

**MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
June 6, 2016**

The June Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:30 PM on June 6, 2016 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Rex A. Moore, President; James W. Scott, Vice President; Thomas R. Embich, Treasurer; Henri B. Lively; and Joann F. Zimmerman. Also in attendance were Karen Gerhart, Assistant Secretary to the Board of Commissioners; Timothy D. Sheffey and Corey Lamoureux, office of the Township Solicitor; Aaron Hanley, Union Hose Fire Company; Andrea Richardson, *The Lebanon Daily News*; Dean Wolfe, West Main Street; John Feather, Feather & Feather, P.C.; Warren Sellers, E. Queen Street; Patrick King, E. Main Street; Amber Lundeen, E. Main Street; Karen Feather, Woodside Court; Michael Schroeder, E. High Street and Conrad Liles, N. Railroad Street.

President Moore called the meeting to order and led those present in the Pledge of Allegiance to the flag of the United States of America.

RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:
President Moore provided an opportunity for public comment.

John Feather presented a donation of replacement flag for the pole at W. Main and Lancaster Streets on behalf of his firm, Feather and Feather, P.C. The Commissioners thanked him for the continued donation for the Township.

Mr. Warren Sellers, of E. Queen Street, addressed the board with his concerns with traffic safety in the vicinity of 1st Avenue/Jason's Way. Mr. Sellers provided a sketch of the location in which he describes a mulch pile at the front corner of 1315 Main Street that extends into the street. He explained that the large mound of earth extends beyond the curb of the neighboring property. President Moore expressed his belief that the property lines at the edge of the street vary in that area. The property with the sidewalk was a more recent addition than the property in question. He thought that the elevated area brought up by Mr. Sellers is not a newly added area but the edge of the property for many, many years. The Commissioners will look at the area in question to determine if there is any issue with the property extending into the public road.

John Feather, Feather and Feather, P.C. left the Regular Meeting at 7:39 PM.
Mr. Warren Sellers, E. Queen Street, left the Regular Meeting at 7:39 PM.

Mr. Patrick King, of E. Queen Street, addressed the board with his concerns over the proposed Animal Ordinance. Mr. King has concerns over the sections of the ordinance dealing with feral cats. Mr. King provided a handout to the board detailing his research and opinions, a copy of which is attached hereto and made a part of these minutes. Mr. Scott spoke about the numerous humane societies, pet-owners, and non-pet owners that provided guidance and feedback about the language and procedures outlined in the proposed ordinance. Ms. Zimmerman explained that they are trying to prevent a problem that can grow over time of numerous feral cats roaming in the Township. Mr. King asked for the proposed ordinance to be tabled until further input could be received.

MOTION by Mr. Scott to table the proposed animal ordinance. Motion failed due to lack of a second.

Annville Township Meeting

Monday June 6, 2016

Issues to Address with Proposed Ordinance:

§2-300-§2-306:

Overview: Most of the provisions seem to be good except for a few exceptions listed below:

Issues:

Trap-Neuter-Return (TNR):

- It is not humane. Proponents state that the neutered cats are healthier but no one cites credible studies. Also, to my knowledge, no one has once ever mentioned the negative psychological side effects. It has been my experience that neutered cats can and do experience an emotional side effect of having lost the ability to procreate. Also, there's no pain management given after surgery;
- Eartipping: It is cruel and unusual. Cats rely heavily on their ears, more than humans, and their ears were designed or evolved to be the way they are. We shouldn't mess with them. It's only done out of our convenience and laziness. There's no reason why chipping couldn't be done and have the database reflect that vaccinations, neutering, etc. has already been done. If the ability doesn't exist then the coding can be changed in the system. Some claim eartipping doesn't hurt, I challenge anyone to prove it on themselves. To date, I have no takers;
- It's not effective at reducing cat populations. Studies I have found state that you need an 85%+ neuter rate to actually combat the populations and that it seems to only be achievable having spent millions and millions of dollars with the high participation rate;
- Again it's not effective. The National Center for Biotechnology Information quoted a study concluding that TNR was effective and may reduce the population by 66%; but after reading the study it was found that 47% of the population of cats was reduced through adoption. The proposed ordinance mentions nothing about adoption, which seems to be the biggest success at reducing cat populations.

Prohibited Activities:

- #3: Not only does this provision overstep this boards authority but it is unenforceable, trumps citizens' rights and freedoms, and is damaging in many ways;
- Not feeding stray cats may only encourage cats to get nourishment from other sources, in other words, eat the other existing wildlife;
- I have yet to see a true "feral" cat outside my property. Most appear to have been abandoned cats or lost cats which may be declawed and unable to properly hunt for nourishment. The proposed ordinance doesn't seem to address the high abandonment rate of cats by their owners (unless it's already on the books);

What to do?:

- Ideally, TNR on unowned cats should be made illegal;
- We should just leave the cats alone and address specific problems as they occur;
- Feeding of strays should be encouraged to protect other species;
- Eartipping should be stopped and an alternative method used if necessary;
- This is a complex issue, the ordinance should be tabled so that information from both sides can be presented and a better informed decision made.

APPROVAL OF MINUTES: **MOTION** by Mr. Scott, second by Mr. Lively to approve the minutes, as amended, of the Regular Meeting held May 2, 2016 as amended. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

Public Works: The Public Works Report for May 2016 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Bollard Repairs: Ms. Zimmerman mentioned that the bollard on the corner of South Main Street and 934 is leaning and we should consider repainting several of the bollards. She thought it would be nice if the repairs were done prior to Old Annville Day on June 11, 2016 but was unsure that they could be completed before the event.

Street Sweeping: Ms. Zimmerman noted the public works report shows 15 hours spent on street sweeping in the month. She questioned if more time needed to be spent on street sweeping, specifically on North Railroad Street which contains a large quantity of dust and sand due to a business located in that area. Amber Lundeen, E. Main Street, commented that the Public Works department has been doing a great job cleaning up in that area. She often sees them stop several times a month to clean some of the debris off the street.

Storm Drain Repairs: President Moore described the current state of a storm drain on Maple and Ulrich Streets. He referred to the photos contained in the public works report which show the deterioration of this stormdrain. President Moore wanted the board to be aware that this will be a costly repair sometime in the next few years.

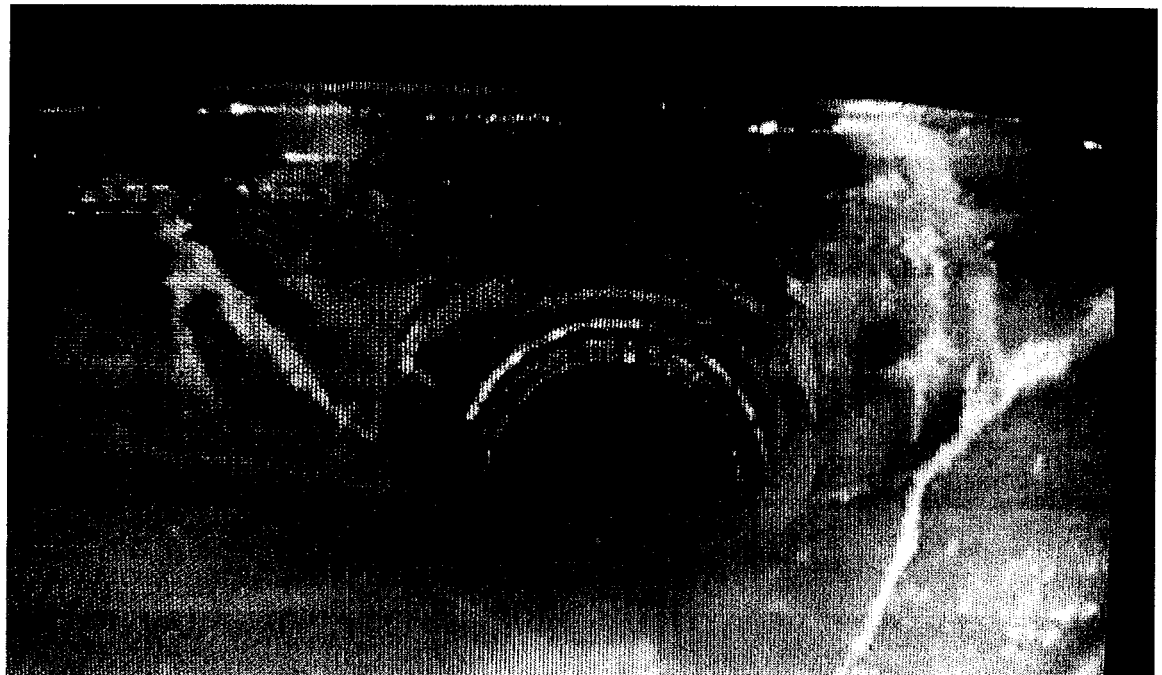
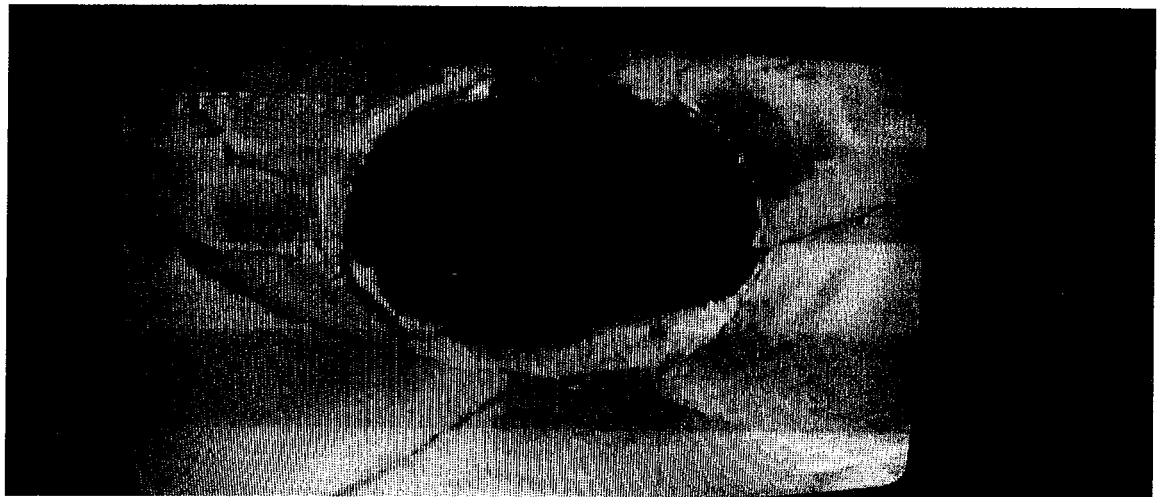
Methanol Pump: At the recommendation of the Township Authority, **MOTION** by Mr. Scott, second by Mr. Lively to authorize the purchase of up to two replacement methanol pumps from Watson Marlow at a cost of approximately \$8,000 per pump. Motion carried unanimously.

Public Safety: The Police Statistical Report for May 2016 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Revision of Penalties for Prohibited Parking: Mr. Lamoureux presented draft ordinance language revising the fine schedule for student parking violations. He explained inconsistencies with the current provisions in the Township Code of Ordinances which can make it financially advantageous for a defendant to challenge a student vehicle parking ticket with the District Judge rather than addressing it in a timely manner through the Police Department. He also provided draft ordinance language pertaining to handicapped parking and penalties. **MOTION** by Ms. Zimmerman, second by Mr. Lively to authorize for advertisement the proposed ordinance revising the fine schedule for prohibited student vehicle parking, handicapped parking, and penalties as presented for consideration at a future Regular Meeting. Motion carried unanimously.

WORK DONE FOR MAY 2016

- (1) **BOLLARD REPAIRS** 4 repairs this month.
- (2) **D/T LIGHTS** Repaired one pole light
- (3) **SWEEPING** Spent 15 hrs. sweeping in Annaville collected 6 ton of debris
- (4) **MAPLE ST** On Maple and Ulrich St. there is a storm drain that runs down Ulrich St. The road is getting very rough due to the storm drain falling apart. This is something we are going to have to look at replacing in the next couple of years.



- (5) **POTHOLES** We are finishing up on potholes and patches for the year. We put down around 50 ton of Asphalt. I will be getting some prices on 5 roads in the Twp. that I would like to get paved.
- (6) **WEEDS** We will be starting to spray weeds after we get done with O.A D. activities.
- (7) **SIGNS** We will be using some of Liquid Fuels money to go over some of the stop signs and other signs in the Twp. that need replaced.

Respectfully submitted
Les Powell



ANNVILLE TOWNSHIP POLICE
MONTHLY REPORT
May 2016



- CALL FOR SERVICE 383
- ORDINANCE VIOLATIONS
 - ABANDONED VEHICLE 3
 - ANIMALS 5
 - BURNING COMPLAINT 3
 - CURFEW 1
 - DISORDERLY CONDUCT 1
 - NOISE COMPLAINT 5
 - SOLICITING 2
- CRIMINAL ARRESTS
 - ADULT 10
 - JUVENILE 5

- TOTAL TRAFFIC CITATIONS 47
- TOTAL WARNINGS 44
- TOTAL NON TRAFFIC CITATIONS 8
- TOTAL VEHICLE ACCIDENTS 15
 - REPORTABLE 5
 - NON REPORTABLE 6
 - HIT & RUN 4
- PARKING TICKETS ISSUED 29

Accident Locations

1@ 200 Blk E Main St
2@ 934 & 422
1@ 1st Blk S Mill St
1@ 133 W Main St
1@ 955 E Main St
1@ Construction Zone
1@ 433 E Main St
1@ 246 E Main St
1@ 1ST Blk S White Oak
1@ W Queen & Chestnut
1@ 1000 Blk E Main St
1@ King & Main
1@ 934 & Cumberland
1@ Main & Weaver

**ANNVILLE TOWNSHIP POLICE MONTHLY
REPORT May 2016 04/28/2016 -05/31/2016**

| Call Type | Total Calls |
|--------------------------------|--------------------|
| BACKGROUND INVESTIGATION | 47 |
| TRAFFIC ENFORCEMENT - WARNING | 44 |
| TRAFFIC ENFORCEMENT - CITATION | 39 |
| PARKING ENFORCEMENT | 30 |
| AMBULANCE CALL | 28 |
| ASSIST OTHER POLICE | 14 |
| SUSPICIOUS ACTIVITY | 11 |
| ALARMS | 8 |
| FIRE CALL | 8 |
| MENTAL HEALTH | 7 |
| ACCIDENT, NON-REPORTABLE | 6 |
| DRIVING COMPLAINT | 6 |
| LOST & FOUND | 6 |
| PHONE SCAM | 6 |
| ACCIDENT, REPORTABLE | 5 |
| NOISE COMPLAINT | 5 |
| POLICE INFORMATION | 5 |
| SUSPICIOUS PERSON | 5 |
| ACCIDENT, HIT & RUN | 4 |
| CIVIL MATTER | 4 |
| CRIMINAL MISCHIEF | 4 |
| PARKING COMPLAINT | 4 |
| ABANDONED VEHICLE | 3 |
| ASSIST OTHER AGENCY | 3 |
| BURNING - COMPLAINT | 3 |
| DOG COMPLAINT | 3 |
| DOMESTIC DISPUTE | 3 |
| DRUG VIOLATION | 3 |
| IDENTITY THEFT | 3 |
| PARKING TRAILER, ETC. | 3 |
| SUSPICIOUS VEHICLE | 3 |
| TRAFFIC CONTROL - OTHER | 3 |
| ADMINISTRATIVE FINGERPRINTING | 2 |
| CHECK ON WELL BEING | 2 |
| CHILD CUSTODY | 2 |
| DISORDERLY CONDUCT | 2 |

| | |
|-----------------------------------|---|
| FOOT PATROL - POLICE | 2 |
| FRAUD | 2 |
| JUVENILE COMPLAINT | 2 |
| NEIGHBORHOOD DISPUTE | 2 |
| PARK & WALK - SCHOOLS | 2 |
| PFA ORDER | 2 |
| PUBLIC DRUNKENNESS | 2 |
| SOLICITING - ORDINANCE | 2 |
| THEFT - UNLAWFUL TAKING | 2 |
| TRAFFIC COMPLAINT | 2 |
| TRAFFIC HAZARD | 2 |
| ANIMAL COMPLAINT | 1 |
| ASSAULT, SIMPLE | 1 |
| ASSIST MOTORIST | 1 |
| BURGLARY | 1 |
| CURFEW - ORDINANCE | 1 |
| DOG - MISSING / LOST | 1 |
| DUI | 1 |
| DUMPSTER | 1 |
| EXTRA PATROL REQUEST | 1 |
| HIGHWAY DEPARTMENT CALLOUT | 1 |
| INVOLUNTARY 302 COMMITMENT | 1 |
| LANDLORD/TENANT ISSUE | 1 |
| LOST OR MISSING ITEM | 1 |
| MISCELLANEOUS | 1 |
| MISSING PERSON | 1 |
| PARKING- GENERAL INFO | 1 |
| PURSUIT - VEHICLE | 1 |
| REPOSESSION | 1 |
| REQUEST FOR AID | 1 |
| TERRORISTIC THREATS | 1 |
| THEFT - FROM MOTOR VEHICLE | 1 |
| TRAFFIC DEVICE COMPLAINT | 1 |
| TRAFFIC ENFORCEMENT - CROSSWALK | 1 |
| TRESPASS, CRIMINAL | 1 |
| UNAUTHORIZED USE OF MOTOR VEHICLE | 1 |
| UNDERAGE DRINKING | 1 |
| WARRANT | 1 |

TOTAL CALLS

383

Civil Service Commission: Ms. Zimmerman reported on the procedural process of the Civil Service Commission. Based on her research, several municipalities set up their own hiring procedures and guidelines so there isn't a consistent approach to hiring with neighboring police departments. Ms. Zimmerman would like to continue looking into this topic with other municipalities and will report back to the board at a future date with any additional findings.

Property: It was noted that the previously-vacant Apartment B at the 25 East Main Street property is now occupied by a tenant and that all rental units in the building are currently occupied.

Parks & Recreation and Hazard Mitigation Grant Program (HMGP) Project: Mr. Scott reviewed the Parks & Recreation and HMGP Report for May 2016, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

ADA Fishing Site: The Quittie Park Committee of Friends of Old Annville (FOOA) is moving forward with the ADA fishing site. The Park Committee has proposed to split the cost of the associated engineering costs three ways between FOOA, the Doc Fritchey Chapter of Trout Unlimited and the Township. The Township portion of the costs incurred so far would be \$123.67. **MOTION** by Mr. Scott, second by Mr. Lively to approve payment of one third of the engineering costs so far incurred by the park committee for the ADA fishing site in the QCNP. Motion carried unanimously.

Weed Maintenance: Mr. Scott discussed the continued problem with poisonous hemlock in the park. Mr. Scott will request Public Works to conduct a follow-up inspection of the trail and control any remaining hemlock with a glyphosate herbicide.

Finance: Mr. Embich reviewed the Financial Report for May, highlighting the total income and expenses for the fifth month of 2016. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for May 2016 was reviewed, a copy of which is attached hereto and made a part of these minutes. Mr. Scott mentioned that UGI is currently doing street cutting in the 100 block of East High Street and it doesn't appear that a permit had been issued. Ms. Gerhart will check the prior month's issued permits to verify their compliance. If a permit has not been issued she will contact UGI.

Annville Activities: Mr. Scott reviewed the Annville Activities Report for May 2016, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Memorial Day Parade: Mr. Scott described a successful Memorial Day Parade. The Parade Committee will be holding a final wrap-up session on June 15. Mr. Lively commended everyone's time and effort put into the Memorial Day Parade and activities.

Old Annville Days: The event will be held Saturday, June 11. All vendor spaces have been reserved.

**ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
STANDING COMMITTEE: PARKS AND RECREATION / HMGP (J. Scott)**

June 6, 2016

QUITTIE CREEK NATURE PARK

The Quittie Park Committee of Friends of Old Anville met on Sunday, May 22. The Committee is eager to move forward with the ADA fishing site. They intend to contact the Doc Fritchey Chapter of Trout Unlimited to see whether this group would be able to provide some of the funding needed to complete the plan.

In a related matter, Steckbeck Engineering has submitted a bill dated May 25, 2016 to the Quittie Creek Nature Park Committee in the amount of \$371.00 for work so far to develop the ADA site. The Park Committee has proposed via e-mail to split the cost of this plan three ways with the Township's portion amounting to \$123.67, and FOOA and Trout Unlimited picking up the remaining two thirds. As yet there is no agreement to this proposal, however. **MOTION to approve payment of one third of the engineering costs so far incurred by the park committee for the ADA fishing site in the QCNP.**

The Township has undertaken two separate spraying attempts to rid the park of poisonous hemlock, *conium maculatum*. While successful, some outcroppings of this weed remain. This plant is not to be trifled with. *"All plant parts are poisonous. However, the seeds contain the highest concentration of poison. The conium alkaloids are volatile and can even cause toxic reactions when inhaled. Poison hemlock is acutely toxic to people and animals, with symptoms appearing 20 minutes to three hours after ingestion. Even the dead canes remain toxic for up to three years".* (Source: Cornell University College of Agriculture and Life Sciences). **MOTION to ask Public Works to conduct a follow-up inspection of the trail and control any remaining hemlock with a glyphosate herbicide.**

The "Ray Swingholm Bridge" sign from the south end of the bridge awaits repair.

HMGP PROPERTIES

The recent rains have improved the vegetative cover somewhat. Many areas remain sparse and weedy, however.

No response so far from PEMA/FEMA to the report the Township has submitted on the completed project.

Permits Report

Month of May 2016

| | | |
|------------------------------|-------------------|-------------------|
| Plumbing Permits issued | <u>1</u> | <u>\$25.00</u> |
| Plumbing Licenses issued | <u>1</u> | <u>\$25.00</u> |
| Excavator Licenses issued | <u> </u> | <u> </u> |
| Total Tapping Fees Collected | | <u> </u> |

Tapping Fees

Building Permits

| | | | |
|--------|------------------------|--------------------------------|-----------------------|
| #9-16 | 141 N. Moyer St. | Steven & Susan Zehring | Replace a structure |
| #10-16 | 1456 E. Walnut St. | Jeremy Garis | Replace a structure |
| #11-16 | 150 Station Corner Dr. | Narrows Glen, Inc. | Erect a new structure |
| #12-16 | 212 S. Cherry St. | Dominic Frataroli | Add/erect a structure |
| #13-16 | 135 Heisey Rd. | Cingular Wireless | Replace a structure |
| #14-16 | 330 Cumberland St. | Jerrold Fritz & Yvonne Coppola | Add to a structure |

Curb/Sidewalk Permits

| | | | |
|-----------|---------------------|-----------------------|-------------------------|
| #2016-001 | 519 E. Maple Street | E.H. Fitting Concrete | Replace curb & sidewalk |
| #2016-002 | 532 E. Maple Street | E.H. Fitting Concrete | Replace sidewalk |

Street-Cut Permits

| | | |
|--------|--------------------|---------------------|
| #16-16 | 1434 E. Walnut St. | UGI Utilities, Inc. |
| #16-17 | 100 N. King St. | UGI Utilities, Inc. |

Burn Permit

ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
STANDING COMMITTEE: ANNVILLE ACTIVITIES (J. Scott)
June 6, 2016

DESTINATION ANNVILLE

The group has not met since last month.

ANNVILLE COMMUNITY ACTIVITIES COMMITTEE

27th Annual Memorial Day Parade: Saturday, May 28, 9:00 AM.

The parade went off in grand style in spite of some organizational difficulties caused by the reconfigured Pinnacle Health parking lot. The committee had attended the public safety committee meeting on May 18 to clarify and verify arrangements for the road closure timeline: 422 going east and Spruce Street to close at 8:00 AM to all but parade participants and at 8:15 to all traffic. Scouts, veterans and volunteers begin to distribute flags along the parade route at 8:30. Motorcycles provide a parade vanguard at 8:50 and the parade steps off on schedule at 9:00.

Particular highlights of this year's Day of Remembrance were the presence of Duke, a riderless horse, in the parade, and the speaker at the memorial service, WWII and Korean War veteran Russ Clark.

The Parade Committee will meet on Wednesday, June 15, for a final wrap-up session.

FRIENDS OF OLD ANNVILLE, HOAD COMMITTEE

Historic Old Annvile Day: Saturday, June 11, 2016

HOAD is on for Saturday, June 11. All available locations for vendors have been reserved. At 9:00 AM on Thursday, June 9, volunteers will head out to post NO PARKING signs along the Main Street detour routes. The Committee has engaged an outside organization to provide traffic control.

INDEPENDENCE DAY CONCERT

The Harrisburg Symphony Orchestra on the LVC Quad, Thursday, June 30, 8:00 PM

The concert is on again for this year with sponsorship by the College. Rain location is Lutz Music Hall in the Blair Music Center.

VISIT LEBANON VALLEY:

Fireball Run, Tuesday, September 27.

On May 18, Laura Putt, president of Visit Lebanon Valley, met with LVC Marketing Director Marty Parkes and Commissioner Jim Scott to review a check-list of requirements for the start of the next leg of the rally on Wednesday, September 28 at 9:00 AM. The location for the start will now be East Sheridan Avenue. The College will provide the breakfast and much of the required infrastructure (wireless internet, PA system, anchors for banners).

The organizers insist that the vehicles line up facing east to provide videographers with the advantage of a rising sun. This would require Annvile Township to provide traffic control at the intersections of College Avenue & Main Street, Main Street and North White Oak Street, and at the bridge reconstruction site to permit the column of rally vehicles to proceed as a group under police escort north to Interstate 81. This seems like a small inconvenience in contrast to the original notion of closing 422 from 7:00 AM to 9:00 AM during the height of the morning rush hour.

Fireball Run: Mr. Scott provided an update about this event scheduled for September 28, 2016. He explained that Lebanon Valley College will be providing support for the event, specifically breakfast, required infrastructure and technology equipment. The location for the start of the event has changed to East Sheridan Avenue. Annville Township will need to provide traffic control at several intersections.

MOTION by Mr. Scott, second by Mr. Lively to approve the reports of the Standing Committees as presented. Motion carried unanimously.

REPORTS OF SPECIAL COMMITTEES:

Executive Session: Ms. Gerhart reported that no Executive Sessions have been held since the adjournment of the May 2, 2016 Regular Meeting. An Executive Session was requested to be held prior to the adjournment of the June Regular Meeting to discuss potential litigation.

Planning Commission: Ms. Gerhart reported that the Planning Commission did not meet in May but may be meeting in June to consider the comments received from the Lebanon County Planning Department regarding the proposed comprehensive revision of the zoning ordinance.

Economic Development: It was noted that the next meeting of the Economic Development Authority would be held on June 28, 2016.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for May 2016, a copy of which is attached hereto and made a part of these minutes.

Wage & Salary: Nothing to report this month.

Information Technology: Nothing to report this month.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for May 2016, a copy of which is attached hereto and made a part of these minutes. Mr. Embich referred to the plans for the Spruce Street Bridge on display for the public. Since the last meeting Mr. Embich had learned that the height of the siderail on the bridge will be 42" in height due to the pedestrian walkways. PennDot will need also need to raise the height of a manhole, which is a change since the original drawing.

Stormwater Management: Mr. Embich reviewed the Stormwater Management Report for May 2016, a copy of which is attached hereto and made a part of these minutes.

Zoning Ordinance Revision: Mr. Scott reported that the ZORC met last Wednesday with Julie Cheyney from the Lebanon County Planning Department. She provided extensive notes and the committee is taking the comments they received under advisement.

Greater Lebanon Refuse Authority (GLRA): Mr. Embich submitted and reviewed the GLRA Report for May 2016, a copy of which is attached hereto and made a part of these minutes.

Thomas Embich

Agenda Items: VI – D, G, H & J

Date: June 02, 2016 report for June 06, 2016 Meeting

Item VI- D HISTORIC ARCHITECTURAL REVIEW BOARD

1. At the May 9 meeting a prolonged discussion about the house adjacent to the Annville Union Hose Fire Co. station was entertained with HARB, the Board of Commissioners, and Mr. Dowey, as representative of the fire company. No specific recommendations were forthcoming, but eventually, the fire company is expected to submit a plan for partial renovation, particularly for the front porch.

Item VI -G SPRUCE STREET BRIDGE

1. Wilson Consulting provided a diagram/plan for the proposed bridge, which is on display in the Township office. Major tasks to be done after the preliminary engineering design approval is received from PENN DoT (McCormick-Taylor) include coring work and substructure design; final engineering design submittals and the environmental assessment completion. Minor items to be addressed include: Addition of elevation to an existing sewer manhole in the project perimeter, and the finish for the west trail into the park at the end of the marked crosswalk. Project is still on track for actual construction work to begin sometime in 2017.

ITEM VI - H. STORMWATER MANAGEMENT

1. The Lebanon County Clean Water Alliance (LCCWA) met May 24 and the main focus was outlining the scope of the data and mapping completed. A special presentation by Pam Shellenberger, York County Planning, provided perspective to the approach they used to get high percentage participation in the York program, and a fee collection program to pay for various projects for compliance with the MS4 requirements, by assessing the municipalities on a weighed basis.
2. Action required for approval of published amendments to our Stormwater Ordinance, Chapter 23, Section 103 C to add supplemental enforcement authority under P.L. 805, The Municipalities Planning Code.
3. Supplemental provided by Nick Yingst: The MS4 Annual Progress Report was submitted to PA DEP, and PA DEP responded with a minimal list of items to be addressed for the next annual report, most of which were already in process to be done, i.e. the ordinance amendments, and some procedure documentations which were provided in earlier reports.

ACTION:

1. Adopt the proposed amendments to the Stormwater Ordinance to meet compliance requirements for the program.

ITEM VI- J GLRA (GREATER LEBANON REFUSE AUTHORITY)

1. Next meeting is scheduled for June 7.
2. May meeting covered largely routine administrative actions.

Fire Department: The Board noted the receipt of the May 2016 Monthly Statistical Report for the Union Hose Fire Company and Ms. Zimmerman reviewed the May 2016 Fire Department Report, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Appointment of Fire Marshal: **MOTION** by Ms. Zimmerman, second by Mr. Embich to appoint Stephen Kiouttis as Fire Marshal. Motion carried unanimously.

Volunteers: Aaron Hanley, Fire Chief, asked the Board what they could do to help the department gain new volunteers. They are concerned about the lack of members getting trained or responding to fire calls. Mr. Scott mentioned that we could put additional information on the Township website and a link to the department's site. Mr. Hanley asked the public for any other ideas as well. Andrea Richardson, free-lance writer for the *Lebanon Daily News*, offered to do an article highlighting the Union Hose in an attempt to increase awareness and publicity for new volunteers.

MOTION by Mr. Scott, second by Mr. Lively to approve the reports of the Special Committees as presented. Motion carried unanimously.

OLD BUSINESS:

One-Way on South Lancaster Street: Mr. Dowey asked the board why it can't go back to the original two-way street with the exception they make at the holidays. Ms. Zimmerman inquired if there were many traffic accidents at this specific location. President Moore replied that there weren't significant issues. Based on additional dialogue between residents and the board, **MOTION** by Ms. Zimmerman, second by Mr. Embich to return South Lancaster Street to a two-way street. Motion carried by a vote of four to one with President Moore, Mr. Embich, Ms. Zimmerman, and Mr. Lively voting in favor of the motion and Mr. Scott voting against the motion.

Ordinance No. 648 – Revisions to Stormwater Management Regulations: Mr. Lamoureux presented proposed Ordinance No. 648, amending §23-101(A)-(D), §23-102(F), §23-104, §23-201(2), §23-401(2)-(3), §23-801(2)(G)-(H), and Appendix 23-A; and adding §23-103(D), §23-301(10)-(17), §23-401(4)-(5), §23-801(2)(N)-(P), and §23-804; to Chapter 23, Stormwater Management, of the Township Code of Ordinances. It was noted that the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Embich, second by Mr. Lively to adopt Ordinance No. 648, amending and adding to Chapter 23, Stormwater Management, of the Township Code of Ordinances, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Ordinance No. 649 – Regulating Animals: Mr. Lamoureux presented proposed Ordinance No. 649, amending Part 1 and adding Parts 2 (Bees), 3 (Cats), 4 (Chickens), 5 (Dogs), and 6 (Penalties for Violation) to Chapter 2, Animals, of the Township Code of Ordinances. It was noted that the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Scott, second by Mr. Lively to adopt Ordinance No. 649, amending and adding to Chapter 2, Animals, of the Township Code of Ordinances, as presented. Motion

Fire Department Meeting---May 5, 2016

--Reported that lightbar was going to get fixed on one of the trucks—keep getting hassled by Annville Police.

--Fireman's Expo--\$2,500 from Fireman's Relief and \$2,500 from fire company to get equipment. Last year things were bought that weren't used. Beth wants better Records of what is bought. Couldn't cross-reference items last year.

--Need someone to take care of rental properties. A number of people applied. Recommendation to approve Jordan Good, who has rentals and is familiar with taking care of them.

1. In the process of coming up with house rules for the fire dept.
2. Report on rental property meeting for house on Main Street coming up.
 - Number of people at the meeting want the house torn down
 - Comment from someone that the porch doesn't fight fires or buy equipment
 - Comment from Aaron (fire chief) that he is opposed to doing anything about the porch; doesn't want to spend money on the porch when they have a 20-year old truck that needs to be replaced.
 - Comment from someone that HARB can't do anything about the porch situation, there are no legal ramifications.
3. Background checks need to be turned in; some not done yet; will be locked up in fire department.
4. Takes \$400. to dress a firefighter head-to-toe.
5. Dept. received \$55,000. for flood that nothing has been done with. Suggestions were for smartboard, monitors, computer to run "I am Responding" program, which updates who is coming for an alarm. Suggestion to look at lighting around building. Suggestion to do something about the flag pole situation—flag too close to building, often laying on the roof, look into a new pole. Suggestion to attach new flag to the back of the engine.
6. Swearing in of Aaron Hanley as Fire Chief and Luke Leininger as Deputy Fire Chief.

Fireman Relief Meeting---May 5, 2016

1. Swearing in of Greg Clements as Vice President and Erin Ryder as Secretary.
2. Balance in account--\$27,793.55.
3. No more than \$2,500. to spend at Fireman's Expo.

May 17, 2016—7:30 PM

1. Mr. Brady was not at the meeting, due to being out of town until 20th.
2. Ron Dowey was elected co-chair to replace Tony Deaven.
3. Accepted resignations from Anthony Deaven and Al Yingst on Merger Committee.
4. Concern from other departments over nothing being done to separate Annville's social club from the fire department. Ron Dowey will find out what it takes to separate the two.
5. It was decided to have questions to Mike Hughs, Cleona Fire Chief, for Mr. Brady to answer about merger.
6. June 21, next merger meeting.

Fire Department Meeting—June 2, 2016

1. 66 calls for May.
2. Income for month--\$11,302.
3. Expenses--\$2,500.
4. Money from township--\$32,000.
5. Fire Police calls—41.
6. Recruitment at high school—8 new applications for memberships.
7. \$7500—income from social club.
8. Chief Engineer's Report (Ross)--\$929. Maintenance.
9. Fire Expo—three thermal imaging cameras will be bought.
10. Ron has contractor meeting set up for next week, another being set up. Should have costs wrapped up by end of August.
11. House Rules handed out. Alcohol and Drug Policy being emailed next week to adopt in July.
12. Greg Clements reported on the Merger Meetings.
 - Firefighters not being given much information on merger.
 - Explained three choices to be decided on:
 1. Merger—1 or more companies become part of the surviving organization.
 2. Consolidation—1 or more companies with a new name.
 3. Functional Consolidation—each company remains intact, sharing, but not legally dissolving.
 4. Been working on merger for 4 or 5 years now, and it feels like the process is starting all over again.
 5. Need to find out what members of fire dept want.
 6. Will ask members to vote to decide how to proceed at next month's Merger Meeting.
13. Aaron reported that they will be setting up purchasing at 911 Rapid Response. 911 Rapid Response will know what members are allowed to buy or not buy. Will choose two styles of boots that members can choose from. Aaron, Beth, Luke (and one more) will be primary people to go to when things are needed.
14. Membership—4 new junior members under 18; 2 new over 18.
15. 28 new members to the Social Club.
16. Will be set up for Old Annville Days.
17. A Rescue driver is needed for a church/family event.
18. Aaron reported a concern over manpower turn-outs. Only 3 or 4 people showing up for trainings, meetings and calls from the Annville Dept.

ORDINANCE NO. 648

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, AMENDING THE FOLLOWING SECTIONS OF CHAPTER 23 ("STORMWATER MANAGEMENT"): §23-101(A)-(D), §23-102(F), §23-104, §23-201(2), §23-401(2)-(3), §23-801(2)(G)-(H), AND APPENDIX 23-A; AND ADDING THE FOLLOWING SECTIONS TO CHAPTER 23 ("STORMWATER MANAGEMENT"): §23-103(D), §23-301(10)-(17), §23-401(4)-(5), §23-801(2)(N)-(P), AND §23-804, OF THE CODE OF ORDINANCES OF ANNVILLE TOWNSHIP.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION 1. The provisions of Chapter 23, Stormwater Management, of the Code Ordinances of Annville Township, are amended and revised as follows:

(a) Section 23-101 ("Statement of Findings"), is amended as follows:

The Board of Commissioners of Annville Township finds that:

A. Inadequate management of accelerated runoff of stormwater resulting from development throughout a watershed increases flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control stormwater, undermines flood plain management and flood control efforts in downstream communities, reduces groundwater recharge, threatens public health and safety, and increases nonpoint source pollution of water resources.

B. A comprehensive program of stormwater management (SWM), including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, and welfare and the protection of people of the Commonwealth, their resources, and the environment.

C. Stormwater is an important water resource, which provides groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.

D. Federal and state regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).

(b) Section 23-102(F) ("Purpose"), is amended as follows:

F. Provide procedures and standards for proper operation and maintenance of all permanent stormwater management facilities and best management practices (BMPs) that are constructed in the Township.

(c) Section 23-103 ("Statutory Authority"), is amended to include the following subsection:

D. First Class Township Code, the Act of Jun. 24, 1931, P.L 1206, No. 331 Cl. 73 (Reenacted and amended May 27, 1949, P.L.1955, No.569).

(d) Section 23-104 ("Applicability"), is amended as follows:

All regulated activities and all activities that may affect stormwater runoff, including land development and earth disturbance activity, are subject to regulation by this Ordinance.

(e) The definitions of Earth Disturbance, Regulated Activities, and Stormwater of Section 23-201(2) ("Definitions") are amended, and the definitions of Karst, Water Quality Requirements, and Watershed are added to Section 23-201(2), as follows:

Earth disturbance—any activity which disturbs the surface of the land including, but not limited to, construction, mining, timber harvesting and grubbing which alters, disturbs and exposes the existing land surface.

Karst – A type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage, and caves. Karst is formed on carbonate rocks, such as limestone or dolomite.

Project Site – A specific area of land where any regulated activities in the Municipality are planned, conducted, or maintained.

Qualified Person or Qualified Professional – Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the works required by this Ordinance.

State Water Quality Requirements – The regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25 of the Pennsylvania Code in the Clean Streams Law.

Regulated Activities – Any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff.

Stormwater – Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

Water Quality Requirements – The regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25 of the Pennsylvania Code and the Clean Streams Law.

Watershed – Region or area drained by a river, watercourse, or other surface water of this Commonwealth.

(f) Section 23-301 (“General Requirements”), is amended to include the following subsections:

10. For all regulated earth disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained during the regulated earth disturbance activities (e.g., during construction) to meet the purposes and requirements of this Ordinance and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (E&S Manual), No. 363-2134-008 (April 15, 2000), as amended and updated.

11. Impervious areas:

- a. The measurement of impervious areas shall include all of the impervious areas in the total proposed development even if development is to take place in stages.
- b. For development taking place in stages, the entire development plan must be used in determining conformance with this Ordinance.
- c. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Ordinance; except that the volume controls in Section 303 and the peak rate controls of Section 304 do not need to be retrofitted to existing impervious areas that are not being altered by the proposed regulated activity.

12. Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner(s) by the developer. Such stormwater flows shall be subject to the requirements of this Ordinance.

13. All regulated activities shall include such measures as necessary to:

- a. Protect health, safety, and property;
- b. Meet the water quality goals of this Ordinance by implementing measures to:
 - (1). Minimize disturbance to floodplains, wetlands, and wooded areas.
 - (2). Maintain or extend riparian buffers.
 - (3). Avoid erosive flow conditions in natural flow pathways.
 - (4). Minimize thermal impacts to waters of this Commonwealth.
 - (5). Disconnect impervious surfaces by directing runoff to pervious areas, wherever possible.

c. To the maximum extent practicable, incorporate the techniques for Low Impact Development Practices described in the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual).

14. The design of all facilities over karst shall include an evaluation of measures to minimize adverse effects.

15. Infiltration BMPs should be spread out, made as shallow as practicable, and located to maximize use of natural on-site infiltration features while still meeting the other requirements of this Ordinance.

16. Normally dry, open top, storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 and not more than 72 hours from the end of the design storm.

17. The design storm volumes to be used in the analysis of peak rates of discharge should be obtained from the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, Version 3.0, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland. NOAA's Atlas 145 can be accessed at: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.

(g) Section 23-401 ("Exemptions") is amended as follows:

2. Regulated activities that result in cumulative earth disturbances less than [one acre maximum] are exempt from the requirements in §§23-308, 23-302, and Part 4 of this ordinance.

3. Exemptions from any provisions of this Ordinance shall not relieve the applicant from the requirements in Sections 301.10. through 17.

4. The Municipality may deny or revoke any exemption pursuant to this Section at any time for any project that the Municipality believes may pose a threat to public health and safety or the environment.

5. Additional Exemption Requirement.

A. *Exemption Responsibilities.* An exemption shall not relieve the applicant from implementing such measures as are necessary to protect the public health, safety and property. An exemption shall not relieve the applicant from providing adequate stormwater management for regulated activities to meet the requirements of this Chapter.

B. *HQ and EV Streams.* This exemption shall not relieve the applicant from meeting the special requirements for watersheds draining to high quality (HQ) or exceptional value (EV) waters, identified and source water protection areas

(SWPA) and requirements for nonstructural project design sequencing (§23-307), stormwater volume (§23-308), stormwater quality (§23-309), and streambank erosion (§23-310).

C. *Drainage Problems.* If a drainage problem is documented or known to exist downstream of or expected from the proposed activity, then the Township may require a stormwater management plan submittal.

All regulated activities occurring in drainage areas tributary to waters designated HQ/EV pursuant to 25 Pa.Code, Chapter 93, shall not change any biological, chemical or physical characteristics, including volume, rate, velocity, course, current, cross section or temperature of the waters, unless the activity is specifically permitted in accordance with the environmental laws of the Commonwealth.

(h) Section 23-801(2)(G)-(H), ("Prohibited Discharges") are amended, and Section 23-801(2)(N)-(P) are added, as follows:

G. Springs.

H. Uncontaminated water from foundation or footing drains or from crawl space pumps.

N. Rising ground waters.

O. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(20)).

P. Discharges from potable water sources.

(i) Chapter 23, part 8 is amended to include the following section:

SECTION 23-804. Alteration of Stormwater Management BMPs.

Alteration of stormwater management BMPs without written approval by Annville Township is prohibited.

(j) Paragraph 11 of Appendix 23-A ("Stormwater Management Operations & Maintenance Agreement and Declaration of Easement") is amended as follows:

11. This STORMWATER MANAGEMENT OPERATIONS & MAINTENANCE AGREEMENT AND DECLARATION OF EASEMENT shall be binding upon the GRANTOR and is intended to be recorded as a restricted deed covenant that runs with the land in order to give notice to future owners of the Premises of their duties and responsibilities with respect to the stormwater management facilities. GRANTOR shall include a specific reference to this STORMWATER MANAGEMENT OPERATIONS & MAINTENANCE AGREEMENT AND DECLARATION OF EASEMENT in any deed of conveyance for the Premises.

SECTION 2. All other provisions of Chapter 23, Stormwater Management, of the Code of Ordinances of Annville Township, remain in full force and effect.

SECTION 3. SEVERABILITY. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Annville Township Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective

June 6, 2016.

ORDAINED AND ENACTED this 6th day of June, 2016.

BY ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS

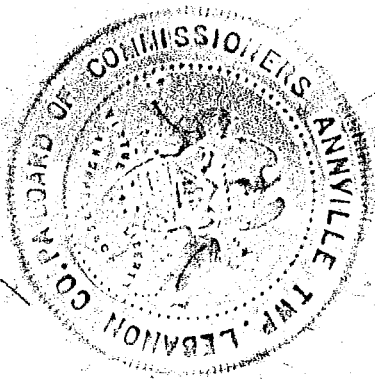
By: [Signature]
Rex A. Moore, President

ATTEST:

Karen Gerhart

~~Nicholas T. Yingst, Secretary~~

Karen Gerhart, Assistant Secretary



carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

NEW BUSINESS:

Authorization of Payment for Truck Chassis with Roll-Off Component and Containers:

Noting the arrival of the truck chassis with roll-off component and containers that will be 90% funded by a Pennsylvania Department of Environmental Protection Act 101, Section 902 Municipal Recycling Program Grant, **MOTION** by Mr. Lively, second by Mr. Embich to ratify payment to Five Star International, LLC in the amount of \$112,790 and to Truck Mounts Unlimited in the amount of \$97,013 for the costs associated with these items. Motion carried unanimously.

Resolution No. 20160606-001 – Use of Radar by Municipal Police: Noting the movement of Senate Bill 535 from the Pennsylvania Senate Transportation Committee to the full Senate for debate and consideration, **MOTION** by Mr. Lively, second by Mr. Scott to adopt Resolution No. 20160606-001, calling upon the Pennsylvania State Legislature to support Senate Bill 535, which would enable all municipal police to use the same motor vehicle speed-timing equipment as the Pennsylvania State Police. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes. **MOTION** by Mr. Scott, second by Mr. Embich to provide the Radar Coalition with Resolution No. 20160606-001. Motion carried unanimously.

Commemorative Bricks: Due to popular demand, Ms. Gerhart reported that the Township is again providing the opportunity for purchasing commemorative bricks for the downtown area. She noted that, as before, an eight inch by four inch brick will be \$50 and an eight inch by eight inch brick will be \$100, and she further noted that additional information and orders forms are available at Town Hall and through the Township website. She concluded by noting that the Township would like to receive all orders by the end of the summer.

Norfolk Southern Railroad Encroachment Letter: **MOTION** by Mr. Scott, second by Mr. Lively to ratify the issuance of a municipal approval letter regarding the installation of a natural gas line along North Mill Street at the crossing of the Norfolk Southern Railroad. Motion carried unanimously.

Request for Intermunicipal Transfer of Liquor License to Just Wing It: Mr. Lamoureux spoke briefly on receiving a request to transfer a liquor license from outside of Annville Township to Just Wing It in Annville. He briefly described the required process to the Commissioners, noting that the Board has 45 days from the receipt of the request to make a decision and indicated that a Public Hearing must be held and advertised before the request could be acted upon. **MOTION** by Mr. Scott, second by Mr. Lively to authorize the advertising of a notice for a Public Hearing on July 5, 2016 at 7:00 PM to consider a request for an intermunicipal transfer of a liquor license to Just Wing It. Motion carried by a vote of four to one with President Moore, Mr. Scott, Ms. Zimmerman, and Mr. Lively voting in favor of the motion and Mr. Embich voting against the motion.

ORDINANCE NO. 649

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, AMENDING CHAPTER 2, ANIMALS, OF THE CODE OF ORDINANCES OF ANNVILLE TOWNSHIP.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION 1. The provisions of Chapter 2, Animals, Part 1, of the Code of Ordinances of Annville Township are amended and revised as follows:

Part 1 General Regulations

§2-100. Intent.

Residents may keep animals within the Township for non-commercial purposes subject to the following regulations.

§2-101. Definitions.

For the purpose of this Part, the following terms shall be construed to have the meanings set forth in this Section.

Abandoned Animal – An animal that an owner has forsaken entirely, neglected, refused to care for, or legally support.

Animal – Any of a kingdom (Animalia) of living things including insects, fish, amphibians, reptiles, birds, and mammals, but excluding humans.

Livestock – Any member of the bovine, caprine, equine, gallinaceous (except for *Gallus gallus domesticus*), ovine, or porcine, species, including but not limited to cows, steers, horses, ponies, pigs, sheep, goats and poultry (except chickens).

Owner – Any person having the right of property in any animal or having control of or custody of any animal, or any person who harbors or permits an animal to remain on or around his or her property.

Nuisance – Continuous or incessant noise for a period of fifteen (15) minutes, odors, vectors, dust, vibrations, or excretion of bodily waste beyond owner's or renter's property.

Pet, exotic – An animal listed by and requiring an ownership permit from the Pennsylvania Game Commission. (Prohibited)

Pet, household – An animal that is kept for pleasure rather than utility and which may be kept inside or outside of the Dwelling.

Pet, non-household – A domesticated animal that is kept for pleasure and is kept outside of the Dwelling.

Pet, novelty – An animal that is kept for pleasure that is not a customary household pet, nor of a domesticated variety, provided that it is not otherwise prohibited by law and is kept inside the dwelling.

Running at large – An unrestrained animal upon a public highway, street, alley, park or any other public land or upon property of another person other than the owner. This shall include, but not be limited to, chasing motor vehicles or bicycles, or harassing any person in such a manner as to cause intimidation or apprehension of bodily harm.

Tethering – Restraining a domestic animal by tying it to any object or structure by any means, not to include using a handheld leash for the purpose of walking the animal.

Unrestrained Animal – An animal not wearing a leash or other harness providing control by the owner or custodian responsible for the animal's behavior. Does not apply to cats.

§2-102. Prohibited Animals.

It shall be unlawful to keep livestock (except for chickens) in any but the institutional district (see §27-404.3 of this Code).

§2-103. Unlawful to Allow Animals to Run at Large.

No animal shall be permitted to run at large (except cats).

§2-104. Noise of Animals.

No owner shall allow any animal to make any loud or harsh noise continuously or repeatedly which would constitute a nuisance, and interfere with or deprive the peace, quiet, rest or sleep of any person within the Township, provided that at the time the animal is making such noise, no person is trespassing or threatening to trespass on property on which the animal is situated, or otherwise provoking the animal to make noise.

It shall be unlawful for any person to continue to own, harbor, possess or otherwise keep an offensively noisy animal, which shall be defined as one which has caused its owner or custodian to be cited and convicted of more than two violations of this section.

§2-105. Animal Defecation.

No owner shall allow any animal to defecate on any property not owned or leased by this owner unless such defecation is removed immediately and subsequently disposed of in the trash or a toilet.

§2-106. Rabies Vaccination.

All animals which are capable of contracting rabies shall be vaccinated against this disease by a licensed veterinarian in accordance with the recommendations for immunization in the Rabies Prevention and Control in Domestic Animals and Wildlife Act of the Commonwealth of Pennsylvania. The owner of the animal must provide proof of current rabies vaccination upon request of the Township.

§2-107. Seizure and Detention.

Any domestic animal, (except cats; see §2-304), running at large or otherwise not in the control or under the restraint of its owner or custodian may be captured by a police officer of the Township or other duly authorized employee or contractor of the Township. Any animal so captured shall be humanely boarded and dealt with in accordance with the laws and regulations of the Commonwealth of Pennsylvania. The owner or custodian of any domestic animal so

captured shall be in violation of the terms of this article and may be so cited, and shall be liable for all of the costs of the capture, boarding and disposition of the animal.

Notice of the capture, either personally or by phone, shall be given to the person in whose name the license, if any, for the animal is procured, or his agent, or to the owner, if known. An animal so detained and not reclaimed following this notice will be transported to the Humane Society of Lebanon County, or other contracted agency, where the owner may retrieve it according to the policies in place at that agency.

§2-108. Mistreatment of Animals.

It shall be unlawful for any person or persons whether the owner of the animal or not, to mistreat, abuse or to cause bodily injury to any domestic animal or otherwise to inhumanely dispose of such animal. For purposes of this section, mistreatment shall include, but not be limited to, not providing for the proper care, shelter, feeding and medical treatment of a domestic animal by its owner or custodian.

§2-109. Disposition of Unclaimed Animals.

Unclaimed animals shall become the property of the Humane Society of Lebanon County, or other contracted agency, with further disposition according to their policies.

§2-110. Disposition of Dangerous Animals.

Any animal running at large or unrestrained by its owner or custodian that, in the judgment of a duly appointed police officer of the Township, or other authorized official, poses a threat to the life or physical well-being of any person or persons may be destroyed as humanely as possible by the officer when, in the judgment of the officer, capture or containment of the animal is not possible without further risking the health and safety of the public or of the officer.

SECTION 2. The provisions of Chapter 2, Animals, Part 2, Bees, Part 3, Cats, Part 4, Chickens, Part 5, Dogs, and Part 6, Penalties for Violation, of the Code of Ordinances of Annville Township are added as follows:

§2-200. Bees.

Apiaries may be located in all districts under the following conditions as defined and outlined throughout this part.

§2-201. Definitions.

As used in this Section, all terms shall be defined in the manner set forth in §2102 of the Pennsylvania Bee Law, 3 Pa. Cons. Stat. Ann. §2102, as amended, unless a different definition is stated below or a different meaning clearly appears from the context:

Africanized Honeybee – Hybrids of European honeybees with African Honeybees that are aggressive compared to the European subspecies. Prohibited.

Apiary – Any place where one or more colonies or nuclei of bees are kept.

Bee – Any stage of the common hive or honeybee (*Apis mellifera*) or other species of the genus *Apis*.

Beekeeper – An owner of an apiary or a person who has charge of an apiary or one or more colonies of bees in the Township.

Bee disease – Any American or European foul brood, sac brood, bee paralysis or other disease or abnormal condition of eggs, larval, pupal or adult stages of the honeybee.

Best Management Practices – The policies, procedures, and methods contained in the Pennsylvania Department of Agriculture's Compliance Agreement for Beekeepers.

Colony – An aggregate of bees consisting principally of workers, but having under optimal conditions one queen and drones.

Department – The Pennsylvania Department of Agriculture.

Flyway – A barrier composed of dense vegetation or a fence which direct the bees quickly into the sky.

Hive – Any frame hive, box hive, box, barrel, log, gum, skep or other receptacle or container, natural or artificial, or any part thereof, which may be used or employed by a Beekeeper as a home for bees which are expected to establish a permanent nest.

§2-202. Registration, Certification, and Permission.

1. Beekeepers must register all apiaries with the Department as required by the Pennsylvania Bee Law, 3 Pa. Cons. Stat. Ann. §2101 et. seq., as amended.
2. The Township recommends that beekeepers obtain Best Management Certification from the Department and executing the Department's Compliance Agreement for Beekeepers.
3. Beekeepers on non-owner occupied properties must have written permission from the property owner to own or maintain an apiary. Such written permission shall be supplied to the Township upon request.

§2-203. Maximum Number of Colonies.

For property with a minimum of two-thousand (2,000) square feet of lot area, a Beekeeper is permitted to keep two (2) hives. For every additional two-thousand (2,000) square feet of lot area, the Beekeeper is permitted two (2) additional hives to a total of ten (10) hives in all.

§2-204. Hive Type.

Beekeepers shall keep or maintain bees in a modern, removable frame hive which permits thorough examination of every comb to determine the presence of bee diseases.

§2-205. Location of Hives.

Location of hives must comply with the following criteria:

1. Hives shall not be located within ten (10) feet of any side or rear property line;
2. Hives shall not be located within a front yard; and
3. Hives shall not be located within fifty feet of a swimming pool or permanently

kenneled animal.

4. Hives may be located on porches or balconies that are at least ten (10) feet above grade.

§2-206. Hive Orientation.

Hive entrances shall face away from neighboring property and in such a direction that bees fly across the Beekeeper's property at sufficient distance to gain a height of at least six feet at the property line. The use of barriers may be employed to redirect the bees' flight pathway and establish bee flight pathways above six feet. Should the flight path not be able to be obtained as described above, then a "flyway barrier" shall be placed at least six (6) feet in height, shall be placed along the side of the hive(s) that contains the entrance to the hive(s), shall be located within five (5) feet of the hive(s), and shall extend at least two (2) feet on either side of the hive(s). A "flyway barrier" shall consist of a solid fence, dense vegetation, dense hedge, or combination thereof. No flyway is required for hives that are located on porches or balconies.

§2-207. Water.

All Beekeepers in the Township shall ensure that a convenient source of fresh water is available to the bees from April 1 through November 1 each year and is located closer to the apiary than any other water source.

§2-208. Best Management Practices.

The Township recommends that all Beekeepers owning or maintaining an apiary shall practice the best management practices as set forth by the Department.

§2-209. Maintenance.

All Beekeepers shall ensure that no bee comb or other materials are left upon the ground of the apiary site. Upon removal from the apiary, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

§2-210. Nuisance.

It shall be unlawful for any Beekeeper to keep any hive in such a manner as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life, or interfere with the normal use and enjoyment of the properties surrounding the property on which the bees are kept. The Township, with the guidance of an experienced Beekeeper or apiary inspector, may seize and relocate or destroy the hives or bee receptacles that are a public nuisance pursuant to this part without remuneration to the Beekeeper. By way of example and not of limitation, the following activities are hereby declared to be a public nuisance and are, therefore, unlawful:

1. Multiple instances of bees stinging, or attacking individuals, pedestrians, bicyclists, motor vehicle passengers, or domestic animals;
2. The use of apiaries or receptacles for bees that does not comply with Sections 2-201, 2-202, 2-205, 2-206, 2-207, and 2-208 of this Section;
3. Hive placement and related bee movement such that the bees, without provocation, interfere with the freedom of movement of persons in a public right-of-way, or the location of bees pose a threat to the general safety, health, and welfare of the general public; and

4. The keeping of overcrowded, bee diseased or abandoned hives.

§2-211. Prohibitions.

Africanized Honeybees may not be kept on any property in the Township.

§2-212. Sale of Honey.

The sale of honey must comply with state and federal laws and regulations.

§2-300. Cats.

§2-301. Definitions.

Animal Welfare Group—Any not-for-profit group with a 501 (c) (3) status whose primary mission is animal welfare.

Community cat – A cat that is abandoned, stray, lost, or feral and cared for by a community cat colony caretaker pursuant to this ordinance.

Community cat colony caretaker—A person who provides food, water, or shelter to, and otherwise *cares* for, a feral cat colony while not being considered the owner, harbinger, controller or keeper of a community cat.

Community cat colony—A group of abandoned, stray, or feral cats that live more or less together as a unit and are managed by a community cat colony caretaker. Although not every cat in a colony may be feral, any non-feral cats that congregate with the colony shall be deemed to be a part of it.

Eartipping—Straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized to indicate that the animal has been spayed or neutered, and lawfully vaccinated for rabies.

Feral cat—A cat that is not socialized and has no owner.

“Trap-Neuter-Return” (TNR) – The process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, and returning feral cats to their original location.

§2-302. Vaccinations.

All cats shall be vaccinated against rabies by a licensed veterinarian in accordance with the recommendations for immunization published by the National Association of State Public Health Veterinarians; provided, that a cat may be exempted from this requirement upon presentation of a veterinarian’s certificate stating that because of infirmity or other physical condition, the inoculation of such cat is not medically appropriate.

§2-303. Owner’s Responsibility.

1. The owner must identify the cat or cats with an identification collar, tag, or microchip (Electronic Animal Identification Device--EAID) that clearly and legibly states the cat owner’s name, and contact information.
2. No person or resident shall own, harbor or maintain a nondomestic feline or hybrid within the Township limits.
3. Owners are strongly encouraged to keep cats indoors or in an outside enclosure.

4. Cats permitted to run free outside the residence must be spayed or neutered.

§2-304. Prohibited Activities.

1. It shall be unlawful for any owner of a cat to permit or to allow such cat in the Township to become a nuisance. Acts of nuisance as previously defined, including digging into flower beds, lawns, sand boxes, gardens or damaging shrubbery, trees, lawns, on personal property not belonging to the owner of the cat.
2. It shall be unlawful to abandon a cat or kittens.
3. It shall be unlawful to feed unowned cats that are intact, free-roaming, abandoned or feral unless the person feeding these animals is participating the process of Trap, Neuter, Return as more particularly provided in **§2-306**.

§2-305. Seizing Cats Creating a Nuisance.

1. Any cat creating a nuisance as defined in §2-101 of this Ordinance may be captured. Notice of the capture, either personally or by phone, shall be given to the person identified on the collar, tag or microchip (EAID). An animal so detained and not reclaimed following this notice shall be transported to the Humane Society of Lebanon County, or other animal welfare group, where the owner may retrieve it according to the policies in place at that agency.
2. Community cat colony caretakers are empowered to reclaim captured community cats without proof of ownership solely for the purpose of the implementation of the process of Trap, Neuter, Return as more particularly provided in **§2-306**.

§2-306. Colonies of Free Roaming, Abandoned and Feral Cats.

1. It shall be unlawful for any person not performing the duties of a community cat colony caretaker to feed colonies of free roaming, abandoned or feral cats, if such feeding causes a nuisance to neighbors or creates a condition contrary to the health, safety and welfare of the community.
2. Any person who chooses to become a community cat colony caretaker must assume any costs for a humane Trap, Neuter and Return (TNR) program of a recognized animal welfare group. Such a program must include spaying/neutering, immunization from rabies, "eartipping" the cat's left ear, and returning the cat to the general vicinity in which it was trapped unless veterinary care is required. At the Township's request, caretakers shall provide proof that they have followed these practices.

§2-400. Chickens.

Residents may keep chickens (*Gallus gallus domesticus*) under the conditions set forth in this part.

§2-401. Chickens Permitted; Roosters Prohibited.

1. The lot must be forty (40) feet or wider at its narrowest point.
2. No residence shall contain at any one time more than four hens over the age of 1 month.
3. In the case of two-family dwellings, conversion dwellings, or multi-family dwellings

without individually owned backyards, the maximum number of hens allowed is four per property.

4. Chickens shall be permitted in any district except for Town Center.
5. No person shall keep or harbor any rooster within the Township.

§2-402. Definitions.

Chicken – A domestic fowl of the genus *Gallus gallus domesticus*.

Chicken Run – An enclosed area in which chickens are allowed to walk and run about.

Coop – A small building for housing poultry.

§2-403. Registration.

1. No person may own, keep, or harbor chickens within the Township without first completing a registration form provided by the Township Office. There shall be no fee for such registration. Registration is non-transferable.
2. Persons on non-owner occupied properties must have written permission from the property owner to own or keep chickens. Such written permission shall be supplied to the Township at registration.

§2-404. Coops and Chicken Runs.

All chickens must be kept in a coop and chicken run at all times. Chickens may also be allowed in a securely fenced yard if supervised so that they cannot stray beyond the premises on which they are secured. The chickens shall be secured within the coop during non-daylight hours.

1. Coops and chicken runs shall not be located in front yards and at least twenty-five (25) feet away from a doorway, opening or window of an occupied dwelling other than that of the property owner.
2. The minimum Coop shall be solid, vermin and predator proof and shall provide at least three (3) square feet of area per chicken.
3. The chicken run shall be adequately fenced to contain the chickens on the property.
4. Coops shall be enclosed on all sides, and shall have a roof and doors. Access doors must be able to be shut and locked at night. Openings, windows, and vents must be covered with vermin, predator and bird-proof wire of one-half (1/2) inch hardware cloth.
5. Chicken runs shall provide a minimum of sixteen (16) square feet of pervious space per hen and have adequate cover to keep hens in and predators out. The run shall have at least one entrance to allow human access. The substrate in the run shall be composed of a material that can be easily raked, or regularly replaced to reduce odors and flies.
6. Materials used for making a Coop shall be uniform for each element of the enclosure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials.
7. The Coop shall be painted or stained; the color shall be uniform around the Coop.
8. Coops and chicken runs shall be kept in good repair and must be capable of being

maintained in a clean and sanitary condition, free of vermin and obnoxious odors.

9. Coops and chicken runs must prevent the chickens from running at large. Chickens will be considered running at large within the meaning of this Section when off the owner's premises.

10. Coops and chicken runs shall be open at all times for inspection by the Township.

§2-405. Feed and Water.

Chickens shall be provided with access to feed and clean water at all times. All feed, water, and other such items associated with the keeping of chickens shall be properly stored in a clean and sanitary manner to prevent the infestation of rats, mice, or other rodents or vectors.

§2-406. Sanitation.

The Coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The Coop and outdoor enclosure must be cleaned regularly to prevent the accumulation of waste. Manure from chickens may be disposed of in one of the following manners:

1. Bagged and placed in the household trash;
2. Composted and applied on site (kept in a vermin-proof composting container designed to limit odors. Finished dried manure may be spread on site, provided it does not pollute stormwater run-off).

§2-407. Nuisance.

No person shall keep or harbor chickens in the Township in a manner that creates a nuisance. Chickens running at large shall be considered a public nuisance.

§2-408. Veterinary Care.

All chickens shall be afforded veterinary care if they are known or suspected to be sick or injured.

§2-409. Disposal.

Dead chickens may be taken to a veterinarian for disposal or bagged and disposed of in the trash.

§2-410. Slaughtering.

No person shall slaughter or butcher any chicken within the Township.

§2-500. Dogs.

§2-501. Owner's Responsibilities.

1. Anyone keeping a dog in the Township shall observe all provisions of the Pennsylvania Dog Law and those set forth in the General Regulations of this Ordinance.
2. All dogs (3 months or older) must be licensed.
3. No owner shall leave a dog outside and unattended during a period in which a severe weather warning has been issued for Lebanon County by the National Weather Service or for a continuous period of time greater than half an hour if the temperature during such period remains entirely below 32 degrees F. or above 90 degrees F. Outside includes, but is not limited to, a dog in a securely fenced-in yard, a dog in a carrier, or a dog tethered or tied out. A dog shall be considered outside regardless of access to an outdoor dog house

or similar structure unless such structure is a properly-functioning climate-controlled and weather-resistant structure.

4. No dog shall be kept outside the home on a tether. A person may tether a dog only when the owner, pet sitter or person familiar to the dog is present on the property where the dog is tethered.
5. All dogs outside of a fenced yard shall be on a leash.

§2-502. Licensing.

All dogs (3 months or older) must be licensed.

§2-503. Dangerous Dogs.

1. A dog determined to be dangerous under §502-A of Pennsylvania's Dog Law shall be restrained or otherwise kept in accordance with the provisions of the above-referenced Dog Law.
2. Dogs may be killed only in accordance with the requirements of Pennsylvania's Dog Law as amended, and otherwise, said dogs must be detained and delivered to the police or a state dog warden. While detained, said dog must be treated in a humane manner.

§2-600. Penalties for Violation.

Any person, firm or corporation who shall violate any provision of any of these Parts, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

SECTION 3. SEVERABILITY.

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of the Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included.

SECTION 4. REPEALER.

All Ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective ninety days after it is adopted.

ORDAINED AND ENACTED this 6th day of June 2016, by the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, in lawful session duly assembled.



ATTEST:

TOWNSHIP OF ANNVILLE

Rex Moore, President
Annville Township Board of Commissioners

Secretary/Assistant Secretary

RESOLUTION NO. 20160606-001

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
ANNVILLE TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA,
IN SUPPORT OF SENATE BILL 535
ENABLING ALL MUNICIPAL POLICE TO USE THE SAME MOTOR VEHICLE
SPEED-TIMING EQUIPMENT AS THE PENNSYLVANIA STATE POLICE**

WHEREAS, public protection is a chief reason why municipalities are established and exist; and

WHEREAS, municipal police and the Pennsylvania State Police (PSP) are statutorily authorized to protect the public, primarily through the enforcement of the Crimes Code and Motor Vehicle Code; and

WHEREAS, all of the tools of law enforcement available to the PSP are also available to municipal police, with one notable exception, that being radar; and

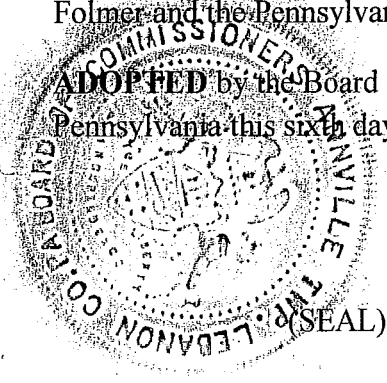
WHEREAS, Pennsylvania is the only state in the United States of America that gives its municipal police a law enforcement mandate and then prohibits them from using a common and effective piece of speed-timing equipment that the PSP are permitted to use; and

WHEREAS, the inability of municipal police to use radar has resulted in uneven enforcement of the maximum speed laws across Pennsylvania, as well as contributed to Pennsylvania's distinction as the state with the third highest number of speed-related vehicle fatalities and the second highest percentage of speed-related vehicle fatalities in the country.


NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Annville Township, Lebanon County, Pennsylvania calls upon the members of the Senate of the General Assembly of Pennsylvania, and specifically Senator Mike Folmer, to support Senate Bill 535, which would enable all municipal police to use the same motor vehicle speed-timing equipment as the Pennsylvania State Police; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Senator Mike Folmer and the Pennsylvania State Association of Township Commissioners.

ADOPTED by the Board of Commissioners of Annville Township, Lebanon County, Pennsylvania this sixth day of June, 2016.



**ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS**



Rex A. Moore, President

Attest: Karen Guhart
(Assistant) Secretary

Property Maintenance Program: Ms. Zimmerman provided a copy of a brochure from a neighboring township about the property maintenance code. There are a few things mentioned on this brochure for situations that we encounter in the Township. Ms. Zimmerman would like to gather more information on this program to present to the board at a future date.

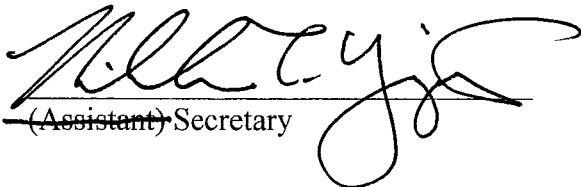
Honorarium: **MOTION** by President Moore, second by Mr. Scott to plant a tree in honor of Carol Stewart outside of Annville Town Hall. Motion carried unanimously.


CORRESPONDENCE: Nothing to report.

PAY BILLS: **MOTION** by Ms. Zimmerman, second by Mr. Scott to ratify the actions of the Township Administrator regarding payment of debts shown on the Finance Report (Cash Disbursement Journals of the various funds). Motion carried unanimously.

RECESS FOR EXECUTIVE SESSION: President Moore called a recess for an Executive Session and the room was cleared of the public at 9:25 PM. The Regular Meeting was reconvened at 9:50 PM with the five Commissioners, Ms. Gerhart, Mr. Sheffey, and Mr. Lamoureux present.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Ms. Zimmerman, second by Mr. Scott to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 9:53 PM.


(Assistant) Secretary



Rex A. Moore, President