type of residence.

46. Vegetation. Any grass, weed, or growing plant whatsoever, which is not edible or planted for some useful, legal, ornamental purpose.

47. Vermin. Any variation of small animals or insects that are destructive, dangerous, or injurious to health or property.

48. Vicious Animal. Any animal which has previously attacked or bitten any person or which has behaved in such a manner that a person who harbors said animal knows or should reasonably know that the animal is possessed of tendencies to attack or bite persons.

49. Waterway. A waterway shall be defined consistent with the Army Corp. of Engineers and the Clean Water Act, and consistent with the Pennsylvania Clean Streams Law. Navigable waters of the United States, as defined in 33 C.F.R. 329, are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce while the waterway is in its ordinary condition

50. Stacked Wood Piles. Cut tree wood placed and piled in an orderly fashion on properties, which is used as fuel for fireplaces, wood stoves, fire pits, etc.

ARTICLE III – NUISANCES

SECTION 3.01. Nuisances Declared Illegal

Nuisances, including but not limited to the following, are hereby declared to be illegal.

1. Accumulation, Storing, Dumping and Odors

a. Accumulation or Storage. It shall be unlawful to accumulate or store the following: garbage or rubbish; junk material (including but not limited to unused or abandoned machinery, equipment or appliances); other junk, including but not limited to any and all forms of waste and refuse of any type of material,