

Article 8

Administration

Section 800 Administration and Enforcement

800.1. Administration

1. Zoning Officer - The provisions of this Ordinance shall be enforced by an agent, to be appointed by the Board of Supervisors, who shall be known as the Zoning Officer. The Zoning Officer shall receive such fees or compensation as the Board of Supervisors may provide. The Zoning Officer shall not hold any elective office within the Township. The Board of Supervisors may, by resolution, designate an employee or employees of the Township as Deputy Zoning Officers. The Deputy Zoning Officers shall exercise all of the powers of the Zoning Officer during the Zoning Officer's temporary absence or disability, for time periods designated in writing by the Zoning Officer, and delivered to the Deputy and to the Chair of the Board of Supervisors at the Township Office. In the event the Zoning Officer is unable to give such written notice, the Board of Supervisors may direct in writing a Deputy to act as Zoning Officer.
2. Duties - The duties of the Zoning Officer shall be:
 - A. To receive, examine and process all applications and permits as provided by the terms of this Ordinance. The Zoning Officer shall also issue zoning permits for special exception and conditional uses, or for variances after the same have been approved.
 - B. To record and file all applications for zoning permits or certificates of use and occupancy, and accompanying plans and documents, and keep them for public record. All information on all applications filed with the Zoning Officer shall be deemed to have been provided by the applicant.

- C. To inspect properties to determine compliance with all provisions of this Ordinance as well as conditions attached to the approval of variances, special exceptions, conditional uses and curative amendments.
- D. To inspect nonconforming uses, buildings, structures, lots and signs, and to keep a filed record of such together with the reasons for the identification as nonconformities, and to examine them periodically, with the view of eliminating such nonconformities under the existing laws and regulations.
- E. Upon the request of the Board of Supervisors, or the Zoning Hearing Board, present to such bodies facts, records, and any similar information on specific requests, to assist such bodies in reaching their decisions.
- F. To be responsible for keeping this Ordinance and the Official Zoning Map up to date, including any amendments thereto.
- G. Upon the approval by the Zoning Hearing Board of a special exception, or upon the approval of a conditional use by the Board of Supervisors for development located within the Floodplain Zone, written notice of the approval shall be sent by registered mail from the Zoning Officer to the Pennsylvania Department of Community and Economic Development.
- H. To remain eligible for the National Flood Insurance Program, the Zoning Officer shall submit a biannual report to the Federal Insurance Administrator, on such forms provided by the Administrator, concerning the status of the Program in the Township. The Zoning Officer shall be appointed as Floodplain Administrator as identified in the Drumore Township Floodplain Management Ordinance. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**
- I. To render a preliminary opinion regarding a proposed land use in accordance with Section 916.2 of the Municipalities Planning Code.

- J. To investigate alleged violations of the Zoning Ordinance. If a signed written complaint is received, said investigation shall be completed within fifteen (15) days of receipt of said complaint. A written report of all investigations of alleged violations of the Zoning Ordinance shall be prepared and properly filed and a copy shall be sent to the Board of Supervisors. If, after investigation, the Zoning Officer determines that a violation has occurred, he shall take action as provided in this Zoning Ordinance.
- K. To revoke a permit or approval issued under the provisions of this Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other cause set forth in the Zoning Ordinance, or otherwise permitted by law.

800.2. Enforcement - This Ordinance shall be enforced by the Zoning Officer of the Township. No zoning permit or Certificate of Use and Occupancy shall be granted by the Zoning Officer for any purpose except in compliance with the provisions of this Ordinance. The Zoning Officer may be authorized to institute civil enforcement proceedings as a means of enforcement.

800.3. Violations - Failure to secure a zoning permit prior to a change in use of land or structure, or the erection, construction or alteration of any structure or portion thereof, shall be a violation of this Ordinance. It shall also be a violation of this Ordinance to undertake other deliberate actions which are contrary to the terms of the Ordinance and any conditions placed upon the approval of special exceptions, variances, and conditional uses. Each day that a violation is continued shall constitute a separate offense.

If it appears to the Zoning Officer that a violation of this Zoning Ordinance has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice as provided in the following:

- 1. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any

other person requested in writing by the owner of record.

- 2. An enforcement notice shall state at least the following:
 - A. The name of the owner of record and any other person against whom the Township intends to take action.
 - B. The location of the property in violation.
 - C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Ordinance.
 - D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within thirty (30) days.
 - F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

800.4. Enforcement Remedies - Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. 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 that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following

the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of the Zoning Ordinance shall be paid over to the Township.

800.5. Causes of Action - In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, repaired, converted, maintained, or used in violation of this Ordinance, the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the municipality, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the municipality at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors. No such action may be maintained until such notice has been given.

Section 801 Permits

801.1. General Requirements for Zoning Permits:

1. A zoning permit shall be required prior to:
 - A. A change in use of land or structure.
 - B. The erection or construction of a structure or portion thereof, including, but not limited to, fences, that has a fair market value exceeding one thousand (\$1,000) dollars.
 - C. The improvement or alteration of any existing structure where such improvement or portion thereof increases the amount of space which the structure encloses and has a fair market value exceeding one thousand (\$1000) dollars.
 - D. The demolition or removal of any principal structure.

- E. The alteration or development of any improved or unimproved real estate, including, but not limited to, mining, dredging, filling, grading, paving, excavation, or drilling operations.
- F. The erection or alteration of any signs specified in Section 415 of this Ordinance as requiring a zoning permit.
- G. The construction or installation of animal waste impoundments, lakes, ponds, dams, or other water retention basins.
- H. The conduct of any forestry use as defined herein.

No zoning permit shall be required for repairs or maintenance of any structure or land provided such repairs do not change the use or the exterior dimensions of the structure, or otherwise violate the provisions of this Ordinance.

2. Application for zoning permits shall be made in writing to the Zoning Officer on a form specified for such purpose.
3. Application for a permit shall be made by the owner or lessee of any building or structure, or the agent of either; provided, however, that if the application is made by an agent of the owner or lessee, the application shall note that the agent is acting on behalf of the owner or lessee. The full names and addresses of the owner, lessee, agent, and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.
4. Application for a permit shall be accompanied by a fee as prescribed by the Board of Supervisors pursuant to resolution. No application shall be considered complete or permit issued without payment of the required fee. The payment of fees under this section shall not relieve the applicant or holder of said permit from payment of other fees that may be required by this Ordinance or by another ordinance or law.
5. Such zoning permits shall be granted or refused within ninety (90) days from the date of submission of evidence of compliance with all applicable local, County, State, and Federal requirements.

6. No zoning permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the Courts.
7. In all instances in which the Zoning Officer expresses a reasonable doubt as to the ability of a proposed use to meet all the requirements of this Ordinance, it will be incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented, the zoning permit will be denied.
8. The Zoning Officer may call upon other Township staff and/or Township-appointed consultants in the review of submitted materials for applications.
9. The Zoning Officer may revoke a permit or approval issued under the provisions of this Ordinance, in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other cause set forth in the Zoning Ordinance.
10. Issuance of Permits - Upon receipt of the application, the Zoning Officer shall examine the application and supporting information to determine compliance with this Zoning Ordinance and other applicable Township and County ordinances, statutes and regulations. The Zoning Officer shall determine if any applicable conditional use or special exception approvals have been obtained, if State sanitation inspection requirements have been met, and, in the case of public buildings, the required permits have been issued under the Uniform Construction Code (UCC) Act 45. No zoning permit shall be issued unless the applicant presents the Zoning Officer with proof that any applicable subdivision and/or land development approval has been granted, a sewage permit has been issued by the Township Sewage Enforcement Officer for the lot, a Highway Occupancy Permit from the Department of Transportation has been issued if applicable in order that access may be gained to the lot, and all other required Township approvals and permits have been granted or issued. In addition, no zoning permit shall be issued for any property with an existing zoning violation.

No zoning permit shall be issued for any activity that is required to have an improvement guarantee, until an

improvement guarantee is accepted by resolution of the Board of Supervisors. The definitions, requirements and procedures of the improvement guarantee shall be in compliance with the Subdivision and Land Development Ordinance.

The Zoning Officer shall mark the application as either approved or denied and shall return one (1) copy of the application to the applicant. The other copy shall be retained by the Zoning Officer for the Township files. If the application is denied, the Zoning Officer shall attach a statement to the application explaining the reasons for such denial and informing the applicant of his right to appeal to the Zoning Hearing Board.

11. Reconsideration of Application - An applicant whose request for a permit has been denied by the Zoning Officer may make a later application for a permit, provided all deficiencies which were the basis for the prior denial of the permit have been eliminated. The Zoning Officer shall not be required to make a new inspection of the application if this condition is not met.
12. Expiration of Permit - The permit shall expire after one (1) year from the date of issuance; provided, however, that the permit may be extended every six (6) months for a period not to exceed an additional one (1) year upon good cause shown to the Zoning Officer by written application.
13. Compliance with Ordinance - The permit shall be a license to proceed with the work and should not be construed as authority to violate, cancel, or set aside any of the provisions of the Zoning Ordinance, except as stipulated by the Zoning Hearing Board, or, where applicable under this Ordinance, the Board of Supervisors so stipulates.
14. Compliance with Permit and Plot Plan - All work or uses shall conform to the approved application and plans for which the permit has been issued, as well as the approved plot plan.
15. Display of Zoning Permit - All approved zoning permits shall be prominently displayed on the subject property during construction, renovation, reconstruction, repair, remodeling or the conduct of other site improvements. Such permit displays shall occur within five (5) days of permit issuance, or prior to the commencement of actual

work on the site, whichever occurs first. The permit shall be displayed continuously until a Certificate of Use and Occupancy is issued.

16. Temporary Use Permits - It is recognized that it may be in accordance with the purpose of this Ordinance to permit temporary activities for a limited period of time, which activities may be prohibited by other provisions of this Ordinance. If such uses are of such a nature and are so located that, at the time of petition of special exception, they will:

- A. In no way exert a detrimental effect upon the uses of land and activities normally permitted in the Zone; or,
- B. Contribute materially to the welfare of the Township, particularly in a state of emergency, under conditions peculiar to the time and place involved, then, the Zoning Hearing Board may, subject to all regulations for the issuance of special exception elsewhere specified, direct the Zoning Officer to issue a permit for a period not to exceed six (6) months. Such permits may be extended not more than once for an additional period of six (6) months.

801.2. Filing Requirements

1. Applications shall contain a general description of the proposed work, development use or occupancy of all parts of the structure or land and shall be accompanied by plans in duplicate drawn to scale and showing the following:

- A. Actual dimensions, shape and acreage of the lot to be developed.
- B. Exact location and dimensions of any structures to be erected, constructed and altered, or use to be established.
- C. Other existing structures and uses, including the number of occupied units, businesses, etc., all structures are designed to accommodate.

- D. Current land use, general topographic features, general type and extent of existing vegetation and any site development limitations.
- E. Exact location and dimensions of existing and/or proposed access drives.
- F. Off-street parking and loading spaces.
- G. Utility systems affected and proposed.
- H. Other proposed alteration of any improved or unimproved real estate.
- I. Copies of any applicable subdivision/land development plan.
- J. Information required by Section 306 Natural Resources Protection of this Ordinance.
- K. Any other information that may be required by the Zoning Officer to determine compliance with this Ordinance.

2. If the proposed development is located within an identified floodplain area, information verifying compliance with the Drumore Township Floodplain Management Ordinance shall accompany all applications. **(Amended by Ordinance 2016-06 adopted April 7, 2016)**

801.3. Additional Commercial/Industrial Zone Filing Requirements:

- 1. A location plan showing the tract to be developed, zone boundaries, adjoining tracts, significant natural features, and streets for a distance of two hundred (200) feet from all tract boundaries.
- 2. A plot plan of the tract showing the location of all existing and proposed buildings, driveways, parking lots showing access drives, circulation patterns, curb cut accesses, screening, fences and walls, waste disposal fields or other methods of sewage disposal, other construction features on the lot, and the location of all topographical, and other natural features.
- 3. A description of the operations proposed in sufficient detail to indicate the effects of those operations in

producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation.

4. Engineering plans for treatment and disposal of sewage and industrial waste, tailings or unusable by-products.
5. Engineering plans for the handling of traffic, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation.
6. Designation of the manner by which sanitary sewage and storm water shall be managed and water supply obtained.
7. The proposed number of employee shifts and the maximum number of employees on each shift.
8. Where use by more than one firm is anticipated, a list of firms which are likely to be located on the tract, their floor area, and estimated number of employees.

801.4. Certificate of Use and Occupancy:

1. It shall be unlawful to use and/or occupy any structure, building, sign, and/or land or portion thereof for which a permit is required herein until a Certificate of Use and Occupancy for such structure, building, sign, and/or land or portion thereof has been issued by the Zoning Officer. The application for issuance of a Certificate of Use and Occupancy shall be made at the same time an application for a zoning permit is filed with the Zoning Officer as required herein.
2. The application for a Certificate of Use and Occupancy shall be in such form as the Zoning Officer may prescribe and may be made on the same application for a zoning permit.
3. The application shall contain the intended use and/or occupancy of any structure, building, sign and/or land or portion thereof for which a zoning permit is required herein.
4. The Zoning Officer shall inspect any structure, building, sign and/or land within fifteen (15) days upon notification

that the proposed work has been completed, and if satisfied that the work complies with the Zoning Ordinance and all other pertinent laws, shall issue a Certificate of Use and Occupancy.

5. The Certificate of Use and Occupancy or a true copy thereof shall be kept available for official inspection at all times.
6. Upon request of a holder of a zoning permit, the Zoning Officer may issue a temporary Certificate of Use and Occupancy for a structure, building, sign and/or land, or portion thereof, before the entire work covered by the permit shall have been completed, provided such portion or portions may be used and/or occupied safely prior to full completion of the work without endangering life or public welfare. Such temporary certificate shall be for a period of time to be determined by the Zoning Officer, however, in no case for a period exceeding six (6) months. Should the holder of a temporary Certificate of Use and Occupancy for a non-temporary use not complete all work covered by the zoning permit within said six (6) months period, the temporary Certificate of Occupancy is considered to be expired and the applicant in violation of the Zoning Ordinance.

The Zoning Officer may also issue a temporary Certificate of Use and Occupancy for such temporary uses as tents, use of land for religious or other public or semi-public purposes and similar temporary use and/or occupancy. Such temporary certificates shall be for a period of time to be determined by the Zoning Officer, up to six (6) months. For good cause the Zoning Hearing Board may, upon application in writing, stating the reasons for such extension, extend the six (6) months period.

7. A certificate of Use and Occupancy shall not be issued for structures and buildings located in subdivisions requiring improvement guarantees unless the structure or building abuts either a roadway which has been accepted by the Township for dedication, or a street which has been paved with a base wearing course.
8. In commercial and industrial zones in which operation standards are imposed, no Certificate of Use and Occupancy shall become permanent until thirty (30) days after the facilities are fully operational when, upon a re-

inspection by the Zoning Officer, it is determined that the facilities are in compliance with all operation standards.

Section 802 Fees

802.1. Determination - The Board of Supervisors may, by resolution, establish fees for the administration of this Ordinance. All fees shall be determined by a schedule that is made available to the general public. The Board of Supervisors may reevaluate the fee schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this Ordinance and may be adopted at any public meeting of the Board of Supervisors.

Section 803 Amendments

803.1. Power of Amendment - The Board of Supervisors may from time to time, amend, supplement, change or repeal this Ordinance including the Official Zoning Map. Any amendment, supplement, change or repeal may be initiated by the Township Planning Commission, the Board of Supervisors or by a petition to the Board of Supervisors by an interested party.

803.2. Hearing and Enactment Procedures for Zoning Amendments

1. Public Hearing - Before enacting Zoning Ordinance and/or Official Zoning Map amendments, the Board of Supervisors shall conduct a public hearing to inform the general public of the nature of the amendment, and to obtain public comment. Such public hearing shall be conducted after public notice, as defined in Section 112 and listed below, has been given.
2. Public Notice - Before conducting a public hearing, the Board of Supervisors shall provide public notice as follows:
 - A. Notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days, and the second publication shall not be less than seven (7) days

from the date of the hearing. Publication of the proposed amendment shall include either the full text thereof or the title and brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:

- (1) A copy of the full text shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.
- (2) An attested copy of the proposed Ordinance shall be filed in the County Law Library or other County office designated by the County Commissioners.

B. For Official Zoning Map amendments, public notice shall also include the posting of notice of said hearing at conspicuous points deemed sufficient by the Township along the perimeter of the tract(s) or area so as to notify potentially interested citizens. The affected tract(s) or area shall be posted at least one (1) week prior to the hearing and shall exhibit the nature, date, time and location of the hearing.

In addition, notice of the public hearing shall be sent by first class mail by the Township at least thirty (30) days prior to the date of the public hearing to the addresses to which real estate tax bills are sent for all real property located within the area to be rezoned. Such notice shall include the location, date and time of the public hearing. The first class mail notice requirements shall not apply when the rezoning constitutes a comprehensive rezoning.

C. For curative amendments, public notice shall also indicate that the validity of the Ordinance and/or Official Zoning Map is in question, and shall give the place where, and the times when, a copy of the request, including any plans, explanatory material or proposed amendments, may be examined by the public.

- D. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
3. Electronic and/or Mailed Notice – In addition the public notice requirements defined herein, an owner of a tract or parcel of land located within a municipality, or an owner of the mineral rights in a tract of land within a Township, may request that the Township provide written or electronic notice of a public hearing which may affect such tract or parcel of land. **(Amended by Ordinance 2015-03 adopted May 7, 2015)**
- A. Mailed notice shall be required only if an owner of a tract or parcel of land located within a municipality, or an owner of the mineral rights in a tract or parcel of land within the Township has made a written request that the notice be mailed and has supplied the Township with a stamped, self-addressed envelope prior to a public hearing.
 - B. Electronic notice shall be required only if an owner of a tract or parcel of land located within a municipality, or an owner of the mineral rights in a tract or parcel of land within a Township has made a written request that notice be sent electronically and has supplied the Township with an electronic address prior to a public hearing and only if that Township has the capability of generating an electronic notice. An owner of a tract or parcel of land within a Township or an owner of the mineral rights in a tract or parcel of land within a Township making the request and supplying an electronic address may at any time notify the Township that the owner of the tract or parcel of land located within the municipality, or the owner of the mineral rights in a tract or parcel

of land within a Township no longer will accept electronic notice and in that event the Township may no longer provide electronic notice.

- C. An owner of a tract or parcel of land or an owner of the mineral rights in a tract or parcel of land within the Township who has requested a mailed notice shall be solely responsible for the number, accuracy and sufficiency of the envelopes supplied. The Township shall not be responsible or liable if the owner of a tract or parcel of land within a municipality, or an owner of the mineral rights in a tract or parcel of land within the Township does not provide to the Township notice of any changes in the owners mailing address.
- D. An owner of a tract or parcel of land or an owner of the mineral rights in a tract or parcel of land within the Township who has requested electronic notice shall be solely responsible for the accuracy and functioning of the electronic address provided to the municipality. The Township shall not be responsible if the owner of a tract or parcel of land or an owner of the mineral rights in a tract or parcel of land within the Township does not provide to the Township notice of any changes to the owner's electronic address.
- E. A Townships hall deposit a mailed notice in the United States mail or provide electronic notice not more than thirty (30) and not less than seven (7) days prior to the scheduled date of the hearing as shown on the notice.
- F. For each public hearing, the municipal secretary shall prepare, sign and maintain a list of all mailed notices, mailing dates, electronic notices and electronic notice dates. The signed list shall constitute a presumption that the notice was given.

- G. The mailed notice shall be deemed received by an owner of a tract or parcel of land located within a municipality, or an owner of the mineral rights in a tract or parcel of land within the Township on the date deposited in the United States mail.
 - H. The electronic notice shall be deemed received by an owner of a tract or parcel of land located within a municipality, or an owner of the mineral rights in a tract or parcel of land with the Township on the date the Township electronically notifies the owner.
 - I. Failure of an owner or tract or parcel of land located within a Township or an owner of the mineral rights in a tract or parcel of land within the Township to receive the requested mail notice or electronic notice shall not be deemed to invalidate any action or proceeding under the act.
4. Enactment Notice - In addition to the public notice requirements defined herein, the Board of Supervisors must publish a reference to the time and place of the meeting at which passage of the Ordinance or amendment will be considered, and a reference to a place within the Township where copies of the proposed Ordinance or amendment may be examined without charge, or obtained for a charge not greater than the cost thereof. The enactment notice shall be published at least once in one (1) newspaper of general circulation in the Township not more than sixty (60) days or less than seven (7) days prior to passage. The published content of the enactment notice shall be the same as that required for public notice described in Section 803.2.2.
5. Township Planning Commission Referrals - For Amendments proposed by parties other than the Township Planning Commission, the Board of Supervisors shall submit each amendment to the Township Planning Commission at least thirty (30) days prior to the public hearing on such amendment.

A report of the review by the Township Planning Commission, together with any recommendations, may

be given to the Board of Supervisors within thirty (30) days from the date of said referral. The recommendation of the Township Planning Commission may include a specific statement as to whether or not the proposed action is in accordance with the intent of this Ordinance and the adopted Comprehensive Plan of the Township.

- 6. Lancaster County Planning Commission Referrals – All proposed amendments shall be submitted to the Lancaster County Planning Commission at least forty-five (45) days prior to the public hearing on such amendments. The Commission may submit recommendations to the Board of Supervisors; however, if the Lancaster County Planning Commission fails to act within forty-five (45) days, the Board of Supervisors may proceed without its recommendations.
- 7. Adjournment of Public Hearing - If, during the public hearing process, the Board of Supervisors needs additional time to understand the proposal, inform the public, receive public comment, and/or render a decision, it may adjourn the public hearing to a time and place certain.
- 8. Within thirty (30) days after enactment, a copy of the amendment to the Zoning Ordinance shall be forwarded to the Lancaster County Planning Commission.

803.3. Amendments Initiated by the Township Planning Commission - When an amendment, supplement, change, or repeal is initiated by the Township Planning Commission, the proposal shall be presented to the Board of Supervisors which shall then proceed in the same manner as with a petition to the Board of Supervisors which has already been reviewed by the Township Planning Commission.

803.4. Amendment Initiated by the Board of Supervisors - When an amendment, supplement, change, or repeal is initiated by the Board of Supervisors, such amendment, supplement, change, or repeal shall follow the procedure prescribed for a petition under Section 803.2.

803.5. Amendment Initiated by a Petition from an Interested Party - A petition for amendment, supplement, change, or repeal for a portion of this Ordinance shall include an accurate legal description and surveyed plan of any land to be rezoned and all of the reasons supporting the petition to be considered. The

petition shall also be signed by at least one (1) record owner of the property in question whose signature shall be notarized attesting to the truth and correctness of all the facts and information presented in the petition. A fee to be established by the Board of Supervisors shall be paid upon the filing of such petition for change and for the purpose of defraying the costs of the proceedings prescribed herein. The Board of Supervisors may require duplicate sets of petition materials.

803.6. Curative Amendment by a Landowner - A landowner who desires to challenge on substantive grounds, the validity of the Zoning Ordinance or the Official Zoning Map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment to the Board of Supervisors.

1. The application for a curative amendment shall include:
 - A. A written description of the reasons supporting the request to be considered.
 - B. Plans and explanatory materials describing the proposed use or development, that would not be permitted by the challenged ordinance, in sufficient detail to demonstrate the need for approval of the request and evaluation of the challenged ordinance or map.
 - C. An amendment or amendments to this Zoning Ordinance or Zoning Map that would cure its alleged defect.
2. Public Hearing - Before enacting Zoning Ordinance and/or Zoning Map amendments, the Board of Supervisors shall commence a public hearing within sixty (60) days of the request for a curative amendment, to inform the general public of the nature of the amendment, and to obtain public comment. Such public hearing shall be conducted after public notice, as defined in Section 112 and listed below, has been given.
3. Public Notice - Before conducting a public hearing, the Board of Supervisors shall provide public notice as follows:

A. Notice shall be published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days, and the second publication shall not be less than seven days from the date of the hearing. Publication of the proposed amendment shall include either the full text thereof or the title and brief summary, prepared by the Township Solicitor and setting forth all of the provisions in reasonable detail. If the full text is not included:

- (1) A copy of the full text shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.
- (2) An attested copy of the proposed Ordinance shall be filed in the County Law Library or other county office designated by the County Commissioners.

Public notice shall also indicate that the validity of the Ordinance and/or map is in question, and shall give the place where and the times when a copy of the request including any plans explanatory material or proposed amendments may be examined by the public.

B. For Zoning Map amendments, public notice shall also include the posting of a sign at conspicuous locations along the perimeter of the subject property; these sign(s) shall be posted at least one week prior to the hearing and will exhibit the nature, date, time and location of the hearing. In addition, notice of the public hearing shall be mailed by the municipality at least thirty (30) days prior to the date of the public hearing by first class mail to the addresses to which real estate tax bills are sent for all property to be rezoned. Such notice shall include the location, date and time of the public hearing. This mail-out hearing notice requirement shall not apply to comprehensive rezoning proposals.

- C. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
4. Enactment Notice - In addition to the public notice requirements defined herein, the Board of Supervisors must publish a reference to the time and place of the meeting at which passage of the Ordinance or amendment will be considered, and a reference to a place within the Township where copies of the proposed Ordinance or amendment may be examined without charge, or obtained for a charge not greater than the cost thereof. The enactment notice shall be published at least once in one (1) newspaper of general circulation in the Township not more than sixty (60) days or less than seven (7) days prior to enactment. The published content of the enactment notice shall be the same as that required for public notice described in Section 803.6.3.
 5. The Board of Supervisors may prescribe reasonable fees with respect to hearings. Fees for said hearings may include compensation for the secretary and members of the Board of Supervisors, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Board of Supervisors, expenses for engineering, architectural or other technical consultants or expert witness costs.
 6. The hearings shall be conducted by the Board or the Board may appoint any member, or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings, shall be made by the Board, however, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive the decision or findings by the Board and accept the decision or findings of the hearing officer as final.
 7. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board of Supervisors,

and any other person including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board of Supervisors for that purpose.

8. The chairman or acting chairman of the Board of Supervisors or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
9. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
10. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
11. The Board of Supervisors or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board of Supervisors. The cost of the original transcript shall be paid by the Board of Supervisors if the transcript is ordered by the Board of Supervisors or hearing officer; or shall be paid by the person appealing the decision of the Board of Supervisors if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.
12. The Board of Supervisors or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his

representative unless all parties are given an opportunity to be present.

13. Township Planning Commission Referrals - For amendments proposed by parties other than the Township Planning Commission, the Board of Supervisors shall submit each amendment at least thirty (30) days prior to public hearing to the Township Planning Commission for review and comment. The Township Planning Commission shall submit a report of its review, together with any recommendations, to the Board of Supervisors within forty-five (45) days from the date of said referral. The recommendation of the Township Planning Commission may include a specific statement as to whether or not the proposed amendment is in accordance with the intent of this Ordinance and the adopted Comprehensive Plan of the Township. The Board of Supervisors cannot act upon the amendment until it has received a recommendation from the Township Planning Commission however, should the Township Planning Commission fail to submit its recommendation within forty-five (45) days, the Board of Supervisors may proceed without its recommendation.
14. Lancaster County Planning Commission Referrals - All proposed amendments shall be submitted to the Lancaster County Planning Commission at least thirty (30) days prior to public hearing on such amendments. The Lancaster County Planning Commission may submit recommendations to the Board of Supervisors within forty-five (45) days of such referral. The Board of Supervisors cannot act upon the amendment until it has received a recommendation from the Lancaster County Planning Commission however, should the Lancaster County Planning Commission fail to submit its recommendation within forty-five (45) days, the Board of Supervisors may proceed without its recommendation.
15. The Township Solicitor shall represent and advise the Board of Supervisors during the hearings. Additionally, the Board of Supervisors may retain an independent attorney to defend the challenged ordinance or map and present suitable witnesses for that purpose.
16. In reviewing the curative amendment, the Board of Supervisors may deny the request, accept the request as submitted, or may adopt an alternative amendment which

will cure the challenged defects. The Board of Supervisors shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:

- A. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.
 - B. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the Ordinance or map.
 - C. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodland, wetlands, floodplains, aquifers, and other natural resources and features.
 - D. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, other natural resources and features, the degree to which these are protected or destroyed, the tolerance of the resources to development, and any adverse environmental impacts.
 - E. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
17. The Board of Supervisors shall render its decision within forty-five (45) days after the conclusion of the last hearing;
18. If the Board of Supervisors fails to act on the landowner's request within the time limits referred to in Section 803.6.17, above , a denial of the request is deemed to have occurred on the 46th day after the close of the last hearing;
19. The challenge shall be deemed denied when:
- A. The Board of Supervisors fails to commence the hearing within sixty (60) days.

- B. The Board of Supervisors notifies the landowner that it will not adopt the curative amendment.
 - C. The Board of Supervisors adopts another Curative amendment which is unacceptable to the landowner.
 - D. The Board of Supervisors fails to act on the request forty-five (45) days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and Township.
20. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or by mail not later than the day following the date of the decision or findings. To all other persons who have filed their name and address with the Board of Supervisors not later than the last day of the hearing, the Board of Supervisors shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.
21. Adjournment of Public Hearing - If during the public hearing process, the Board of Supervisors needs additional time to understand the proposal, inform the public, receive public comment, and/or render a decision, it may adjourn the public hearing to a time and place certain.
22. Within thirty (30) days after enactment, a copy of the amendment to the Zoning Ordinance shall be forwarded to the Lancaster County Planning Commission.
23. Where, after the effective date of the Municipalities Planning Code, a curative amendment proposal is approved by the grant of a curative amendment application by the Board of Supervisors pursuant to this section or a validity challenge is sustained by the Zoning Hearing Board pursuant to Section 704.1, or the Court acts finally on appeal from denial of a curative amendment proposal or validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have two years from the date of such approval to file an application for preliminary or tentative approval for a

subdivision or land development. Within the two-year period, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Upon the filing of the preliminary or tentative plan, the provisions of Section 508 (4) of the Municipalities Planning Code shall apply.

24. Where the proposal appended to the curative amendment application or the validity challenge is approved but does not require further application under the Subdivision and Land Development Ordinance, the developer shall have one year within which to file for a zoning permit. Within the one-year period, no subsequent change or amendment in the Zoning, Subdivision and Land Development, or other governing Ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the court shall retain or assume jurisdiction for the purpose of awarding such supplemental relief as may be necessary.
25. At such time as the Township officially adopts a multi-municipal comprehensive plan but has not adopted a joint municipal ordinance, and all municipalities participating in the multi-municipal comprehensive plan have adopted and are administering zoning ordinances generally consistent with the provisions of the multi-municipal comprehensive plan, and a challenge is brought to the validity of this Zoning Ordinance involving a proposed use, then the Board of Supervisors shall consider the availability of uses under zoning ordinances within the municipalities participating in the multi-municipal comprehensive plan within a reasonable geographic area and shall not limit its consideration to the challenge of this Zoning Ordinance.

803.7 Curative Amendment by the Board of Supervisors:

1. The Board of Supervisors, by formal action, may declare this Ordinance or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration and proposal, the Board of Supervisors shall:

- A. By resolution, make specific findings setting forth the declared invalidity of the Ordinance or portions thereof which may include:
 - (1) References to specific uses which are either not permitted or not permitted in sufficient quantity.
 - (2) References to a class of use or uses which require revision.
 - (3) References to the entire Ordinance which requires revisions.
 - B. Begin to prepare and consider a curative amendment to the Ordinance to correct the declared invalidity.
2. Within one hundred eighty (180) days from the date of the declaration and proposal, the Board of Supervisors shall enact a curative amendment to validate or reaffirm the validity of this Ordinance pursuant to the provisions required by Section 609 of the Municipalities Planning Code in order to cure the declared invalidity of the Ordinance.
 3. Upon the date of the declaration and proposal, the Board of Supervisors shall not be required to entertain or consider any curative amendment filed by a landowner. Nor shall the Zoning Hearing Board be required to give a report, upon request, for a challenge to the validity of the Ordinance under Section 704.1., subsequent to the declaration and proposal, based upon the grounds identical to, or substantially similar to, those specified in the resolution required by this Section. Upon the enactment of a curative amendment to, or the reaffirmation of the validity of, this Ordinance, no rights to a cure by amendment or challenge shall, from the date of the declaration and proposal accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Ordinance for which the Board of Supervisors propose to prepare a curative amendment.
 4. The Board of Supervisors, having utilized the procedures as set forth in this Section, may not again utilize said procedures for a thirty-six (36) month period following the

date of the enactment of a curative amendment, or reaffirmation of the validity of the Ordinance; provided, however, that if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the Township by virtue of a decision by any court of competent jurisdiction, the Board of Supervisors may utilize the provisions of this Section to prepare a curative amendment to the Ordinance to fulfill this duty or obligation.

803.8. Authentication of Official Zoning Map - Whenever there has been a change in the boundary of a zone or a reclassification of the zone adopted in accordance with Section 803, the change on the Official Zoning Map shall be made, and shall be duly certified by the Township Secretary, and shall thereafter be refiled as part of the permanent records of the Township.

Section 804

Conditional Uses

804.1. Filing of Conditional Use - For any use permitted by conditional use, conditional use approval must be obtained from the Board of Supervisors. In addition to the information required on the zoning permit application, the conditional use application must show:

1. Ground floor plans and elevations of proposed structures.
2. Names and addresses of adjoining property owners, including properties directly across a public right-of-way.
3. A clear and legible site plan drawn at a scale of ten (10) feet, twenty (20) feet, thirty (30) feet, forty (40) feet, or fifty (50) feet to the inch.
4. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Ordinance.

804.2. General Criteria - Each applicant must demonstrate compliance with the following:

1. The proposed use shall be consistent with the purpose and intent of the Zoning Ordinance.

2. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.
3. The proposed use will not effect a change in the character of the subject property's neighborhood.
4. Adequate public facilities are available to serve the proposed use, e.g., schools, fire, police and ambulance protection, sewer, water, and other utilities, vehicular access, etc.
5. For development within the Floodplain Zone, that the application complies with those requirements listed in Drumore Township's Floodplain Zone.
6. The proposed use shall comply with those criteria specifically listed in Article 5 of this Ordinance. In addition, the proposed use must comply with all other applicable regulations of this Article 8. The proposed use must be consistent with the Township Comprehensive Plan.

804.3. Conditions - The Board of Supervisors, in approving conditional use applications, may attach conditions considered necessary to protect the public health, safety, and general welfare, and ensure compliance with the general criteria listed in Section 804.2, including conditions which are more restrictive than those established for other uses in the same Zone. These conditions shall be enforceable by the Zoning Officer, and failure to comply with such conditions shall constitute a violation of this Ordinance and be subject to the penalties described in this Article.

804.4. Site Plan Approval - Any site plan presented in support of the conditional use, pursuant to Section 804.1, shall become an official part of the record for said conditional use. Approval of any conditional use will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the site plan made after the issuance of a zoning permit, which is not reflected on the approved site plan, may require another conditional use approval.

804.5. Hearing Procedures:

1. Before voting on an application for conditional use, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. As an alternative the Board of Supervisors may appoint any one of its members or an independent attorney to act as a hearing officer. The Board of Supervisors shall submit each such application to the Township Planning Commission at least thirty (30) days prior to the hearing on such application to provide the Township Planning Commission an opportunity to submit recommendations. If, after any public hearing held upon an application, the proposed application is revised, the Board of Supervisors or hearing officer shall hold another public hearing, pursuant to public notice, before proceeding to vote on the application.
2. Public notice as defined herein, and written notice shall be given to the applicant, the Zoning Officer, such other persons as the Board of Supervisors shall designate by Ordinance, and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by Ordinance or, in the absence of Ordinance provision, by rules of the Board of Supervisors. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
3. The Board of Supervisors may prescribe reasonable fees with respect to conditional use hearings. Fees for said hearings may include compensation for the secretary, notice and advertising costs, and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses, expenses for engineering, architectural, or other technical consultants, or expert witness costs.
4. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board of Supervisors or hearing officer, and any other person, including civic or community organizations permitted to appear by the Board of Supervisors or hearing officer. The Board of Supervisors or hearing officer shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided

- by the Board of Supervisors or hearing officer for that purpose.
5. The Chairman or Acting Chairman of the Board of Supervisors or hearing officer shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
 6. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
 7. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
 8. The Board of Supervisors or hearing officer may keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board of Supervisors. The cost of the original transcript shall be paid by the Board of Supervisors if the transcript is ordered by the Board of Supervisors or hearing officer; or shall be paid by the person appealing the decision of the Board of Supervisors or hearing officer if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
 9. The Board of Supervisors or hearing officer shall not communicate, directly or indirectly, with any party or his representative in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

10. The Board of Supervisors shall render a written decision or, when no decision is called for; make written findings on the conditional use application within forty-five (45) days after the last hearing before the Board of Supervisors. However, the applicant and the Township may, prior to the decision of the hearing, waive the decision or findings by the Board of Supervisors and accept the decision or findings of the hearing officer as final. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefore. Conclusions based on any provisions of this Ordinance or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reason why the conclusion is deemed appropriate in light of the facts found.
11. The first hearing before the Board of Supervisors or its hearing officer shall be commenced within sixty (60) days from the date of the receipt of an application for conditional use, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing before the Board of Supervisors or its hearing officer shall be held within forty-five (45) days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within one hundred (100) days of the first hearing. Upon request of the applicant, the Board of Supervisors or hearing officer shall assure that the applicant receives at least seven (7) hours of hearings within the one hundred (100) days, including the first hearing. Persons opposed to the application shall complete their opposition to the application within one hundred (100) days of the first hearing held after the completion of the applicant's case-in-chief. An applicant, may, upon request, be granted additional hearings to complete his case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and municipality, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.

Where the Board of Supervisors or hearing officer fails to render the decision within the period required by this subsection, or fails to commence, conduct or complete the required hearing as required by this subsection, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board of Supervisors or hearing officer to meet or render a decision as hereinabove provided, the Board of Supervisors or hearing officer shall give public notice of the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the Board of Supervisors or hearing officer shall fail to provide such notice, the applicant may do so.

- 12. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings, shall be delivered to the applicant personally, or mailed to him no later than the day following the date of the decision or findings.

804.4. Time Limitation:

- 1. If a conditional use is granted, the necessary permit shall be secured and the authorized action begun within two (2) years after the date when the conditional use is finally granted, and the building or alteration, as the case may be, shall be completed within three (3) years of said date. For good cause, the Board of Supervisors may at any time, upon application in writing, extend either of these deadlines.
- 2. Should the applicant fail to obtain the necessary permits within said two (2) year period, or having obtained the permit should he fail to commence work thereunder within such two (2) year period, it shall be conclusively presumed that the applicant has waived, withdrawn, or abandoned his application, and all approvals and permits granted to him shall be deemed automatically rescinded by the Board of Supervisors.

- 3. Should the applicant commence construction or alteration within the said two (2) year period, but fail to complete such construction or alteration within the said three (3) year period, the Board of Supervisors may, upon ten (10) days notice in writing, rescind or revoke the granted conditional use, if the Board of Supervisors finds that no good cause appears for the failure to complete within such three (3) year period, and if the Board of Supervisors further finds that conditions have altered or changed in the interval since the granting of the conditional use that revocation or rescission of the action is justified.
- 4. As an alternative to the preceding, an applicant can request, as part of the original application before the Board of Supervisors, the granting of a timetable associated with the request which would supersede the deadlines imposed in Sections 804.6.1.3. In so doing, the applicant must demonstrate that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this section, the Board of Supervisors must establish and bind a definite time frame for (1) issuance of a zoning permit, and (2) completion of construction of the project.

Section 805 Repealer

Any Resolution, Ordinance or part of any Resolution or Ordinance inconsistent herewith and any amendments thereof are hereby expressly repealed.

Section 806 Severability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 807 Effective Date

This Zoning Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Drumore Township, County of Lancaster, Commonwealth of Pennsylvania.

This Ordinance, ordained and enacted this ____ day of _____, 2011.

BOARD OF SUPERVISORS OF DRUMORE TOWNSHIP

By:

Chairman

Vice Chairman

Member

ATTEST:

Secretary