

Code of Ordinances of the Township of Hepburn

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

Published by Authority of the Township

Adopted by *Ord. 8.5.2008*, 8/5/2008

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**Officials
of the
Township of Hepburn**

County of Lycoming,
Pennsylvania

ELECTED OFFICIALS

Board of Supervisors

Chairman	-	Rand Lepley
	-	Larry Matty
	-	Robert Fesemyer, Jr.
Tax Collector	-	Rhonda Gingery
Auditors	-	Ken Liddic
	-	Jill Kilburn
	-	Galen Davenport

APPOINTED OFFICIALS

Secretary	-	Kenneth R. Andrus
Treasurer	-	Patricia Foster
Zoning Officer	-	Kenneth R. Andrus
Solicitor	-	Denise Dieter, Esquire & Marc Drier, Esquire

FOREWORD

History

Hepburn Township was organized in 1804 out of a territory set off from Loyalsock. It was named to honor William Hepburn, an ex-State Senator and judicial administrator. It embraced the territory, now found in the Township of Lewis, east of Lycoming Creek, and a portion of Cascade and Eldred Townships.

Among the first settlers on the Lycoming Creek was John Thompson (1784) who opened a hotel a mile below Cogan Station. Samuel Reed built the first house in Hepburnville in 1800, which stood until 1874. It was the only house between Newberry and Trout Run. He was also the first teacher in the Township.

In the early 1800's William Ball settled in the area now called Ball's Mills. William built a fulling mill, clover mill, woolen factory, and a sawmill. His son Samuel built a grain cradle factory in 1867.

During this same period, a tract of land in Loyalsock Township, called Hopewell, was obtained in 1792 by James Willits. It contained 422 acres. In 1804 Wendle Harmon arrived in this country from Germany and purchased the land from Willits for the purpose of founding a colony for his countrymen. By 1812, a small community of German colonists was developed known as Blooming Grove. The colonists were families named Heim, Ulmer, Bertsch, Staiger, Scheel, Waltz and Kiess. The best land cost \$1.50 per acre, and the second grade, \$1.

In religious belief, the colonists were Dunkards. In Germany the belief was prohibited and they were compelled to worship in secret. They, therefore, sought the land of freedom where they could worship God according to the dictates of their conscience.

The Code of Ordinances of the Township of Hepburn was prepared by Keystate Publishers, Inc., and adopted by the Township of Hepburn Board of Supervisors on 8/5/2008 by *Ord. 8.5.2008*.

Organization

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

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

The Key to disposition indicates what action has been taken by the Township of Hepburn Board of Supervisors with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Key. The Key is a cross reference

to the original ordinance books of the Township of Hepburn, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 8.5.2008

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HEPBURN, LYCOMING COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Township of Hepburn hereby ordains:

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

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

APPENDIX:

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

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

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

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this ordinance shall be known and cited officially as the "Township of Hepburn Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective in accordance with law.

Section 3. Saving Clause. The provisions of the Township of Hepburn Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township of Hepburn Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation and Revision. As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. *Consolidations.*

Section	Subject	Ordinance No., Section
15, Entire Chapter	Motor Vehicles and Traffic	74-1, 83-3, 83-4, 1985-2, 94-1, 94-2, 94-3, 94-5, 96-3, 2.1.2000, 1.3.05

B. *Revisions.*

Section	Subject	Ordinance No., Section
	[Reserved]	

Section 5. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

A. *New Enactments.*

Section	Subject
§§1-101–1-111	Preliminary Provisions
§§2-101–2-108	Dogs Running at Large
15, Entire Chapter	Motor Vehicles and Traffic

B. *Amendments.*

Section	Subject	Ordinance No., Section
§1-202	Membership and Term	65-1
§6-102	Penalty	9.6.05, §II
§7-104	Enforcement	10.3.2006, §4
§7-115	Fines and Penalties	1989-2
§10-104	Permit Required	1.2.01, §4
§10-108	Penalties	1.2.01, §8
§10-304	Penalty for Violation	11.3.98, §4
§13-101	License Required; Exceptions	8.02.05, §1
§13-103	License Application, Investigation and Fee	8.02.05, §3
§13-106	Penalty	8.02.05, §6
§13-203	License Required	66-1
§13-206	License Fee	66-1; 1990-2
§13-209	Transfer Fee	66-1
§13-211	Regulations	66-1; 1986-3
§13-212	Violations	66-1
§13-214	Enforcement	66-1
§13-304	Penalty for Violation	1995-1
§16-105	Penalty for Violation	1991-6
§16-202	Violations and Penalties	11.1.05, §II
§18-201	Purpose	94-7, §9.10
§18-202	Definitions	94-7, §9.11
§18-209	Fines and Penalties	94-7, §9.18
§18-302	Definitions	94-6, §9.72
§18-305	Replacement Areas	94-6, §9.75
§18-309	System Rehabilitation	94-6, §9.79
§18-311	Disposal of Septage	94-6, §9.81

Section	Subject	Ordinance No., Section
§18-312	Administration	94-6, §9.82
§18-314	Enforcement	94-6, §9.84
§21-108	Fees	1988-4, §8
§21-109	Enforcement	1988-4, §9
§23-404	Penalties for Failure to Comply	1.2.2001, Art. IV, §4
§24-109	Fines and Penalties	66-3

C. *Repeals.*

Ordinance/Resolution	Subject
	[Reserved]

Section 6. Adoption of Standard Codes by Reference. As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

Section	Short Title
	[Reserved]

Section 7. Land Use Amendments. The Township of Hepburn Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by ~~strike-through~~ and additions shown by underline, all of which is briefly summarized hereinafter.

A. *New Provisions.* The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Section	Subject
	[Reserved]

B. *Revised Provisions.* The following provisions of the Code are revised, the text of which indicates deletions by ~~strike-through~~ and additions shown by underline, and are summarized as follows:

Section	Subject	Ordinance No.
§22-303	Large Scale Development	74-2
§22-403	Plans and Data for Preliminary Approval	74-2
§22-404	Plans and Data for Final Approval	74-2
§22-405	Filing of Plans	74-2
§22-406	Minor Subdivisions	74-2; 76-1
§22-407	Fees	74-2; 1990-2

Section	Subject	Ordinance No.
§22-501	General Standards	74-2
§22-502	Streets	74-2; 1985-1; 93-1, §1
§22-509	Erosion and Sedimentation Control	74-2
§22-511	Responsibilities	74-2
§22-802	Permits and License	74-2
§22-804	Fees	74-2
§22-812	Water Supply	74-2
§22-813	Sewage Collection and Disposal	74-2
§22-902	Enforcement	74-2; 1989-3
§22-1023	Alteration of Streams or Watercourses	74-2; 82-2
§27-202	Definition of Terms	75-1; 82-1; 82-3; 82-4; 82-5; 83-2; 1986-3; 1989-1; 1994-9, §1; 8.9.01, §1; 3.2.04, §3F, 3G; 11.2.04, §3
§27-301	Designation of Districts	75-1; 82-1
§27-501	R-C Residential Conservation District	75-1; 82-4; 83-2; 1991-1; 8.9.01, §2; 3.2.04; 2.1.05
§27-503	R-S Residential Suburban District	75-1; 82-4; 83-2; 1990-1; 8.9.01, §5; 3.2.04, §3D; 11.2.04; 2.1.05
§27-504	Village District	75-1; 82-4; 83-2; 1991-1; 8.9.01, §4; 11.2.04, §9; 2.1.05
§27-602	Camps, Lodges, and Vacation Homes.	75-1
§27-605	Drainage Regulations	75-1
§27-612	Mobile/Manufactured Homes	75-1; 82-5; 3.2.04, §3D
§27-613	Natural Resource Production Uses	75-1; 1986-1; 1988-1
§27-615	Planned Residential Development (PRD)	75-1
§27-616	Recreation Vehicles and Recreation Vehicle Parks, Etc.	75-1
§27-621	Parking or Storage of Commercial or Unlicensed Vehicles	75-1; 1991-1
§27-632	Home Occupations	75-1; 1991-1; 11.2.04, §5
§27-634	Regulations and Standards for Communications Towers	75-1; 8.9.01, §8
§27-713	Water Management Uses	75-1; 82-1; 3.2.04, §3L

Section	Subject	Ordinance No.
§27-737	Special Permit Application Requirements	75-1; 82-1; 1989-1
§27-802	Permits	75-1; 76-1; 1991-1; 1991-2; 3.2.04, §3D; 2.1.05#2
§27-806	Violations and Enforcement	75-1; 1989-3
§27-903	Zoning Fees	75-1; 1990-2; 1991-1

C. *Repealed Provisions.* The following provisions of the Code are repealed, the text of which indicates deletions by ~~strike-through~~, and are as follows:

Section	Subject	Ordinance No.
	[Reserved]	

Section 8. Procedural Changes. The following minor procedural changes have been made to existing Township of Hepburn ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Township Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 9. Amending the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. Amendment or Revision - "Chapter ___, Part ___, Section ___, Subsection ___ is hereby amended [revised] to read as follows..."
- B. Additions - "Chapter ___, Part ___, Section ___, Subsection ___ is hereby amended by the addition of the following..."
- C. Repeal - "Chapter ___, Part ___, Section ___, Subsection ___ is hereby repealed in its entirety."

Section 10. Responsibility for Code of Ordinances. It shall be the responsibility of the Township of Hepburn Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Hepburn Code of Ordinances and shall be available for public inspection.

Section 11. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of Hepburn. Whosoever shall violate this Section shall be guilty of an offense under §4911, "Tampering with Public Records or Information," of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

Section 12. Severability of Parts of Codification. It is hereby declared to be the intention of the Township of Hepburn that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED this 5th day of August, 2008.

ATTEST:

Township of Hepburn

/s/ Kenneth R. Andrus
Secretary

/s/ Rand Lepley
Chairman, Board of Supervisors

/s/ Robert Fesemyer, Jr.
Supervisor

/s/ Larry Matty
Supervisor

Fee Resolution

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

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

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

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

Subject	Fees
DRIVEWAY PERMITS	
Application Fee	§21-108 \$15
HEALTH AND SAFETY	
Livestock or Poultry Operations Application Permit Fee	§10-104 \$100
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
Peddling License Application, Investigation and Fee	§13-103
Depending on the term of the license applied for:	
Per day	\$5
Per month	\$10
Per year	\$15
Junkyard	
Per license year	§13-206 \$200
License transfer fee	§13-209 \$25
ON-LOT SUBSURFACE SEWAGE DISPOSAL FACILITIES	
Initial inspection fee for each septic tank	§18-312 \$40
Inspection fee if paid in time mandated by Township ordinance	\$40
Inspection fee if paid after Township is required to send a second notice	\$60
Inspection fee if paid after letter written by Township Solicitor	\$120
Inspection fee if paid after Township Solicitor files to enforce ordinance in court	\$200

Subject	Fees
SUBDIVISION AND LAND DEVELOPMENT	
Filing of Plans	§22-405
Preliminary Plan	\$10
Each additional lot	\$1
Plus any additional costs incurred in processing plans with a minimum charge of	\$25
Final Approval Plan	\$10
Each additional lot	\$2
Plus any additional costs incurred in processing plans or for engineering and professional services required with a minimum charge of	\$25
Minor Subdivision Plan	§22-406 \$5
Plus any additional costs incurred in processing plans	
Subdivision or Land Development Plan	§22-407
Per plan	\$25
Plus per lot	\$20
Deposit	\$200
Mobile Home Park Plans	§22-804
Fee	\$10 plus \$2
Minimum for each mobile home lot which shall accompany all applications for the approval of all.	\$25
ZONING	
Inspection Permits	§27-802
Each driveway, highway access or curb cut application to include the filing costs and the pre-construction and post-construction inspections.	\$15
Each request for an additional inspection	\$5
Timber harvesting zoning permit	\$5
Residential Permits	
Single-family dwelling	\$75
Multi-family dwelling	\$40 per dwelling
Additions, detached garages, accessory buildings, permanent sheds, decks/patios	\$50
Swimming pools	\$50
Road occupancy/driveway permits	\$50

Subject	Fees
Zoning Permits	§27-903
Initial zoning permit, provided, however, if the zoning permit authorizes or pertains to a new or rebuilt structure or an addition to an existing structure, an additional fee shall be paid as follows:	\$25
1,000 to 1,500 square feet, additional	\$5
1,501 to 3,000 square feet, additional	\$15
3,001 to 5,000 square feet, additional	\$25
5,001 to 10,000 square feet, additional	\$75
10,0001 to 20,000 square feet, additional	\$125
Excess of 20,000 square feet, additional	\$175
Occupancy permits or certifications as to zoning classifications or regulations and similar certificates not otherwise specifically provided for	\$25
Conditional use applications and all Zoning Hearing Board applications (variance, special exception, other appeals or matters)	\$125
Applications involving a request for a Zoning ordinance amendment or alteration of the zoning map or district boundaries	\$25
When applicable, compensation for the Secretary and members of the Zoning Hearing Board	Not to exceed \$25 per meeting per person
Deposit with the Township prior to advertising of the hearing in order to guarantee the payment of the aforesaid hearing costs.	\$200
Certification as to Act 222 compliance	\$10
Fee where a permit is requested, after the commencement of the work or contemplated change of use has been already undertaken	\$25
Certificate of Nonconformance	\$2
Each conditional use application to cover the costs of engineering and other investigations made by the Township	\$50

(Res. 8/5/2008)

