

TOWNSHIP OF LIBERTY
COUNTY OF ADAMS, PENNSYLVANIA

ORD. NO. 2022-02

AN ORDINANCE TO APPROVE, ADOPT AND ENACT AN ORDINANCE CODIFICATION FOR THE TOWNSHIP OF LIBERTY, COUNTY OF ADAMS, COMMONWEALTH OF PENNSYLVANIA; TO PROVIDE FOR THE REPEAL OF CERTAIN LEGISLATION NOT INCLUDED THEREIN; TO SAVE FROM REPEAL CERTAIN OTHER LEGISLATION NOT INCLUDED THEREIN; AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE CODE.

WHEREAS, in 1800 a Township was formed in Pennsylvania out of Hamiltonban Township to be known as Style (Title) of "Liberty; and

WHEREAS, through the years said Township has sometimes been referred to "Township of Liberty", but mostly referred to as "Liberty Township"; and

WHEREAS, the Board of Supervisors of the Township of Liberty desire to clear up any ambiguity concerning the name of the Township; and

WHEREAS, the Board of Supervisors of the Township of Liberty also desire to codify the body of existing Township Ordinances.

Be it enacted and ordained by the Board of Supervisors of the Township of Liberty, County of Adams, Commonwealth of Pennsylvania, and it is enacted and ordained that any references to the Township formed out of Hamiltonban Township, County of Adams, Pennsylvania in 1800 as "Township of Liberty" or "Liberty Township" shall be treated as referring to the Township formed in 1800 out of Hamiltonban Township and said Township may be referred to in the future as "Liberty Township" or "Township of Liberty."

IT IS FURTHER enacted and ordained as follows:

ARTICLE I
Adoption of Code

§ 1-1. Approval, adoption, and enactment of Code.

Pursuant to Section 1601(d) of the Second Class Township Code [53 P.S. § 66601(d)], the codification of a complete body of legislation for the Township of Liberty, County of Adams, Commonwealth of Pennsylvania, as revised, codified and consolidated into chapters, articles and sections by General Code, and consisting of Chapters 1 through 350, together with an Appendix, is hereby approved, adopted, ordained and enacted as a single ordinance of the Township of Liberty, which shall be known and is hereby designated as the "Code of the Township of Liberty," hereinafter referred to as the "Code."

§ 1-2. Effect of Code on previous provisions.

The provisions of this Code, insofar as they are substantively the same as those of ordinances and resolutions in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Supervisors of the Township of Liberty, and it is the intention of said Board of Supervisors that each such provision contained within the Code is hereby reenacted and reaffirmed as it appears in said Code. Only such provisions of former ordinances or resolutions as are omitted from this Code or that are inconsistent with the provisions contained in the Code shall be deemed repealed or abrogated by the provisions of § 1-3 below, and only new or changed provisions, as described in § 1-6 below, shall be deemed to be enacted from the effective date of this Code, as provided in § 1-15 below.

§ 1-3. Inconsistent legislation repealed.

- A. Repeal of inconsistent ordinances and resolutions. Except as provided in § 1-4, Legislation saved from repeal; matters not affected by repeal, below, all ordinances or resolutions or parts of ordinance or resolutions inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed as of the effective date given in § 1-15; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Township of Liberty, which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific ordinances or resolutions. The Board of Supervisors of the Township of Liberty has determined that the following ordinances are no longer in effect and hereby specifically repeals the following legislation:
- (1) Ordinance No. 1999-01, entitled _____, regarding swine farm facilities, adopted August 3, 1999.

§ 1-4. Legislation saved from repeal; matters not affected by repeal.

The adoption of this Code and the repeal of ordinances and resolutions provided for in § 1-3 of this ordinance shall not affect the following ordinances, resolutions, rights and obligations, which are hereby expressly saved from repeal; provided, however, that the repeal of ordinances or resolutions pursuant to § 1-3 or the saving from repeal of ordinances or resolutions pursuant to this section shall not be construed so as to revive any ordinance or resolution previously repealed, superseded or no longer of any effect:

- A. Any ordinance or resolution adopted subsequent to March 2, 2021.
- B. Any right or liability established, accrued, or incurred under any legislative provision of the Township prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability or any cause of action acquired or existing.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the Township or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision of the Township.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Township or any lawful contract, obligation, or agreement.
- F. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Township or other instruments or evidence of the Township's indebtedness.
- G. Any ordinance or resolution adopting an annual budget or establishing an annual tax rate.
- H. Any ordinance or resolution providing for the levy, imposition or collection of special taxes, assessments or charges.
- I. Any ordinance or resolution authorizing the purchase, sale, lease or transfer of property or acquiring property by acceptance of deed, condemnation or exercise of eminent domain.
- J. Any ordinance or resolution annexing land to the Township.

- K. Any ordinance or resolution providing for or requiring the construction or reconstruction or opening of sidewalks, curbs and gutters.
- L. Any ordinance or resolution, or part of an ordinance or resolution providing for laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, sidewalk, park or other public place or property or designating various streets as public highways.
- M. Any ordinance or resolution establishing water, sewer or other special purpose districts and designating the boundaries thereof; providing for a system of sewers or water supply lines; or providing for the construction, extension, dedication, acceptance, or abandonment of any part of a system of sewers or water supply lines.
- N. Any ordinance or resolution providing for the making of public improvements.
- O. Any ordinance, resolution or motion providing for the salaries and compensation of officers and employees of the Township or setting the bond of any officer or employee.
- P. Any ordinance or resolution concerning changes and amendments to the Zoning Map.
- Q. Any ordinance, resolution or motion relating to or establishing a pension plan or pension fund for municipal employees.
- R. Any ordinance or resolution or portion of an ordinance or resolution establishing a specific fee amount for any license, permit or service obtained from the Township.
- S. Any currently effective ordinance or resolution providing for intergovernmental cooperation or establishing an intermunicipal agreement.

§ 1-5. Inclusion of new legislation prior to adoption of Code.

All ordinances or resolutions of a general and permanent nature adopted subsequent to the date given in § 1-4A and/or prior to the date of adoption of this ordinance are hereby deemed to be a part of the Code and shall, upon being printed, be included therein. Attested copies of all such ordinances or resolutions shall be temporarily placed in the Code until printed supplements are included.

§ 1-6. Changes and revisions in previously adopted legislation; new provisions.

- A. Nonsubstantive changes. In compiling and preparing the ordinances and resolutions of the Township for adoption and revision as part of the Code, certain nonsubstantive grammatical and style changes were made in one or more of said ordinances and resolutions. It is the intention of the Board of Supervisors that all such changes be adopted as part of the Code as if the ordinances and resolutions so changed had been previously formally amended to read as such.
- B. Substantive changes and revisions. In addition to the changes and revisions described above, changes and revisions of a substantive nature, as set forth in Schedule A attached hereto and made a part hereof, are hereby made to various ordinances and resolutions included in the Code. These changes are enacted to bring provisions into conformity with the desired policies of the Board of Supervisors, and it is the intent of the Board of Supervisors that all such changes be adopted as part of the Code as if the legislation so changed had previously formally amended to read as such. All such changes and revisions shall be deemed to be in effect as of the effective date of the Code specified in § 1-15.
- C. Nomenclature changes and revisions.

- (1) "Justice of the Peace," "District Justice," "District Magistrate," or "Magistrate" is changed to "Magisterial District Judge."
- (2) "Department of Community Affairs" is changed to "Department of Community and Economic Development."
- (3) U.S. Department of Agriculture's "Soil Conservation Service" (or "SCS") is changed to "Natural Resources Conservation Service" (or "NRCS").
- (4) "Department of Environment Resources" is changed to "Department of Environmental Protection".
- (5) "Department of Public Welfare" is changed to "Department of Human Services."

§ 1-7. Interpretation of provisions.

In interpreting and applying the provisions of the Code, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare. Where the provisions of the Code impose greater restrictions or requirements than those of any statute, other ordinance, resolution or regulation, the provisions of the Code shall control. Where the provisions of any statute, other ordinance, resolution, or regulation impose greater restrictions or requirements, the provisions of such statute, other ordinance, resolution, or regulation shall control.

§ 1-8. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions in the Code or in supplements made to the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information, or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-9. Filing of copy of Code.

At least one copy of the Code in a post-bound volume shall be filed with the Ordinance Book in the office of the Township Secretary and shall remain there for use and examination by the public. Upon adoption, such copy or copies shall be certified to by the Township Secretary, as provided by law, and such certified copy or copies shall remain on file in the office of the Township Secretary, available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-10. Amendments to Code.

Any and all additions, deletions, amendments, or supplements to the Code, when passed and adopted in such form as to indicate the intention of the Board of Supervisors to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such changes.

§ 1-11. Code books to be kept up-to-date.

It shall be the duty of the Township Secretary, or someone authorized and directed by him or her to keep up-to-date the certified copy or copies of the book containing the Code required to be filed in the office of the Township Secretary for the use of the public. All changes in said Code and all legislation adopted by the Board of Supervisors subsequent to the effective date of this codification which the Board of Supervisors shall adopt specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new legislation are made to said Code books.

§ 1-12. Publication of notices.

The Township Secretary, pursuant to law, shall cause to be published proper advertisements for the adoption of the Code.

§ 1-13. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, or to alter or tamper with the Code or any part or portion thereof, in any manner whatsoever, which will cause the law of the Township to be misrepresented thereby. Any person who violates or permits a violation of this section of this ordinance, upon being found liable therefor in a civil enforcement proceeding, pay a fine of not more than \$600, plus all court costs, including reasonable attorney's fees, incurred by the Township in the enforcement of this chapter. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

§ 1-14. Severability.

The provisions of this ordinance and of the Code adopted hereby are severable, and if any clause, sentence, subsection, section, article, chapter or part thereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation and application to the clause, sentence, subsection, section, article, chapter or part thereof rendered illegal, invalid or unconstitutional. It is hereby declared to be the intent of the Board of Supervisors that this ordinance and the Code would have been adopted if such illegal, invalid or unconstitutional clause, sentence, subsection, section, article, chapter or part thereof had not been included therein.

§ 1-15. Effective date.


All provisions of this ordinance and of the Code shall be in force and effect five days after adoption.



ENACTED AND ORDAINED by the Board of Supervisors of the Township of Liberty this 7th day of June, 2022.

ATTEST:

TOWNSHIP OF LIBERTY
BOARD OF SUPERVISORS


Township Secretary

By: 
Chairman

**Township of Liberty
Code Adoption Ordinance**

**Schedule A
Specific Revisions at Time of Adoption of Code**

Chapter 56, Planning Commission.

This chapter is amended in its entirety to read as follows:

§ 56-1. Establishment.

A Planning Commission consisting of five members and one alternate member is hereby created and established for Liberty Township, Adams County, Pennsylvania, pursuant to the provisions of Article II, Section 201, of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10201, as established by the Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted.

§ 56-2. Composition; terms of office.

The Planning Commission shall be comprised of five members who shall be appointed for terms of office of four years, or until a successor is appointed and qualified, except that the terms of office for three of the original members shall be fixed at one year, two years and three years, respectively, and the terms of office for two of the original members shall be fixed at four years, to be established on a series of overlapping terms with one term expiring each year, except for one year in which two terms shall expire.

§ 56-3. Powers and duties.

The Planning Commission shall have all the powers and duties conferred and imposed upon it as set forth in the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 et seq., established by the Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted.

Chapter 59, Police Department.

Article I, Warrantless Arrests.

Section 59-2A is amended to change "Rule 71" to "Rule 441."

Chapter 64, Retirement and Pensions

Article II, Nonuniformed Employees Pension Plan.

Section 64-8 is amended to read as follows:

The Board of Township Supervisors now acknowledges the Chairman of the Board of Supervisors as Trustee to the Liberty Township Nonuniformed Employees Pension Plan along with the Chief Administrative Officer.

Chapter 95, Animals.

Article I, Livestock Running at Large.

Section 95-2 is amended to read as follows:

Any person, firm, or corporation who violates or permits a violation of this article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a Magisterial District Judge, pay a fine of not more than \$600, plus all court costs, including reasonable attorneys' fees, incurred by the Township in the enforcement of this article and any restitution ordered. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

Article II, Noise Nuisances.

Section 95-8 is amended to read as follows:

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

Chapter 103, Buildings, Numbering of.

- A. Section 103-3A is amended as indicated: “...be of paint, metal or enamel, ~~and at least three inches in height~~ Arabic numerals or alphabet letters, a minimum of four inches in height, with a minimum stroke width of 0.5 inch, and the color of the numbers...”
- B. Section 103-5 is amended to read as follows:

Any person, firm or corporation who violates or permits a violation of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a Magisterial District Judge, pay a fine of not more than \$600, plus all court costs, including reasonable attorneys’ fees, incurred by the Township in the enforcement of this chapter. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

Chapter 154, Floodplain Management

Section 154-36B is amended to read as follows:

Penalties. Any person who fails to comply with any or all of the requirements or provisions of this chapter or who fails or refuses to comply with any notice, order, or direction of the Floodplain Administrator or any other authorized official of the municipality shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this chapter. The imposition of a fine or penalty for any violation of, or noncompliance with, this chapter shall not excuse the violation or noncompliance or permit it to continue. All such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated in noncompliance with this chapter may be declared by the Board of Supervisors to be a public nuisance and abatable as such.

Chapter 172, Junkyards.

- A. In § 172-2, the definition of “screening” is amended as indicated: “...structures, or a combination of any of these maintained at a height of not less than six feet, which will effectively hide any deposit of junk so as not to be visible from the road, street or highway at all times of the year ~~by an occupant of a motor vehicle viewing from a height of 4 1/2 feet above the pavement.~~”
- B. Section 172-9B is amended as indicated: “...regulated under ~~Aet 241 of 1968~~ Act 97 of 1980, 35 P.S. § 6018.101 et seq., known as the ‘Pennsylvania Solid Waste Management Act.’”
- C. Section 172-11 is amended to read as follows:

Any person who violates or permits a violation of any of the provisions of this chapter shall, upon conviction thereof in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal

Procedure, be guilty of a summary offense and sentenced to pay a fine of not more than \$1,000, plus costs of prosecution (including attorney fees). In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

Chapter 187, Littering.

Section 187-2 is amended to read as follows:

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

Chapter 192, Loitering.

Article I, Access to Voting Places.

Section 192-2 is amended to read as follows:

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

Chapter 214, Noise.

Section 214-8 is amended to read as follows:

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

Chapter 231, Rental Property.

Article I, Tenant Registration.

Section 231-3 is amended as indicated: “...the notification of change of status as required in § 231-2 hereinabove shall, upon conviction ~~by summary proceedings be sentenced to pay a fine of not than \$100 nor more than \$300 together with the costs of prosecution in a summary proceeding~~ brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. It is the intent of those adopting...”

Chapter 251, Solid Waste.

Article I, Storage, Collection and Disposal.

- D. In § 251-3, the definition of “municipal waste landfill” is amended to change “Article VII, Title 15” to “Article VIII, Title 25.”
- E. Section 251-12B is amended as indicated: “...publish or make available to all households and other customers regular collection schedules. If a collection day falls on a holiday, the collector shall notify all customers of when collection will be made.”

F. Section 251-21 is amended to read as follows:

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

Chapter 256, Special Events.

Section 256-13 is amended as indicated: "...shall be sentenced to pay a fine of not less than \$500 and not more than \$1,000, plus court costs and attorney fees costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that a violation..."

Chapter 263, Stormwater Management.

Part 1, Monocacy River Watershed.

G. In § 263-13, the introductory paragraph is amended to change "[name of municipality]" to "the Township of Liberty."

H. Section 263-37E(1)(c) is amended as indicated: "...or which endangers the life or property of others, or as outlined in Article IX of this ordinance."

I. Section 263-39A is amended to read as follows:

Any person who violates or permits a violation of this Part 1 shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this Part 1 that is violated shall also constitute a separate offense.

Part 2, Stormwater Management Standards.

J. Section 263-53.

(1) The definition of "noxious plant" is amended as indicated: "Those species as listed in the ~~PA Noxious Weed Control Law (3 P.S. § 255.1—255.11)~~ Pennsylvania Controlled Plants and Noxious Weeds Law (3 Pa.C.S.A. § 1501 et seq.), as amended and/or recodified."

(2) The definition of "stormwater management plan (the plan)" is amended to change "<<Insert Approval Date>>" to "January 27, 2012."

K. Section 263-80 is amended to read as follows:

This Part 2 has been adopted to provide for the health, safety and welfare of the people of the Township and to regulate water. Any person who violates or permits a violation of this Part 2 shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this Part 2 that is violated shall also constitute a separate offense.

Chapter 269, Streets and Sidewalks.

Article I, Driveways and Street Excavations.

Section 269-10 is amended to read as follows:

Any person who violates or permits a violation of this article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a Magisterial District Judge, pay a fine of not more than \$600, plus all court costs, including reasonable attorneys' fees, incurred by the Township in the enforcement of this chapter. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the

applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

Chapter 275, Subdivision and Land Development.

L. Section 275-406D(1)(a) is amended as indicated: "...in accordance with ~~Act 117 of 1963, the Unit Property Act~~ the Uniform Condominium Act, July 2, 1980, P.L. 286, No. 82, 68 Pa.C.S.A. § 3101 et seq. All condominiums shall be subject to the provisions of the ~~Unit Property Act~~ Uniform Condominium Act. The declaration..."

M. Section 275-409D(2)(f) is amended to change the reference to "Title 27" to read as "Title 25."

N. Section 275-509A is amended to as indicated: "All stormwater management plans shall conform with ~~the Floodplain Standards specified in other applicable Township Ordinances, Regulations and Codes~~ Chapter 154, Floodplain Management."

O. Section 275-516C(7)(a) is amended to change both instances of the phrase "30 days" to "100 days."

P. Section 275-516C(7)(b) is amended to change "45 days" to "100 days."

Q. Section 275-516C(7)(e) is amended to read as follows:

The fee of the arbitrator shall be paid by the applicant if the disputed fee is upheld by the arbitrator. The fee of the arbitrator shall be paid by the charging party if the disputed fee is \$2,500 or greater than the payment decided by the arbitrator. The fee of the arbitrator shall be paid in an equal amount by the applicant and the charging party if the disputed fee is less than \$2,500 of the payment decided by the arbitrator.

R. A new § 275-516C(7)(f) is added to read as follows:

In the event that the disputed fees have been paid and the arbitrator finds that the disputed fees are unreasonable or excessive by more than \$10,000, the arbitrator shall:

[1] Award the amount of the fees found to be unreasonable or excessive to the party that paid the disputed fee; and

[2] Impose a surcharge of 4% of the amount found as unreasonable or excessive to be paid to the party that paid the disputed fee.

S. A new § 275-516(7)(g) is added to read as follows:

A municipality or an applicant shall have 100 days after paying a fee to dispute any fee charged as being unreasonable or excessive.

T. Section 275-602C(1) is amended to read as follows:

In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than 100 days after the date of transmittal of the bill to the applicant, notify the Township that such fees are disputed and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's dispute over fees.

U. Section 275-801D(2) is amended to read as follows:

Preventive remedies, jurisdiction, enforcement remedies and penalties shall be as set forth in Pennsylvania Municipalities Planning Code Sections 515.1, 515.2 and 515.3 (53 P.S. §§ 10515.1, 10515.2 and 10515.3, respectively), as amended.

V. Section 275-918A is amended to change "Act 54, 1969, of the Pennsylvania General Assembly" to "53 Pa.C.S.A. § 8821(d)."

W. Section 275-920B is amended to read as follows:

Anyone violating the provisions of this article shall be subject to a penalty as provided in § 275-801

X. Section 275-303 (A) (37) is amended as indicated: "...which may include notes, plans, drawings, specifications, calculations and reports, which..."

Y. Amend Section 202 by adding the following definitions.

Lot Addition — A subdivision involving the subdivision of an existing lot to add and convey a parcel of land to a separate adjacent lot.

Z. Amend Section 308 to read as follows.

Section 308: Lot Additions

A parcel of land may be added and conveyed to an existing recorded lot for the sole purpose of increasing overall lot size in accordance with the following.

- A. The lot addition parcel must be contiguous to the existing lot to which the lot addition parcel is being added and conveyed.
- B. The lot addition parcel should maintain or improve the overall straightness of the lot lines for the overall enlarged lot resulting from the lot addition.
- C. The subdivision plan prepared for the lot addition shall follow the procedures outlined in this Ordinance.
- D. The subdivision plan for the lot addition shall contain a note that the lot addition shall be conveyed to an adjoining lot (as indicated on the subdivision plan) and shall become an integral and inseparable part of the adjoining lot. The note shall indicate that the lot addition parcel may not be separately sold, leased, occupied, developed, or otherwise used without the filing and approval of another subdivision plan to allow the parcel as a separate lot in compliance with the requirements of this Ordinance.
- E. A certificate of ownership and acknowledgement of a plan shall be signed and notarized by the owner of the parcel to which the lot addition parcel is to be added.
- F. Draft deed language for the enlarged property resulting from the lot addition shall be submitted. The deed language shall include a single metes-and-bounds description for the enlarged property. Individual descriptions of individual components or tracts of property comprising the enlarged property shall not be permitted. All tract lines shall be extinguished. The Township shall review the draft deed to ensure that an appropriate single description of the enlarged property is provided.
- G. A copy of the recorded deed for the enlarged property shall be provided to the Township upon its recording. The recorded deed shall match the draft deed language reviewed by the Township prior to subdivision plan approval of the lot addition.

Chapter 290, Taxation.

Article I, Amusement Tax

Section 290-8 is amended to read as follows:

Any person who violates, permits a violation of, or fails to carry out any of the provisions of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

Article II, Per Capita Tax

A new § 290-22 is added to read as follows:

§ 290-22. Statutory authorization.

The per capita tax is authorized by the Local Tax Enabling Act, 53 P.S. § 6924.101 et seq.

Chapter 328, Vehicles and Traffic.

Part 1, General Regulations.

This Part 1 is adopted to read as follows:

§ 328-1. Word usage.

- A. *Words and phrases, when used in this chapter, except for sections or articles to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa.C.S.A. § 101 et seq. (the Act of June 17, 1976, P.L. 162, No. 81), as amended, except that in this chapter the word "street" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.*
- B. *The term "legal holidays," as used in this chapter, shall mean and include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.*
- C. *In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.*

§ 328-2. Manner of adopting permanent traffic and parking regulations.

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

§ 328-3. Temporary and emergency regulations.

- A. *The Roadmaster shall have the following powers to regulate traffic and parking temporarily and in time of emergency:*
 - (1) *In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.*
 - (2) *In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.*
- B. *These temporary and emergency regulations shall be enforced by the Roadmaster and the police in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature.*

§ 328-4. Experimental regulations.

- A. *The Board of Supervisors may, from time to time, designate places upon and along the streets in the municipality where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect and shall designate those locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective just as if they had been specified in this chapter. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this chapter for a violation of such nature.*
- B. *The purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.*

§ 328-5. Streets closed or restricted for construction, maintenance or special events.

- A. *The Board of Supervisors shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.*
- B. *The Board of Supervisors shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop or is signaling that vehicle, by a flag or other device, not to proceed.*

§ 328-6. Authority of police officers.

The police shall have authority to direct traffic on the streets in the Township, at intersections in public and in other places where the Vehicle Code (75 Pa.C.S.A. § 101 et seq) or this chapter applies.

§ 328-7. Speed limits.

A. The speed limit for both directions of traffic along the streets or parts thereof described in this section is hereby established at the rate of speed indicated in said schedule. It shall be unlawful for any person to drive a vehicle at a higher speed than the maximum prescribed for that street or part of a street.

Name of Street	Speed Limit (mph)	Location
Boyle Road (T-326)	35	1 mile between Tract Road and Freedom Township line
Brent Road (T-319)	25	.3 mile between Tract Road and end of Township Road
Bullfrog Road (T-321)	35	1.6 miles between Hamiltonban Township line and Freedom Township line
Crum Road (T-323)	35	1.5 miles between Tract Road and L.R. 16
Girl Scout Road (T-309)	35	.4 mile between Bullfrog Road and Water Street Extended
Gladhill Road (T-301)	35	1.6 miles between Harbaugh Valley Road and Washington Township line
Irishtown Road (T-314)	35	.5 mile between Boyle Road (T-326) and Maryland line
Liberty Hall Road (T-317)	25	.3 mile between Tract Road and Water Street Extended
McGlaughlin Road (T-318)	35	1 mile between Bullfrog Road and Water Street Extended
Old Waynesboro Road (T302)	35	.5 mile between L.R. 16 and Jacks Mountain Road
Orchard Road (T-313)	35	.9 mile between L.R. 16 and Tract Road
Pecher Road (T-325)	40	2.3 miles between Tract Road and T-311 (Steelman Marker Road) intersection
Sanders Road (T-322)	25	.6 mile between Tract Road and Carroll Valley Borough line
Stultz Road (T-316)	35	Between Township Routes T-311 (Wenschhof Road) to the north and T-326 (Boyle Road) to the south over an approximately 1.2 mile section of improved roadway
Topper Road (T-312)	40	.9 mile between T-311 (Steelman Marker Road) intersection and Orchard Road
Wenschhof Road (T-324)	35	.9 mile between Tract Road and T-311 (Steelman Marker Road) intersection

B. Any person who shall operate a vehicle or tractor at a speed over that established therefor, upon any road or portion thereof specified in this section, shall, upon conviction thereof, be sentenced to a penalty as set forth in the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 101 et seq.

§ 328-8. Traffic control signals.

Traffic control signals shall be installed and operated at the intersection of the following streets:

Intersection

(Reserved)

§ 328-9. Prohibited right turns on red signal.

No person shall make a right turn (or a left turn from a one-way street onto another one-way street) when facing a steady red signal at any of the following locations:

Name of Street	Direction of Travel	Prohibited Right Turn on Red Signal Onto
(Reserved)		

§ 328-10. Prohibited turns at intersections.

It shall be unlawful for the driver of any vehicle to make a turn of the kind designated (left, right, all) at any of the following intersections:

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection of
SR 16	Eastbound	Left	All	TR-311 Steelman Marker Road

§ 328-11. U-turns.

It shall be unlawful for the driver of any vehicle to make a U-turn on any of the following streets or parts of streets:

Name of Street	Location
(Reserved)	

§ 328-12. One-way streets.

The streets or parts of streets described in this section are hereby designated as one-way streets in the direction indicated, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

Name of Street	Direction of Travel	Limits
(Reserved)		

§ 328-13. No-passing zones.

No-passing zones are hereby established along those streets or parts of streets described in this section, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no-passing zone described in said schedule:

Name of Street	Direction of Travel	Limits
(Reserved)		

§ 328-14. Through streets.

The streets or parts of streets described in this section are hereby established as through streets, and the driver of any vehicle, upon approaching any such street at any intersection thereof (except for such intersections where there are now or shall hereafter be located official traffic signals), shall come to a full stop or yield the right-of-way, as the case may be, before entering any such through street:

Name of Street	Limits
(Reserved)	

§ 328-15. Stop intersections.

The intersections described in this section (in addition to intersections with the through streets established by this chapter), are hereby established as stop intersections, and official stop signs shall be erected in such a position upon the first-named street as to face traffic approaching the second-named street in the direction or directions indicated in said schedule. Every driver of a vehicle approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall come to a full stop before entering any such intersection:

Stop Sign On	Direction of Travel	At Intersection Of
Boyle Road (T-326)	West	Tract Road (L.R. 10010)

<i>Brent Road (T-319)</i>	<i>West</i>	<i>Tract Road (L.R. 10010)</i>
<i>Bullfrog Road (T-321)</i>		<i>McGlaughlin Road (4-way stop)</i>
<i>Crum Road (T-323)</i>	<i>East</i>	<i>Tract Road (L.R. 10010)</i>
<i>Girl Scout Road (T-309)</i>	<i>Northeast</i>	<i>Bullfrog Road (T-321)</i>
<i>Girl Scout Road (T-309)</i>	<i>South</i>	<i>Water Street (L.R. 01072)</i>
<i>Gladhill Road (T-301)</i>	<i>East</i>	<i>Harbaugh Valley Road (L.R. 01024)</i>
<i>Liberty Hall Road (T-317)</i>	<i>East</i>	<i>Water Street (L.R. 01072)</i>
<i>Liberty Hall Road (T-317)</i>	<i>West</i>	<i>Tract Road (L.R. 10010)</i>
<i>McGlaughlin Road (T-318)</i>	<i>East and west</i>	<i>Bullfrog Road (T-321)</i>
<i>McGlaughlin Road (T-318)</i>	<i>South</i>	<i>Water Street (L.R. 01072)</i>
<i>Old Waynesboro Road (T302)</i>	<i>East and west</i>	<i>Waynesboro Pike (PA. 16)</i>
<i>Old Waynesboro Road (T302)</i>	<i>West</i>	<i>Jacks Mountain Road (SR 3021)</i>
<i>Orchard Road (T-313)</i>	<i>East</i>	<i>Tract Road (L.R. 10010)</i>
<i>Orchard Road (T-313)</i>	<i>West</i>	<i>Waynesboro Pike (PA. 16)</i>
<i>Pecher Road (T-325)</i>	<i>North</i>	<i>Tract Road (L.R. 10010)</i>
<i>Pecher Road (T-325)</i>	<i>Northeast</i>	<i>Tract Road (L.R. 10010)</i>
<i>Pecher Road (T-325)</i>	<i>South</i>	<i>Crum Road (T-323)</i>
<i>Rohrbaugh Road (T-328)</i>	<i>West</i>	<i>Stultz Road (T-316)</i>
<i>Sanders Road (T-322)</i>	<i>East</i>	<i>Tract Road (L.R. 10010)</i>
<i>Steelman Marker Road (T311)</i>	<i>South</i>	<i>Waynesboro Pike (PA 16)</i>
<i>Stoops Road (T-320)</i>	<i>South</i>	<i>Bullfrog Road (T-321)</i>
<i>Stultz Road (T-316)</i>	<i>North</i>	<i>Wenschhof Road (T-324)</i>
<i>Stultz Road (T-316)</i>	<i>South</i>	<i>Boyle Road (T-326)</i>
<i>Topper Road (T-312)</i>	<i>North</i>	<i>Crum Road (T-323)</i>
<i>Topper Road (T-312)</i>	<i>South</i>	<i>Orchard Road (T-313)</i>
<i>Wenschhof Road (T-324)</i>	<i>West</i>	<i>Tract Road (L.R. 10010)</i>

§ 328-16. Yield intersections.

The intersections described in this section (in addition to intersections with the through streets established by this chapter), are hereby established as yield intersections, and official yield signs shall be erected in such a position upon the first-named street as to face traffic approaching the second-named street in the direction or directions indicated. Every driver of a vehicle approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall slow down or stop the vehicle and then yield the right-of-way to any vehicle in the intersection or approaching on the second-named street so closely as to constitute a hazard during the time that the driver is moving across or within such intersection:

Yield Sign on	Direction of Travel	At Intersection of
<i>(Reserved)</i>		

§ 328-17. Closing of certain streets to certain vehicles.

It shall be unlawful for any person to drive any vehicle, except a passenger vehicle (but not including any passenger vehicle drawing any trailer or towing any other vehicle), upon any of the following streets or parts of streets:

Name of Street	Limits
<i>(Reserved)</i>	

§ 328-18. Vehicle weight limits.

- A. It shall be unlawful for any person to drive any commercial vehicle or other tractor, trailer or tractor trailer combination having a gross weight in excess of that respectively prescribed upon any of the streets or bridges, or portions thereof, described in this section, except for the purpose of local trips on said streets or pursuant to a

special permit issued pursuant to the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa.C.S.A. § 101 et seq.:

Name of Street or Bridge	Max. Gross Weight (tons)	Location
Boyle Road (T-326)	10 Registered gross weight 20,000 pounds	Beginning on the west at its intersection with Tract Road, and running in an easterly direction to the boundary line of Liberty Township with Freedom Township, also known as T-313
Township Road T-301, aka Gladhill Road	10	Entire length
Township Road T-318, aka McGlaughlin Road	10	From the intersection of the Bullfrog Road, Township Route T-321, to Water Street, Legislative Route 01072, between the months of March and April, annually
Township Road T-321, aka Bullfrog Road	10	Between Girl Scout Road, Township Route 309 to the Liberty-Freedom Township Line, between the months of March and April, annually
Township Road T-322, aka Sanders Road	13	Entire length

- B. The provisions of this chapter shall not apply to driving or operating of public utility vehicles, firefighting equipment, emergency medical vehicles or school and public transportation buses.
- C. Any person, individual, party, firm, association, or corporation who wishes to exceed the weight limit set forth herein may apply for permission from Liberty Township Roadmaster, provided they post adequate security in the form of a bond in an amount to be determined by the Roadmaster. Also applicant shall enter into an indemnification agreement with Liberty Township for any damage done to the road.
- D. Definitions. As used in this section, the following terms shall have the meanings indicated:
 LOCAL TRIP — Any trip for the purpose of loading or unloading materials or passengers from or to a property.
- E. Posting of signs. The posting of official traffic control devices (signs) giving notice of the weight limits herein are authorized, to include the posting of advance warning in Freedom Township, with the permission of Freedom Township.
- F. Violations and penalties. Any person who is convicted by a court of competent jurisdiction of violating this section shall be subject to the penalties provided in the Pennsylvania Vehicle Code at 75 Pa.C.S.A § 4902(g). The registered gross vehicle weight of any vehicle shall be proof of its minimum actual weight.

§ 328-19. Vehicles to be parked within marked spaces.

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this article for any person to park a vehicle or allow it to remain parked otherwise.

§ 328-20. Angle parking.

No person shall park a vehicle upon any of the streets or parts thereof described in this section, except at the angle designated and only within the painted stall lines. On all streets or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

Name of Street	Side	Angle (degrees)	Location
(Reserved)			

§ 328-21. Parking prohibited at all times.

No person shall park a vehicle at any time upon any of the following streets or parts thereof:

Name of Street	Side	Location
Legislative Route 01001	East	Along lands now or formerly of Cecil S. Stultz and

	<p><i>across the road from the property presently owned by Tract Inn Inc., beginning 100 feet from the common boundary between Commonwealth of Pennsylvania and the State of Maryland and continuing for 400 feet in a northerly direction toward the Borough of Fairfield, Adams County, Pennsylvania</i></p>
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§ 328-22. Parking prohibited certain hours.

No person shall park a vehicle upon any of the streets or parts of streets described in this section during the hours specified in said schedule on any day except Saturdays, Sundays and holidays.

<i>Name of Street</i>	<i>Side</i>	<i>Hours/Days</i>	<i>Location</i>
<i>(Reserved)</i>			

§ 328-23. Time limit parking.

No person shall park a vehicle or allow the same to remain parked upon any of the streets or parts of streets described in this section, between the hours specified, for longer than the time indicated in said schedule.

<i>Name of Street</i>	<i>Side</i>	<i>Time Limit; Hours/Days</i>	<i>Location</i>
<i>(Reserved)</i>			

§ 328-24. Special purpose parking zones.

It shall be unlawful for any person to park any vehicle or to allow the same to remain parked in any special purpose parking zone established in this section, except as specifically provided for such zone.

<i>Name of Street</i>	<i>Side</i>	<i>Authorized Purpose or Vehicle</i>	<i>Location</i>
<i>(Reserved)</i>			

§ 328-25. Violations and penalties for parking violations.

Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than \$50 and costs; provided, however, that it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the Chief of Police all violations of any provision of this article, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this article. The notice shall contain instructions to the owner or driver of the vehicle that if he or she will report to the office of the Police Department and pay the sum of the stated amount within 30 days after the time of the notice, that act will save the violator from prosecution. Violations of this article shall be punished, after conviction by a Magisterial District Judge or other court with jurisdiction, in accordance with the penalties provided in the Vehicle Code, 75 Pa.C.S.A. § 101 et seq., as amended.

§ 328-26. Definitions.

When used in this article, the following terms shall have the meaning ascribed to them hereafter:

SUBJECT VEHICLE — *Any motor vehicle that is unable to be driven from a public thoroughfare for any reason, including but not limited to collision, disrepair, and/or failure to have required equipment. It shall also include a vehicle driven by an intoxicated person where no other able-bodied occupant of the vehicle or designee of the operator is available to operate the vehicle; a vehicle that was operated just prior to impoundment by an operator without operating privileges or without legal registration or without the existence of financial responsibility when it is a requirement for legal operation.*

TOWNSHIP — *Liberty Township, Adams County, Pennsylvania.*

VEHICLE CODE — *The Act of June 17, 1976, P.L. 162, No. 81, Section 1 et seq., as amended and/or as recodified from time to time. See 75 Pa.C.S.A. § 101 et seq., as amended.*

§ 328-27. Authority; scope.

This article is enacted by authority of 75 Pa.C.S.A. §§ 6109(a)(22), 6309.1, and 6309.2 of the Vehicle Code. Among other purposes, this article provides the Township and its agents the ability to remove and impound those vehicles that are defined as a "subject vehicle." This article also permits the impoundment and immobilization of vehicles for nonpayment of fines by their owners, or on account of operation of vehicles without operating privileges or registration.

§ 328-28. Authority to remove and impound illegally parked and abandoned vehicles.

The Township, by its Chief of Police or the police officers of the Township, shall have the authority and power to immobilize, remove, and/or impound subject vehicles and vehicles owned and/or operated by persons who are subject to such action under the Vehicle Code, 75 Pa.C.S.A. § 101 et seq.

§ 328-29. Removal of vehicles by approved towing operators.

Removal and storage of vehicles pursuant to the authority of this article shall be accomplished only by towing operators approved, from time to time, by the Board of Supervisors of the Township. The fees and costs for removal and storage owed by the owner and/or operator of such a vehicle shall be as determined from time to time by resolution of the Board of Supervisors of the Township. Every such towing operator shall provide proof to the Township of bonding or liability insurance in an amount sufficient to indemnify owners of impounded and/or stored vehicles against loss or damage while the vehicle is in the custody of the towing operator. No fees or charges for impoundment, towing, and/or storage of a vehicle pursuant to this article shall be permitted unless in an amount equal to or less than that approved by the Board of Supervisors.

§ 328-30. Storage on Township property.

Vehicles impounded pursuant to this article may be stored in a Township impoundment lot. The fee for storage in a Township impoundment lot shall equal the highest fee permitted to be collected by an approved towing operator by the Board of Supervisors. The Chief of Police or other police officer shall determine whether the impounded vehicle shall be stored at property of an approved towing operator or at a Township impoundment lot.

§ 328-31. Notice of impoundment; recovery of vehicle.

The owner of any vehicle removed and impounded pursuant to this article shall be notified of the impoundment in a manner substantially similar to the notice requirements contained in the Vehicle Code, 75 Pa.C.S.A. § 101 et seq. The procedures for recovery of a subject vehicle shall be substantially similar to those provided in the Vehicle Code. (See 75 Pa.C.S.A. § 6309.1, for example.)

§ 328-32. Disposition of unclaimed vehicles.

Any vehicle that is unclaimed may be disposed of pursuant to 75 Pa.C.S.A. § 6310 of the Vehicle Code.

§ 328-33. Violations and penalties.

It shall be a violation of this article for any person to attempt recovery of a vehicle immobilized or impounded pursuant to this article without complying with the procedures and without paying the fines, penalties, fees and costs involved with recovery as provided herein. Any person who shall violate this article shall be subject to a penalty as provided in the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 101 et seq.

§ 328-34. Severability.

The provisions of this article shall be deemed severable. Should any provision be deemed illegal or otherwise invalid by a final order of court, the other provisions of this article shall be deemed unaffected thereby.

§ 328-35. Declaration of snow and ice emergency.

In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named pursuant to this article, the Roadmaster, in his or her discretion, may declare a snow and ice emergency (designated in this article as a "snow emergency"). Information on the existence of a snow emergency may be given by the Township through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

§ 328-36. Parking and driving restrictions.

After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

- A. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated pursuant to this article; or*
- B. To drive any motor vehicle on any such snow emergency route unless that vehicle is equipped with snow tires or chains.*

§ 328-37. Snow emergency routes.

The streets or parts of streets described in this section are hereby designated as snow emergency routes.

Name of Street	Limits
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(Reserved)

§ 328-38. Violations and penalties for snow emergency provisions.

- A. *If, at any time during a period of snow emergency declared under this article, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a violation of this article and, upon conviction, shall be punishable as provided in § 328-25 of this chapter.*
- B. *If, at any time during a period of snow emergency declared under this article, a person shall drive a motor vehicle upon a snow emergency route without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this article and, upon conviction, shall be punishable as provided in § 328-40 of this chapter.*

§ 328-39. Disorderly operation of vehicle prohibited.

- A. *It shall be unlawful at all times within this Township for any person operating or being in physical control of a motor vehicle to race the engine of the vehicle, spin the tires, or to give a display of acceleration, for no legitimate purposes.*
- B. *It shall be unlawful for any person to operate a motor vehicle in a physically offensive manner, endanger, or cause annoyance or alarm to the traveling public or residents along any public road or highway within the boundaries of Liberty Township.*
- C. *Whoever violates any provisions of this section shall be subject to a penalty as set forth in the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 101 et seq.*
- D. *Definitions. As used in this section, the following terms shall have the meanings indicated:*
MOTOR VEHICLE — A vehicle which is self-propelled except one which is propelled by human power and shall include automobiles, trucks, tractor trailers, limousines, taxi cabs, motor scooters, motorcycles, motorized pedal cycle, recreation vehicles, and passenger cars.

§ 328-40. Violations and penalties.

Unless another penalty is expressly provided by the Vehicle Code (75 Pa.C.S.A. § 101 et seq.) or except as herein specified, every person convicted of a violation of a provision of this chapter, or any supplement thereto, shall be liable to a penalty of \$25 and costs of prosecution.

Chapter 350, Zoning

AA. Section 350-112C.

- (1) In the definition of “Airport Safety Overlay (ASO) Zone,” original Subsection (14), a duplicate definition of “primary surface,” is repealed.
- (2) The following original definitions are repealed: “base flood,” “base flood elevation,” “flood,” “flood hazard area,” “flood hazard boundary map,” “floodplain (100-year),” “flood, base (100-year flood),” “flood-fringe area,” “floodproofing,” “floodway,” “floodway encroachment lines,” “maximum flood elevation,” and “obstruction.”
- (3) The definition of “personal care home” is amended to change “Chapter 2620” to “Chapter 2600.”
- (4) The definition of “public hearing” is amended as indicated: “...pursuant to notice under the act of 1968, P.L. 805, No. 247 known as the “~~Pennsylvania municipalities Planning Code.~~”

BB. Section 350-202D is amended to change “C District” to “AR District.”

CC. Section 350-205B(23) is added to read as follows:

(23) *Forestry (see § 350-301G).*

DD. Section 350-206B(15) is added to read as follows:

(15) *Forestry (see § 350-301G).*

EE. Section 350-208 is amended to read as follows:

See Chapter 154, Floodplain Management.

FF. Section 350-301B.

(1) Subsection B(1) is added to read as follows:

All swimming pools must be installed in accordance with the permitting requirements of the Pennsylvania Uniform Construction Code (35 Pa. Code § 7210.101 et seq.).

(2) Subsection B(3) is amended as indicated: "...measuring four feet in height and having a retractable ladder. Such fence or barrier shall comply with all provisions of the Pennsylvania Uniform Construction Code (35 Pa. Code § 7210.101 et seq.) and be properly permitted, inspected, and approved."

GG. Original Sec. 313.3s, regarding advertising of certain activities, and Sec. 313.3t, regarding obscene material, are repealed.

HH. In Section 350-313, Table 1 is amended to add a Key to read as follows:

<i>KEY:</i>
<i>"N" indicates that the sign is not permitted.</i>
<i>"P-Y" indicates that the sign is permitted and a permit is required.</i>
<i>"P-N" indicates that the sign is permitted and a permit is not required.</i>

II. Section 350-610 is amended to read as follows:

Enforcement penalties, enforcement notices, causes of action, jurisdiction and enforcement remedies shall be as set forth in Sections 616.1, 617, 617.1 and 617.2 of the MPC, 53 P.S. §§ 10616.1, 10617, 10617.1, and 10617.2.

JJ. Original Sec. 611, Enforcement notice, is repealed.