

ORDINANCE NO. 2168  
~~ORDINANCE NO. P293~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 1960, KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" PENNSYLVANIA, BY DELETING FEE SCHEDULES IN THE TEXT OF THE CODE AND ESTABLISHING SAID FEES BY RESOLUTION.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

SECTION I. The "General Laws of the Township of Haverford", Ordinance 1960, shall be amended or supplemented as provided herein.

ARTICLE 1. ALARM SYSTEMS

Ordinance 1960, Chapter 45, Article I, Section 45-4 "Fees; false alarms; automatic dialing devices" is hereby amended as follows:

- B. All persons, firms, businesses or corporations desiring the central station to receive any type of alarm signal through specialized visual or audible receiving equipment installed in the central station shall pay to the Township of Haverford an initial connection fee in addition to any other costs. The connection fee shall be fixed by Resolution as adopted by the Board of Commissioners and amended from time to time.
- C. All persons, firms, businesses or corporations desiring the central station to receive any type of alarm signal through specialized visual or audible receiving equipment installed in the central station shall pay a yearly permit fee as fixed by Resolution of the Board of Commissioners and amended from time to time. The permit shall be valid for a period of one (1) calendar year, commencing on the date of issuance. Permit fees shall be prorated quarterly if a connection takes place after March 31 of any year.
- D. False Alarms.
  - (4) The police officer responding to an alarm which he determines to be false shall promptly issue a false alarm violation notice to the person in whose name the alarm device is registered.

D. False Alarms.

(5) A fee fixed by Resolution of the Board of Commissioners and amended from time to time, shall be charged against any person in whose name an alarm installation is registered.

F. All persons, firms, businesses or corporations desiring the central station to receive any alarm from an automatic dialing device shall pay the Township of Haverford an initial connection fee, in addition to any other costs, an amount set forth by Resolution of the Board of Commissioners as amended from time to time.

G. A fine in an amount not exceeding \$1,000.00 shall be charged against all persons, firms, businesses or corporations that knowingly cause an alarm to be received by the central station from an automatic dialing device on any telephone line other than those authorized for such use.

H. Any person, firm, business or corporation who fails to pay a false alarm fee within ten (10) days of receipt of written notice thereof shall be subject to the penalty provisions contained in 45-5 of this Article. Notice shall be sent by certified mail to the owner, occupant or other agent responsible for the alarm system within fifteen (15) days of the false alarm incident.

ARTICLE 2. AMUSEMENTS AND ENTERTAINMENT

(A) Ordinance 1960, Chapter 47, Article I, Section 47-4 "Fees; deductions or refunds; loss or destruction of license or seal" is hereby amended as follows:

A. Registration and license fees shall be paid by the applicant to the Director, Department of Code Enforcement, at the time that application is filed. Such fees shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.

(Delete #1 through #4)

- C. In case of the loss, defacement or destruction of any original license, seal, stamp or decal, the person to whom such certification or seal was issued shall apply to the Director, who will then issue a new license, seal, stamp or decal upon payment of a fee set by the Board of Commissioners Resolution as amended from time to time.

(B) Ordinance 1960, Chapter 47, Article II, Section 47-9 "Licenses required; fees; yearly licenses" is hereby amended as follows:

- A. From and after the passage of the Article, no theatrical exhibition, menagerie, circus performance or any show or carnival, exhibition or performance in connection with or traveling with such menagerie or circus where a price of admission is charged shall be allowed within the Township of Haverford without a license from said township, and the Chief of Police of said township shall have authority to grant licenses under his hand for such exhibitions, entertainments, performances, etc., on payment of sums set forth by Resolution of the Board of Commissioners and as amended from time to time.  
(Delete #1 through #8)
- B. Hereafter, every skating rink and other similar entertainments that propose to hold regular exhibitions to which a price of admission is charged shall pay a license fee as provided by Resolution of the Board of Commissioners which may be amended from time to time. Said fee shall be payable on or before the first day of January of each and every year.
- C. Hereafter, every hall used for dancing or entertainment purposes and to which a price of admission is charged shall pay a license fee which shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.
- D. In lieu of the license fee for each exhibition, etc., as provided for in this Article, hereafter, licenses may also be granted by the Chief of Police for a year, commencing January 1 of any year and ending December 31 of the same year, for any specified building, hall or room, which license

- D. shall be an authority to have and hold during said year in said building, hall or room theatrical exhibitions, concerts, shows, exhibitions, lectures and performances other than a menagerie and circus performances, provided that no such license shall be granted except upon payment in advance of a fee fixed by Resolution of the Board of Commissioners which may be amended from time to time.

(C) Ordinance 1960, Chapter 47, Article II, Section 47-10 "Licensing and fee requirements for religious, educational and charitable organizations" is hereby amended as follows:

Any organization or company of citizens of the Township of Haverford shall, upon application to the Chief of Police and upon the payment of license costs set by Resolution of the Board of Commissioners which may be amended from time to time, be entitled to receive a license to hold an entertainment and to charge a price of admission thereto, provided that such organization or company of citizens or its authorized agent shall have represented to said Chief of Police that the net proceeds of such entertainment shall be exclusively devoted to religious, educational, civic or charitable purposes within said township and, in addition thereto, shall deposit with the Township Treasury the further sum of fifty Dollars (\$50) to be returned to them upon satisfactory evidence that the net proceeds of said entertainment shall have been or will be appropriated to a religious, educational, civic or charitable purpose in the Township of Haverford, in default of which evidence for the period of five (5) days after such entertainment shall have been held, the sum shall be forfeited and paid into the Township Treasury.

(D) Ordinance 1960, Chapter 47, Article II, Section 47-14, "Information required", subsection D, is hereby amended as follows:

- D. Such permits shall be subject to fees set by Resolution of the Board of Commissioners which may be amended from time to time, and will be issued only in the event that:

ARTICLE 3. BATHING PLACES, PUBLIC

Ordinance 1960, Chapter 53, Section 53-4, "Operation license required; rules and regulations for operation of bathing places; inspections; reports", subsection A is hereby amended as follows:

- A. Operation license. No person, firm or corporation shall operate a public bathing place without first obtaining a license from the Health Department of Haverford Township and paying an annual license and inspection fee as established by Resolution of the Board of Commissioners, which may be amended from time to time, to defray the administrative costs of inspections, consultations and servicing of the public bathing places of the Township of Haverford. All such inspections, consultations and services shall be for the purpose of ascertaining compliance with the rules and regulations set forth in this chapter.

ARTICLE 4. BICYCLES

Ordinance 1960, Chapter 55, Section 55-12, "Loss or destruction of license plate, registration card and/or operator's license" is hereby amended as follows:

In case of loss or destruction of any license tag and/or registration card and/or operator's license, a duplicate tag and/or card shall be issued to the registered owner of such bicycle upon payment of a fee as provided by Resolution of the Board of Commissioners, which may be amended from time to time, for each tag or card required, provided that such owner gives satisfactory proof of such ownership and loss or destruction of such card and/or tag, by affidavit or otherwise, to the Chief of Police.

ARTICLE 5. BUILDING CONSTRUCTION

Ordinance 1960, Chapter 58, Article I, Section 58-2, "Additions, deletions and modifications" subsection J, is hereby repealed in its entirety and the following inserted in its place:

- J. Fees for permits required under this Chapter shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time.

ARTICLE 6. CONTRACTORS, LICENSING OF

Ordinance 1960, Chapter 67, Section 67-6, "License Fees" is hereby repealed in its entirety and the following inserted in its place:

67-6. License Fees

No license shall be issued or become effective until the applicant therefore pays required fees payable to the Township of Haverford. License fees shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time.

ARTICLE 7. ELECTRICAL STANDARDS

(A) Ordinance 1960, Chapter 73, Section 73-4 "License and registration required; license fees; reexaminations; duration of license; expiration; renewal fees; reciprocity provisions" subsections B and F, are hereby amended as follows:

B. Application for examination and license shall be accompanied by proof that the proper fee, as hereinafter provided, has been paid to the Director of Finance. The fees shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time.

(Delete further subsection #1 through #6)

F. Fees for the renewal of licenses shall be as set forth in subsection B. above.

(Delete further subsection #1 through #7)

(B) Ordinance 1960, Chapter 73, Section 73-9 "Permit fees; annual permits" is hereby repealed in its entirety and the following inserted in its place"

73-9 Permit Fees

Applicants for permits required under this Chapter shall pay, at the time of application to the Township, fees set forth by Resolution of the Board of Commissioners, which may be amended from time to time.

ARTICLE 8. EROSION AND SEDIMENT CONTROL

Ordinance 1960, Chapter 78, Section 78-5 "Applications for permit; fees" subsection E and F are hereby amended as follows:

- E. Applications for review required under this Chapter, shall be accompanied by a review fee as fixed by Resolution of the Board of Commissioners which may be amended from time to time.
- F. All applications for a permit involving an area greater than one (1) acre shall be accompanied by a bond or escrow deposit, to the benefit of the Township of Haverford in an amount as provided by Township Resolution. The form of the bond or escrow account shall first be approved by the Township Solicitor, which shall guarantee the full and complete compliance with this Chapter.

ARTICLE 9. EXPLOSIVES

Ordinance 1960, Chapter 80, Section 80-4 "Permit fees" is repealed in its entirety and the following inserted in its place:

80-4 Permit Fees.

Applicants for permits required under this Chapter shall pay, at the time of application to the Township, fees set forth by Resolution of the Board of Commissioners, which may be amended from time to time.

ARTICLE 10. FOOD AND DRINK

(A) Ordinance 1960, Chapter 91, Article I, Section 91-4 "Licenses; inspection fees" subsection A, is hereby amended as follows;

- A. It shall be unlawful for any person to operate a public eating and drinking place in the township who does not possess a license from the Department of Health of Haverford Township. The fee for such license shall be fixed by Resolution of the Board of Commissioners and may, from time to time, be amended. Licenses shall be granted for a period of one (1) calendar year or portion thereof. Such license shall be conspicuously displayed at all times in the place thereby licensed and shall not be transferable. Application for renewal of a license shall be made at least ten (10) days before the expiration of the existing license. Licenses may be suspended or revoked for violations by the holder thereof of these rules and regulations. No license shall be suspended or revoked without the licensee being given a hearing before the Department of health.

(B) Ordinance 1960, Chapter 91, Article I, Section 91-4 "Licenses; inspection fees" subsection B is hereby amended as follows:

- B. No person, firm or corporation shall operate a public eating and drinking place or food establishment without first obtaining a license from The Health Department of the Township of Haverford and paying an annual inspection fee to defray the administrative costs of inspections, consultation and servicing of the food sanitation program of the Township of Haverford. All such inspections shall be for the purpose of ascertaining compliance with the rules and regulations set forth in this article. Fees required under this section shall be fixed by Resolution of the Board of Commissioners and may, from time to time, be amended.  
(Delete #1 and #2).

(C) Ordinance 1960, Chapter 91, Article II, Section 91-23 "Licenses; inspection fees", subsection A. is hereby amended as follows:

- A. It shall be unlawful for any person to operate a food establishment in the township who doesn't possess a license from the Department of Health of Haverford Township. The fee for such a license shall be set by Resolution of the Board of Commissioners. Licenses shall be granted for a period of one (1) calendar year or portion thereof. Such license shall be conspicuously displayed at all times in the place thereby licensed and shall not be transferable. Application for renewal of a license shall be made at least ten (10) days before the expiration of the existing license.

(D) Ordinance 1960, Chapter 91, Article II, Section 91-23 "Licenses; inspection fees", subsection C if hereby amended as follows:

- C. No person, firm or corporation shall operate a food establishment without first obtaining a license from the Health Department of the Township of Haverford and paying an annual inspection fee to defray the administrative costs of inspections, consultation and servicing of the food sanitation program of the Township of Haverford. All such inspections shall



- C. be for the purpose of ascertaining compliance with rules and regulations set forth in this Article. The inspection fees shall be fixed by Resolution of the Board of Commissioners which may, from time to time, be amended.

(E) Ordinance 1960, Chapter 91, Article III, Section 91-38 "Licensing and inspection requirements; fees; suspension and/or revocation of license", subsection A is hereby amended as follows;

- A. It shall be unlawful for any person to sell or distribute to the public prepared or perishable food from any food vending vehicle or from any other type of vending equipment without obtaining a license from each location from the Health Department of Haverford Township. The fee for such a license shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time. Licenses shall be granted for a period of one (1) calendar year or portion thereof. Such licenses shall be displayed at all times in a conspicuous place and shall not be transferable. Application for renewal of a license shall be made at least ten (10) days before the expiration of the existing license.

(F) Ordinance 1960, Chapter 91, Article III, Section 91-38 "Licensing and inspection requirements; fees; suspension and/or revocation of license" subsection B.(2) is hereby amended as follows;

- B.(2) No person, firm or corporation shall sell or distribute food or drink from any food-vending vehicle or food-vending machine without first obtaining a license from the Health Department of the Township of Haverford and paying an annual inspection fee to defray the administrative costs of inspections, consultation and servicing of the food sanitation program of the Township of Haverford. All such inspections shall be for the purpose of ascertaining compliance with rules and regulations set forth in this Article. The inspection fees shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time

(G) Ordinance 1960, Chapter 91, Article V, Section 91-50 "Licensing and inspection requirements; fees; suspension and/or revocation of license", subsection A. is hereby amended as follows;

- A. It shall be unlawful for any person to sell or distribute to the public ice from any ice-vending vehicle or from any other type of vending equipment without obtaining a license from the Department of Health of Haverford Township. The fee for such license shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time.

(H) Ordinance 1960, Chapter 91, Article V, Section 91-50 "Licensing and inspection requirements; fees; suspension and/or revocation of license", subsection B.(2) is hereby amended as follows;

- B.(2) Such licensee, manufacturer or processor of ice shall be required to pay a fee for such inspection in an amount fixed by Resolution of the Board of Commissioners which may be amended from time to time. Such fee shall be collected annually.

ARTICLE 11. GARBAGE, RUBBISH AND REFUSE

(A) Ordinance 1960, Chapter 95, Article I, Section 95-3 "Application for permit; information required; fee; issuance" is hereby amended as follows:

Any person desiring to install or use or to continue to use any domestic garbage grinder shall make application to the Director of Health on a form to be furnished by said Director, showing the location of the property in which said grinder is to be installed, used or continued to be used and the type of grinder installed or intended to be installed and giving such additional information as the Department of Health or its Director may require. If the Department of Health, acting by the Director of Health, approves such application and the permit fee set by Resolution of the Board of Commissioners is paid to the Township of Haverford, there shall be issued on behalf of the Department of Health of the Township of Haverford a permit for such installation and use or continued use.

(B) Ordinance 1960, Chapter 95, Article III, Section 95-13 "License fee; proration of fee" is hereby amended as follows:

A license fee, fixed by Resolution of the Board of Commissioners, shall be collected by the township each calendar year for each truck operated by any refuse collector. Said license shall be obtained prior to January 1 of that particular year for which the collector will operate in Haverford Township. If a new collector shall operate in the township and acquire a license after January 1, said license shall be prorated on a quarterly basis.

ARTICLE 12. HOUSING STANDARDS

Ordinance 1960, Chapter 104, Article I, Section 104-11 "Inspections prior to occupancy required; fee" is hereby amended as follows:

No person shall occupy or permit to be occupied by another any vacant rental dwelling unit or rental rooming unit unless or until it is in good repair, clean, sanitary and in habitable condition and in full compliance with all of the provisions of this Article. Units shall be inspected by an inspector of the Department of Code Enforcement. Inspection fees required under this Section shall be fixed by Resolution of the Board of Commissioners, and may be amended from time to time.

ARTICLE 13. PARADES AND OUTDOOR GATHERINGS

Ordinance 1960, Chapter 123, Section 123-2 "Application; contents; fee " is hereby amended as follows:

Before such permit is issued, a written application on a blank form to be furnished for that purpose by said Township Manager/Secretary must be filed with the Secretary of the Board of Commissioners, setting forth the purpose and the exact time and place it is desired to conduct or hold said parade, demonstration or outdoor meeting or gathering and the length of time the same will probably continue, and in such application, the applicant or applicants shall agree to abide by any and all conditions that may be imposed and set forth in said permit and to

obey all rules and regulations that may from time to time be adopted by the Board of Commissioners. In the case of a parade, the applicant shall specify the place it is proposed to start, the exact route by enumerating the portions of the streets and highways to be traversed, the probable number of persons that will participate in the same, the number of horses, if any, and the number and character of vehicles to be employed. Fees for permits required under this Chapter shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.

ARTICLE 14. PARKS AND PLAYGROUNDS

(A) Ordinance 1960, Chapter 126, Article I, Section 126-9 "Special permits" is hereby amended as follows:

Special permits for the use of parks shall be issued by the Township Secretary upon application therefor. No charge shall be made for such permits. Permit fees shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time. No permit shall be issued, however, unless an application therefor is made to the Township Secretary, in writing, at least twenty-four (24) hours before the applicant intends to use the same. Any person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person or persons by reason of the negligence or fault of the applicant, his servants, agents or employees.

(B) Ordinance 1960, Chapter 126, Article I, Section 126-16 "Special permits" is hereby amended as follows:

Special permits for the use of township property shall be issued by the Township Secretary upon application therefor. No charge shall be made for such permits. Fees for permits required under this Article shall be fixed by Resolution of the Board of Commissioners which may be amended from time to time. No permit shall be issued unless an application therefor is made to the Township Secretary, in writing, at least twenty-four (24)

hours before the applicant intends to use same. Any person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person or persons by reason of the negligence or fault of the applicant, his servants, agents or employees.

ARTICLE 15. PEDDLING AND SOLICITING

Ordinance 1960, Chapter 130, Section 130-4 "Fees" is hereby repealed in its entirety and the following inserted in its place:

130-4 Fees

Fees for permits required under this Chapter shall be fixed by Resolution of the Board of Commissioners, which may be amended from time to time.

ARTICLE 16. PLUMBING

(A) Ordinance 1960, Chapter 132, Section 132-4 "Certificate of registry; fees; expiration and renewal; registration of firms or corporations; issuance, refusal and renewal; prohibited acts; penalties" subsection A is hereby amended as follows:

- A. Every person, firm or corporation engaged in a plumbing business in the Township of Haverford as a plumber and upon presenting satisfactory proof of his or their being a master plumber, journeyman, or apprentice shall register his or their name and/or names and business addresses together with a fee as fixed by Resolution of the Board of Commissioners, which registration and fee shall be filed in the office of Code Enforcement. Such license shall entitle the person or persons so named therein to engage in and carry on the business of plumbing and drainage as a plumber at the registered addresses for the year during which the license is issued. Licenses shall expire at the end of the year in which they are issued and should be renewed yearly by the payment of an annual registration fee. The registration of a proper representative for a person, firm or corporation shall be sufficient. Every person, firm or corporation or representative thereof, in registering, shall give the full name of the person or firm or officers of the corporation for which he or they shall register.

(B) Ordinance 1960, Chapter 132, Section 132-60 "Issuance of plumbing permit; fees for filing plans" subsection A is hereby deleted in its entirety and the following inserted in its place:

132-60 Issuance of plumbing permit.

- A. Permits shall be issued only to master plumbers, and the fee for the filing of plans in order to obtain a permit shall be paid by the master plumber to the Office of Code Enforcement for each plan approved. Fees shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.  
(Delete further subsections #1 through #4)

ARTICLE 17. POLES AND WIRES

Ordinance 1960, Chapter 134, Section 134-3 "Issuance of permit and/or license upon payment of fees" is hereby deleted in its entirety and the following inserted in its place:

Fees for the issuance of permits and/or licenses required under this Chapter shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.

ARTICLE 18. POLICE SERVICES

Ordinance 1960, Chapter 136, Article II, Section 136-6 "Fees" is hereby deleted in its entirety and the following inserted in its place:

136-6 Fees

Any person obtaining photographs, police incident reports or accident investigation reports shall pay a fee to the Township of Haverford in the amount fixed by Resolution of the Board of Commissioners. Whenever criminal charges are pending against any person(s) involved in a police incident, the Police Department may refuse to furnish the copy of the incident report unless the Pennsylvania Rules of Criminal procedure require the production of the documents.

ARTICLE 19. SEWAGE AND DRAINAGE FACILITIES

(A) Ordinance 1960, Chapter 149, Article I, Section 149-3 "Sewer service regulations" subsection B (6), is hereby amended as follows:

- (6) A connection fee is hereby required for each and every connection to be made to the existing Haverford Township sewerage system and for each and every connection made to any new sewer line of any subdivision which eventually connects to the township sewage system. Connection fees shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.

(B) Ordinance 1960, Chapter 149, Article IV, Section 149-29 "Permit fee" is hereby amended as follows:

149-29 Permit Fee.

A permit fee is hereby required for the installation of a sewer lateral. Fees shall be fixed by Resolution of the Board of Commissioners and may be amended from time to time.

ARTICLE 20. STREETS AND SIDEWALKS

(A) Ordinance 1960, Chapter 157, Article I, Section 157-9 "Permit requirements" is hereby amended as follows:

From and after the passage of this Article, no sidewalk or curb shall be laid or constructed or relocated in front of any property abutting upon any highway or street without first obtaining from the Board of Commissioners a permit therefor before such work is begun, except where a sidewalk or curb is directed to be laid and constructed or relocated by order of the Board of Commissioners as herein before provided. Before such permit is issued and said work begun, a written application, on a blank form to be furnished for that purpose by the Board of Commissioners, must be filed with the Secretary of said Board of Commissioners, setting forth the character and location of the proposed sidewalk and/or curb. The application must be signed by the owner of the property for whom such work is to be done, and the applicant for a permit shall pay, before the issuance of the permit, a permit fee as

fixed by Resolution of the Board of Commissioners. Before such permit is issued, the Highway Committee of the Board of Commissioners, acting through the Township Engineer, shall fix and establish the location, grade and specifications of such sidewalks and curbs and certify the same to said owner. When the permit is issued, the owner of the property shall construct said sidewalk and curb in accordance with the location, grade and specifications furnished by the Township Engineer as aforesaid.

(B) Ordinance 1960, Chapter 157, Article II, Section 157-19 "Permit requirements" is hereby amended as follows:

From and after the passage of this Article, no curbs and/or gutters shall be laid, constructed, relocated or repaired in front of any property abutting upon any highway or street without first obtaining from the Board of Commissioners a permit therefor before such work is begun, except where a curb and/or gutter is directed to be laid and constructed or relocated by order of the Board of Commissioners as hereinbefore provided. Before such permit is issued and said work begun, a written application, on a blank form to be furnished for that purpose by the Board of Commissioners, must be filed with the Secretary of the said Board of Commissioners, setting forth the character and the location of the proposed curb and/or gutter. The application must be signed by the owner of the property for whom such work is to be done, and the applicant for a permit shall pay, before the issuance of the permit, a permit fee as fixed by Resolution of the Board of Commissioners. Before such permit is issued the Department of Code Enforcement, acting in conjunction with the Township Engineer, shall fix and establish the location, grade and specifications of such curb and/or gutter and deliver the same to said owner. When the permit is issued, the owner of the property shall construct said curb and/or gutter in accordance with the location, grade and specifications furnished as aforesaid.

(C) Ordinance 1960, Chapter 157, Article III, Section 157-24 "Permit requirements" is hereby deleted in its entirety, and the following inserted in its place:



157-24 Permit fees.

- A. An applicant for a permit to open or excavate in any highway, avenue, street, sidewalk or footpath shall pay, before the issuance of the permit for opening or excavation, a permit fee which shall be fixed by Resolution of the Board of Commissioners.
- B. All measurements required to be made by the applicant in applying for a permit shall be verified by the Department of Public Works and shall include any enlargement of openings which may be required to be made as an incident of the repair of such paving.

ARTICLE 21. VEHICLES, DISABLED

Ordinance 1960, Chapter 178, Article I, Section 178-8 "Charges" is hereby amended to read as follows;

The charges for the removal, towing, storage and/or impounding of motor vehicles in violation of this Article shall be fixed by Resolution of the Board of Commissioners. Such charges shall be paid by the owners of said motor vehicles, by the owners of the property upon which the said vehicle(s) is(are) found, by the person who is deemed to have caused the violation of this Article or by all of them.

SECTION II. Any Ordinance or part of Ordinance to the extent that it is inconsistent herewith is hereby repealed.

Adopted this 8th day of February, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

ATTEST: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2169  
~~ORDINANCE NO. P3-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-28, Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "NO PARKING OF COMMERCIAL VEHICLES AT ALL TIMES" zone restriction on the following roadway:

- a) On Decatur Road, both sides, from Grasslyn Avenue to Prescott Road.
- b) On Prescott Road, both sides, from Colfax Road to Ellis Road.

SECTION 2. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At 114 Glen Arbor Road, a private residence.

SECTION 3. That Ordinance No. 1960 shall be amended and supplemented so as to create Section 175-21.2 under Article II, Traffic Regulations, authorizing the designation of certain streets as "HAZARDOUS ROADWAYS" and to establish "HAZARDOUS ROADWAYS" zone restriction on the following roadway:

- a) On Darby Road and East Darby Road, both sides, from Llandillo Road to Benedict Avenue inclusive.

SECTION 4. That Section 175-28, C. Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "NO PARKING OF COMMERCIAL VEHICLES OVER 8,000 LBS." zone restriction on the following roadway:

- a) On Brentwood Road, both sides, from Wynne Avenue to Devon Road.

(2)

SECTION 5. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Kathmere Road, 500 block, north side, approximately 30 feet east from Earlington Road.

SECTION 6. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the said sections or zones giving notice of the regulations aforesaid.

SECTION 7. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 8th day of March, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2170  
~~ORDINANCE NO. - P4-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS "THE GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING AT ANY TIME" zone restriction on the following roadway:

- a) On Darby Road, west side, between 412 and 414, at traffic signal.

SECTION 2. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "HANDICAPPED PARKING ONLY" on the following roadway:

- a) At 245 Lee Circle, one (1) space, a private residence.
- b) At 731 Humphreys Street, one (1) space, a private residence.

SECTION 3. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to create a "HANDICAPPED PARKING FINE" in the amount of \$50.00.

SECTION 4. That Section 175-28, C. Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING OF COMMERCIAL VEHICLES OVER 8,000 LBS." zone restriction on the following roadway:

- a) On Kathmere Road, both sides, from Darby Road to Beverly Road.

(2)

SECTION 5. That Section 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "RESIDENTIAL PARKING ON SUNDAYS DURING LITTLE LEAGUE BASEBALL GAMES BY PERMIT ONLY" on the following roadway:

- a) On Bon Air Terrace, both sides, from Central Avenue to Forrest Avenue.

SECTION 6. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

SECTION 7. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 12th day of April, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2171  
~~ORDINANCE NO. P5-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" BY ADDING AND AMENDING PROVISIONS OF THE POLICE CIVIL SERVICE RULES AND REGULATIONS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same.

SECTION 1. The "General Laws of the Township of Haverford" Ordinance No. 1960, Chapter 32, Police Civil Service Rules and Regulations, shall be amended to add the following:

A. Article IV Promotion Procedure, Section 32-41. Specific Qualifications, paragraph C.(3) (d) Liaison shall be amended to add (4) The Deputy Chief of Police shall have all those powers and duties of the Chief of Police in the absence of the Chief of Police.

B. Article V Suspension; Removal; Reduction in Rank, Section 32-50. Removal for economy or other reasons, paragraph A. shall be replaced in its entirety by the following: If there are any employees eligible for retirement under the terms of any existing retirement or pension laws, then such reduction in numbers shall be made by retirement if the party to be retired exceeds the maximum age as defined in the Act of October 27, 1955 (P.L. 744, No. 228), known as the 'Pennsylvania Human Relations Act' as amended or other applicable federal statute.

C. Article V Suspension; Removal; Reduction in Rank, Section 32-50. Removal for economy or other reasons, shall be amended to add paragraph C. as follows: The provisions of Section 32-50 shall not apply to the Chief of Police or Deputy Chief of Police.

SECTION 2. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 12th day of April, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2172

ORDINANCE-NO. P6-93

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "HANDICAPPED PARKING ONLY" on the following roadways:

- a) At 2204 Bryn Mawr Avenue, one (1) space, a private residence.
- b) At 725 Preston Avenue, one (1) space, a private residence.
- c) At 17 Waverly Road, one (1) space, a private residence.

SECTION 2. That Section 175-27, Schedule XVI (175-27) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Glen Gary Drive, south side, approximately 30 feet from West Chester Pike.

SECTION 3. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING AT ANY TIME" zone restriction on the following roadway:

- a) On Highland Lane, south side, from Radnor Road to Blackburn Lane.

SECTION 4. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

(2)

SECTION 5. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 10th day of May, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary



ORDINANCE NO. 2173

~~ORDINANCE NO. P7-93-~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind "RESIDENTIAL PARKING ON SUNDAYS DURING LITTLE LEAGUE BASEBALL GAMES BY PERMIT ONLY" on the following roadway:

- a) On Bon Air Terrace, both sides, from Central Avenue to Forrest Avenue.

SECTION 2. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind "NO PARKING AT ANY TIME" zone restriction on the following roadway:

- a) On Highland Lane, north side, from Radnor Road to Blackburn Lane.

SECTION 3. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING AT ANY TIME" zone restriction on the following roadway:

- a) On Edgewood Road, west side, from Strathmore Road to Kathmere Road.

SECTION 4. That Section 175-28, Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING OF COMMERCIAL VEHICLES AT ANY TIME" zone restriction on the following roadway:

- a) On Pennview Road, east side, from Eagle Road to Ralston Road.

(2)

SECTION 5. That Section 175-28, Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Pennview Road, east side, from Eagle Road to a point approximately 30 feet south thereof.

SECTION 6. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING AT ANY TIME" zone restriction on the following roadway:

- a) On Garden Avenue, north side, from Kingsley Avenue to Lawndale Avenue.

SECTION 7. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

SECTION 8. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 7th day of June, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2174

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" AMENDING CHAPTER 58, BUILDING CONSTRUCTION, BY ADOPTING THE 1993 "BOCA NATIONAL BUILDING CODE", TWELFTH EDITION, AND AMENDING CHAPTER 86, FIRE PREVENTION, BY ADOPTING THE 1993 "BOCA NATIONAL FIRE PREVENTION CODE", NINTH EDITION.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

CHAPTER 58 - BUILDING CONSTRUCTION

ARTICLE I. BUILDING CODE

- A. Chapter 58, Section 58-1 is hereby deleted in its entirety and the following inserted in lieu thereof:

58-1 Adoption of standards by reference.

The "BOCA National Building Code" Twelfth Edition, dated 1993 is adopted as the building code for the Township of Haverford for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of the said BOCA National Building Code are hereby referred to, adopted and made a part hereof as if fully set out in this Article.

- B. Chapter 58, Section 58-2 is hereby deleted in its entirety and the following inserted in lieu thereof:

58-2 Additions, deletions and modifications.

The following sections of the 1993 BOCA National Building Code are hereby revised as follows:

- A. Section 101.1, Title, insert "Township of Haverford".

- B. Section 102.2, Existing structures, is amended to read as follows:

Existing structures: The legal occupancy of any structure existing on the date of adoption of this code, or for which it has been heretofore approved, shall be permitted to continue without change, except as is specifically covered by this code, the

property maintenance code adopted by Haverford Township and incorporated into Ordinance No. 1960, Chapter 58, Article II, or the fire prevention code adopted by Haverford Township and incorporated into Ordinance No. 1960, Chapter 86, or as deemed necessary by the code official for the general safety and welfare of the occupants and the public.

C. Section 107.1.1, Repairs, is deleted in its entirety.

D. Section 107.6, Site Plan, is amended to read as follows:

Site Plan: A site plan or plot plan shall be submitted with any building permit application which shall be drawn on an accurate scale of not less than fifty feet (50') to the inch with all elevations established by the builder or owner's engineer or land surveyor; it shall show the size and location of all the new construction and all existing structures on the site, distances from lot lines and the established street grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition the plot plan need only show construction to be demolished and the location and size of all existing buildings and structures to remain on the site of the plot. The owner or builder, in filing application for the erection or addition of any building, shall submit to the Director of Code Enforcement, or Township Zoning Officer, two (2) copies of said plot plan, prepared by a Registered Engineer or Land Surveyor. Such plan shall show the following:

- a. Location of property showing nearest intersection street and distance in feet and decimal parts thereof of property therefrom, together with a North Point.
- b. Dimensions, bearings and lot numbers as a plan of record.
- c. Plot plan shall indicate whether property is marked by stakes, monuments, etc.
- d. Lot area in square feet to be shown on plot plan.
- e. Building area in square feet to be shown on plot plan.

- f. Plot plan shall indicate the location and size of improvements now erected or proposed to be erected.
- g. Type of zoning to be marked on the plot plan as indicated by the Zoning Chapter.
- h. Proper zoning restriction lines to be marked on plan indicating front yard, side yards, and rear yard.
- i. Street, rights-of-way, etc. shall be properly marked with dimensions according to plans of record.
- j. Plot plans shall indicate thereon the method for discharge of rain waters and surface waters from the premises, including proposed grading. Stormwater management plans shall comply with the provisions of the General Laws of Haverford Township, Chapter 78.
- k. Plot plans shall have indicated thereon, the extent, area and designation of any portion of the site affected by floodway, floodplain, wetlands or steep slope (as defined by Chapter 154A of the General Laws of Haverford Township).
- l. In the case of a plot plan prepared for a Zoning Hearing Board hearing showing a building encroaching in a restricted area, plot plan shall show distance between front, side or rear property line(s) and the encroaching building.
- m. Plot plan shall show proposed basement, garage and first floor elevations.
- n. A certification by an engineer or surveyor, properly sealed, must accompany the request for occupancy to the effect that:
  - (1) The plan originally submitted is recertified, or
  - (2) The plan originally submitted has been revised and show the as-built setbacks for the structure along with the elevations.

- E. Section 112.3.1, Fee schedule is hereby amended to read as follows:

Fee schedule: A fee for each plan examination, building permit and inspection shall be paid in accordance with a fee schedule adopted by Resolution of the Board of Commissioners. Whenever any work for which a permit and/or trade license is required by these provisions has been commenced without first obtaining the permit and/or trade license, a special investigation shall be made before such work shall continue. The fee for such investigation shall be in addition to required permit and/or license fees and shall be equal to the amount of the permit fee; but in no event less than twenty-five dollars (\$25.00).

- F. Section 107.9, Time limitation of application is hereby amended to read as follows:

Time limitation of application: An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing unless such application has been diligently prosecuted or a permit shall have been issued, except for reasonable cause, the Director of Code Enforcement may grant one (1) or more extensions of time for additional periods not exceeding sixty (60) days each. Every permit shall be considered cancelled if active work is not commenced within sixty (60) days of issue. The applicant shall pay a fee equaling twenty-five percent (25%) of the original permit fee for each extension granted.

- G. Section 116.4, Violation Penalties is hereby amended by inserting the following:

Summary offense; \$1,000.00; thirty (30) days.

- H. Section 117.2, Unlawful continuance is hereby amended by inserting the following:

\$ 50.00  
\$ 1,000.00

- I. Section 121.1 is hereby amended to read as follows:  
Application for appeal: any person, firm or corporation shall have the right to appeal a decision of the code official to the Board of Commissioners. An application for appeal shall be based on a claim that the true intent of this code

or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

- J. Section 121.2 is hereby deleted in its entirety.
- K. Section 3408.2, Applicability is hereby amended by inserting the following:

March 11, 1974.

## CHAPTER 86 - FIRE PREVENTION

### ARTICLE I. FIRE PREVENTION CODE

- A. Chapter 86, Section 86-1 is hereby deleted in its entirety and the following inserted in lieu thereof:  
Adoption of standards by reference. The "BOCA National Fire Prevention Code" of 1993 is adopted as the fire code for the Township of Haverford.
- B. Chapter 86, Section 86-5, Additions, deletions and modifications to Fire Prevention Code, is hereby deleted in its entirety and the following inserted in lieu thereof:  
Additions, deletions and modifications to Fire Code: The Fire Prevention Code is amended or changed in the sections indicated:

Section F-101.1 - Insert: Haverford Township

Section F-112.3 - is hereby amended to read as follows:

F-112.3 Penalty for violations:

- (1) Any person, firm or corporation who shall violate any provision of this code or fail to comply with any order issued pursuant to any section thereof, shall, upon conviction thereof, be sentenced to pay a fine not less than fifty dollars (\$50.00) and not exceeding one thousand dollars (\$1,000.00), and/or to imprisonment for a term not to exceed ninety (90) days. Each day a violation of this code continues shall constitute a separate offense.

- (2) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section F-316 is hereby added to the Code and shall read as follows:

F-316.0 Automatic Fire Detection Devices  
Required

- a. Automatic fire detection devices, approved by the Fire Marshal of Haverford Township, designed to give early warning of incipient fires, shall be installed, as set forth in Section F-316.1, in all buildings constructed in Haverford Township from and after the date of adoption of this Code, and in all multiple occupant, multiple use pre-existing buildings and/or any multi-family buildings with six (6) or more dwelling units/rooms such as apartments, dormitories, nursing and convalescent homes, homes for the aged, medical and health centers within one (1) year after the date of adoptions of the Code, or upon change of occupancy after the date adoption of this Code, whichever comes first.
- b. The installation, maintenance and use of such fire warning systems shall conform to the appropriate standards currently adopted and published by the National Fire Protection Association, and the entire contents thereof are hereby adopted by this Code. Two copies of this Code are presently on file, and will continue to be on file with the Township Fire Marshal in his office in the Township Building, where they will be available for examination.
- c. All equipment used in the automatic fire detection devices of this section shall be approved by a nationally recognized testing laboratory.

F-316.1 Alarm Requirements

- a. Single Family attached and detached dwellings: In all pre-existing single family attached and detached dwelling units, smoke detectors shall be installed



outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of a family living unit including basements, crawl spaces and unfinished attics. In addition, in all new construction or alterations and additions to existing dwelling units, smoke detectors shall be wired directly to the dwelling units power supply.

- b. Multi-family attached and detached dwellings: A listed and labeled smoke detection system, which shall be approved by the Fire Marshal, shall be installed and maintained to protect each separate sleeping area in the entire premises of all multi-family attached and detached dwellings with less than six (6) dwelling units/rooms such as apartments, dormitories, nursing and convalescent homes, homes for the aged, medical and health centers or any other building where sleeping facilities are provided. All detectors in the system shall be interlocked and coupled to an alarm means for producing an alarm of at least eighty-five (85) DBA at ten (10') feet throughout the premises. If the premises is protected throughout by a sprinkler system, approved by the Fire Marshal, the detection system need not be interlocked, but each detector shall provide an alarm which is clearly audible in the sleeping area in which the detector is located over the background noise level, with all intervening doors closed and no less than eighty-five (85) DBA at ten (10') feet. Furthermore, said smoke detector system shall include approved, listed, and labeled smoke and heat detectors, which shall be approved by the Fire Marshal, shall be installed and maintained throughout all hallways, corridors, basements, sub-basements, crawl spaces, trash rooms, storage rooms, locker rooms, stairwells, recreation rooms, libraries, gymnasiums, kitchens, attics, utility

rooms, and garages of the aforementioned buildings. All detectors in the system shall be interlocked and coupled to means for producing an alarm of at least eighty-five (85) DBA at ten (10') feet throughout the entire premises.

- c. All other buildings: A listed and labeled smoke and/or heat detection system which shall be approved by the Fire Marshal, shall be installed and maintained to protect every room of the entire premises in all places of assembly including, inter alia, restaurants, bowling lanes, shopping malls, shopping centers including merchandising marts, indoor places of amusement including sports arenas or rinks, clubs, lodges of fraternal organizations, YMCA or similar occupancies, lumber yards and builders supplies, educational or religious institutes, and all other offices, commercial or industrial premises. All detectors in the system shall be interlocked and coupled to means for producing an alarm of at least eighty-five (85) DBA throughout the entire premises, including an outside alarm. The provisions of this part shall not apply to those structures encompassed by this part which are protected by a sprinkler system, approved by the Fire Marshal.

Section F-403.5 is amended by deleting the final sentence and inserting the following:

Fires in approved containers shall be permitted in accordance with the rules and restrictions of Chapter 43, Section 43-8 of the General Laws of the Township of Haverford, provided that such fires are not less than fifteen (15) feet (4573mm) from any structure.

CHAPTER 43 - AIR POLLUTION

ARTICLE II. Limited Leaf Burning

Chapter 43, Section 43-8.A is hereby amended to read as follows:

A person shall not kindle or maintain any outdoor fire or authorize any such fire to be kindled or maintained unless the location is not less than fifteen (15) feet from any structure and no closer than fifteen (15) feet from any paved roadway. Depending on the size, nature or location of the fire, this distance may be decreased but only when authorized by the Township Manager or Fire Marshal. Under no circumstances may open burning occur in the paved street or right-of-way.

SEVERABILITY. Should any section or provision of this Ordinance be declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part hereof.

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

ADOPTED this 7th day of June A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2175  
~~ORDINANCE NO. P10-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30. 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" BY ADDING PARKS AND PLAYGROUNDS REGULATIONS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same.

SECTION. 1. The "General Laws of the Township of Haverford" Ordinance No. 1960, Chapter 126, Parks and Playgrounds, Article I, Section 126-3, shall be amended to add the following paragraph:

S. No person, vendor, or business entity shall sell their goods, wares, merchandise, food, drink, products or services in or on township park/playground property unless said business activity is a non-profit organization, association or civil group authorized by the Board of Commissioners to conduct community events, activities or sporting programs in park/playground facilities.

SECTION 2. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 7th day of June, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2176  
~~ORDINANCE NO. - P11-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "HANDICAPPED PARKING ONLY" on the following roadway:

- a) At 601 Dayton Road, one (1) space, a private residence.
- b) At 603 Dayton Road, one (1) space, a private residence.
- c) At 26 Rodman Avenue, one (1) space, a private residence.

SECTION 2. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 and the same is hereby supplemented and amended so as to establish "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Sycamore Road, east side, approximately 30 feet from North Manoa Road.
- b) On Sycamore Road, west side, approximately 30 feet from North Manoa Road.

SECTION 3. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

SECTION 4. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 12th day of July, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2177  
~~ORDINANCE NO. P12-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," AMENDING CHAPTER 130, PEDDLING AND SOLICITING, AS SET FORTH HEREIN.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

ARTICLE I. DEFINITIONS.

Chapter 130, Section 130-1, Definitions, is hereby amended as follows:

- A. The word PEDDLING is hereby defined as:  
The selling or offering for sale of any goods, wares or merchandise for immediate delivery which the person selling or offering for sale carries with them in traveling or has in their possession or control, upon any of the streets or sidewalks, from house-to-house within the Township of Haverford, or from a fixed location within the Township of Haverford on a temporary basis.
- B. The word SOLICITING is hereby defined as:  
The seeking or taking of contracts or orders for any goods, wares or merchandise for future delivery, or for subscriptions, or contributions or seeking of disseminating information, upon any of the streets or sidewalks, from house-to-house within the Township of Haverford or from a fixed location within the Township of Haverford.
- C. The words TEMPORARY BASIS are hereby added to Section 130-1 and further shall be defined as:  
No more than an aggregate total of thirty (30) days during any one (1) calendar year (ie; January 1 through December 31), except for Christmas tree sales which shall be considered a temporary basis if the sale thereof does not exceed an aggregate total of forty-five (45) days during any calendar year.

ARTICLE II. LICENSE AND REGISTRATION REQUIRED.

Chapter 130, Section 130-2, License and Registration Required, is hereby amended to read as follows:

No person shall engage in soliciting or peddling in the Township of Haverford without obtaining a license from the Township Zoning Officer, or his designee, and having registered with the Police Department of Haverford Township.

ARTICLE III. APPLICATION PROCEDURE.

Chapter 130, Section 130-3, Application Procedure, is hereby repealed in its entirety and the following inserted in its place:

- A. Any person desiring to engage in soliciting or peddling in the Township of Haverford shall submit a written application to the Department of Code Enforcement on a form to be furnished by the Department.
- B. Upon such application, such person shall give his name, address, the name and address of the person or corporation by whom he is employed or represents. He shall, when making such application exhibit a valid license from any State or County Officer, if such license is also required, including a valid license from the Commonwealth of Pennsylvania for the collection and distribution of sales tax on all taxable items. The application shall state:
  - (1) the applicants criminal record, if any;
  - (2) type of goods, wares and/or merchandise he wishes to deal with or the subscription, article, device, contribution, service or contract for which he desires to sell or for which he wishes to solicit within the Township;
  - (3) the length of time and dates of the peddling or solicitation for which the license is to be issued, and;
  - (4) type and license number of the vehicle to be used, if any.

- C. Where a person makes application for himself and one (1) or more helpers, employees or partners, all applicable personal information specified above shall be given for each helper, employee or partner, including required proof of identity, and an individual license shall be required for each such helper, employee or partner. Licenses issued under this chapter are not transferable from one person to another.

ARTICLE IV. ISSUANCE OF LICENSE; RENEWAL.

Chapter 130, Section 130-5, Issuance of License; Renewal, is hereby repealed in its entirety and the following inserted in its place:

130-5. Issuance of License; Custody and Display.

- A. Upon receipt of such application and the prescribed fee, the Zoning Officer, if he finds such application in order, shall issue the license required by this Chapter within ten (10) days from the completed filing of said application. Such license shall contain the information required to be given on the application. Every such license holder shall carry such license upon his person if engaged in peddling or solicitation from house-to-house, or shall display such license at the location where he shall engage in business if doing so from a fixed location.
- B. The Zoning Officer shall not issue a peddling or solicitation license to any applicant convicted of any felony or misdemeanor involving moral turpitude.

ARTICLE V. RULES OF CONDUCT.

Chapter 130, Section 130-7, Rules of Conduct, is hereby amended in the following subsections as follows:

- A. (2) He shall not permit any person to have possession of his license and shall immediately report its loss to the Codes Enforcement Office. He shall not cause or permit his license to be defaced or altered in any way.



- A. (5) He shall immediately surrender his license to the Township Zoning Officer or Chief of Police upon revocation thereof.

SEVERABILITY. Should any section or provision of this Ordinance be declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part hereof.

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

ADOPTED this 12th day of July A.D., 1993.

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TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas Bannar  
Township Manager/Secretary

ORDINANCE NO. 2178  
~~ORDINANCE NO. P14-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" BY ADDING AN EARLY RETIREMENT PROVISION FOR POLICE OFFICERS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. The "General Laws of the Township of Haverford" Ordinance No. 1960, Chapter 30, Pensions and Employee Benefits, Article III, Section 30-12, shall be amended to add the following paragraph.

- B. Early Retirement. An officer may retire before their normal retirement date if the officer is fifty (50) years old and has a minimum of fifteen (15) years service. Their pension shall be calculated the same as a vested pension and shall be actuarially reduced to reflect retirement earlier than normal.

SECTION 2. Pursuant to arbitration award, this early retirement provision is effective January 1, 1993.

SECTION 3. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 12th day of July, A.D, 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE No. 2179

Ordinance to amend the code of the Township of Haverford, amending in its entirety the current Ordinance No. 1488, as further amended, Cable Television Franchises, to set forth detailed regulations regarding the following: the terms and conditions under which the Township may grant a non-exclusive, revocable cable television Franchise; the grant of the use of Public Rights-of-Way; the construction of Cable Systems; procedures for applying for initial and renewal Franchises, modification of Franchises, and Transfer of Franchises; Franchise fees; grounds for revocation and termination of Franchises; and application of equal employment opportunity policy by all Franchisees. The Ordinance sets forth the following regarding the regulation of Franchises: the grant of regulatory authority to the Township over the administration and enforcement of the provisions of this Ordinance, including the award, renewal, modification, Transfer, and termination of Franchises; and rate regulation. The Ordinance sets forth the following regarding bonds, insurance, and indemnification: requirements for a security fund and performance bond; and requirements regarding liability insurance, enumerating the types and amounts of insurance required. The Ordinance sets forth the following requirements regarding design and construction of Cable Systems: procedures for establishment and enforcement of construction and technical standards; requirements for extension of Service; regulations for underground and above ground installation of Service; and construction report requirements and test and performance monitoring after the construction of new plant in excess of one contiguous mile. The Ordinance sets forth the following Service provisions: - customer service provisions; provisions in the event of abandonment of a System; protection of Subscriber privacy; and regulation of non-discrimination by Franchisees among Subscribers. The Ordinance mandates that all Franchisees maintain an office within the Franchise territory and keep records with the Township which the Township shall have the right to inspect; sets forth the types of records that must be kept and the manner in which those records must be kept; requires that certain reports be filed by the Franchisee with the Township; and sets forth requirements regarding the content of such reports.

Section 1 - General Provisions

**Title:** This Ordinance shall be known and may be cited as the "Haverford Cable Communications Regulatory Code."

**Purpose:** The Township of Haverford finds that the development of cable television Systems has the potential of having a great benefit to and positive impact on the people of Haverford. Because of the complex and rapidly changing technologies associated with cable television, the Township also finds that public convenience, safety, and general welfare can best be served by establishing regulatory powers vested in the

Township or such Persons as the Township so designates. Further, the Township recognizes that cable television Systems have the capacity to provide not only entertainment and information services to Township residents but also a variety of broadband, interactive Services to Township agencies and other institutions. For these purposes, the following goals, among others, underlie the provisions set forth in this Ordinance:

- a. Cable Services should be available to as many Township residents as possible.
- b. A Cable System should be capable of accommodating both the present and reasonably foreseeable future cable-related needs of the community.
- c. A Cable System should be constructed and maintained during the Franchise term so that new components may be integrated to the maximum extent possible into existing System Facilities.
- d. A cable television System should be responsive to the needs and interests of the local community.

The Township intends that all provisions set forth in this Ordinance be construed to serve the public interest and the foregoing public purposes, and that any Franchise issued pursuant to this Ordinance be construed to include the foregoing findings and public purposes as integral parts thereof.

## Section 2 - Definitions and Word Usage

For the purposes of this Ordinance, the following terms, phrases, words, and abbreviations shall have the meanings given herein, unless otherwise expressly stated. When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number, and words in the singular number include the plural number; and the masculine gender includes the feminine gender. The words "shall" and "will" are mandatory, and "may" is permissive. Unless otherwise expressly stated, words not defined herein shall be given the meaning set forth in Title 47 of the United States Code, Chapter 5, Sub-Chapter V-A, 47 U.S.C. § 521 et seq., as amended, and, if not defined therein, their common and ordinary meaning.

- 2.01 *Access Channel*: Any channel on a Cable System set aside by the Franchisee for public, educational, and/or governmental use.
- 2.02 *Affiliate*: Any Person who owns or controls, is owned or controlled by, or is under common ownership or control with the Franchisee.
- 2.03 *Basic Service*: Any Service tier that includes the retransmission of local television broadcast signals.
- 2.04 *Board*: The Board of Commissioners of Haverford Township.

- 2.05 **Cable Act:** The Cable Communications Policy Act of 1984, 47 U.S.C. § 521 et seq., as amended from time to time.
- 2.06 **Cable Service or Service:** (i) the one-way transmission to Subscribers of video programming or other programming Services; and (ii) Subscriber interaction, if any, which is required for the selection of such video programming or other programming Service.
- 2.07 **Cable System or System:** A Facility consisting of a set of closed transmission paths and associated signal generation, reception and control equipment that is designed to provide cable television Service which includes video programming and which is provided to multiple Subscribers within the Township, but such term does not include (a) a Facility that serves only to retransmit the television signals of one or more television broadcast stations; (b) a Facility that serves only Subscribers in one or more multiple unit dwellings under common ownership, control, or management, unless such Facility or Facilities use any Public Right-of-Way, including Streets or easements; (c) a Facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Cable Act, except that such Facility shall be considered a Cable System to the extent such Facility is used in the transmission of video programming, whether on a common carrier or non-common carrier basis, directly to Subscribers; or (d) any Facilities of any electric utility used solely for operating its electric utility systems.
- 2.08 **Educational Access Channel:** Any channel on a Cable System set aside by the Franchisee for non-commercial educational use.
- 2.09 **FCC:** The Federal Communications Commission, its designee, or any successor governmental entity thereto.
- 2.10 **Franchise:** The non-exclusive rights granted in accordance with this Ordinance to construct, operate, and maintain a Cable System along the Public Rights-of-Way within all or a specified area of the Township. Any such authorization, in whatever form granted, may specifically include license or permit to system for the provision of non-cable services; it shall not mean or include any license or permit required for the privilege of transacting and carrying on a business within the Township as required by the ordinances and laws of the Township, or for excavating or performing other work in or along Public Rights-of-way.
- 2.11 **Franchise Agreement:** A contract entered into in accordance with the provisions of this Ordinance between the Township and a Franchisee that sets forth, subject to this Ordinance, the terms and conditions under which the Franchise will be exercised.

- 2.12 **Franchise Area:** The area of the Township that the Franchisee is authorized to serve by its Franchise Agreement.
- 2.13 **Franchisee:** The natural Person(s), partnership(s), domestic or foreign corporation(s), association(s), joint venture(s), or organization(s) of any kind which have been granted a cable television Franchise by the Township.
- 2.14 **Governmental Access Channel:** Any channel on a Cable System set aside by the Franchisee for Non-commercial government access use.
- 2.15 **Gross Annual Revenues:** Any and all cash, credits, property or other consideration of any kind or nature received annually directly or indirectly by the Franchisee, its Affiliates, or any Person in which the Franchisee has a financial interest, or by any other entity that is a cable operator of the System arising from, attributable to, or in any way derived from the provision by the Franchisee of Cable Service, including the studios and other Facilities associated therewith. Gross Annual Revenues include, but are not limited to, monthly fees charged Subscribers for any Basic, optional, premium, per-channel, or per-program Service; installation, disconnection, reconnection, and change-in-service fees; leased channel fees; late fees and administrative fees; fees, payments, or other consideration received from programmers for carriage of programming on the System; revenues from converter rentals or Sales; studio rental, production equipment, and personnel fees; advertising revenues; barter; revenues from program guides; and revenues from home shopping and bank-at-home channels. Township may require in a Franchise Agreement that Gross Annual Revenues also include revenues from the sale or carriage of non-cable services, including information services. Gross Annual Revenues shall be the basis for computing the Franchise fee under this Ordinance. Gross Annual Revenues shall not include any taxes on Services furnished by the Franchisee which are imposed directly on any Subscriber or user by the state, Township, or other governmental unit and which are collected by the Franchisee on behalf of said governmental unit, nor shall it include revenue derived from the sale or rental of real property interests of franchisee.
- 2.16 **Non-commercial:** Refers to programming, the primary purpose of which is not to propose a Sale or barter of a commercial product or service. The term expressly does not refer to programming the cost of which is underwritten by one or more commercial or non-commercial programmers, even where the underwriting is acknowledged as part of the program.
- 2.17 **Pay Television:** A Cable Service that is sold on a per-channel or per-program basis.

- 2.18 **Person:** An individual, partnership, association, joint stock company, organization, corporation, or any lawful successor thereto or transferee thereof.
- 2.19 **Public Access Channel:** Any channel on a Cable System set aside by the Franchisee for Non-commercial use by the general public or Non-commercial organizations, and which is available for such use on a non-discriminatory basis.
- 2.20 **Public Right-of-Way:** The surface, the air space above the surface, and the area below the surface of any public Street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, park, parkway, waterway, easement, or similar property in which the Township now or hereafter holds any property interest, which, consistent with the purposes for which it was dedicated, may be used for the purpose of installing and maintaining a Cable System. No reference herein, or in any Franchise Agreement, to a "Public Right-of-Way" shall be deemed to be a representation or guarantee by the Township that its interest or other right to control the use of such property is sufficient to permit its use for such purposes, and a Franchisee shall be deemed to gain only those rights to use as are properly in the Township and as the Township may have the undisputed right and power to give.
- 2.21 **Sale:** Any sale, exchange, or barter transaction.
- 2.22 **Service Tier:** A category of Cable Service provided by the Franchisee and for which a separate charge is made by the Franchisee.
- 2.23 **Street:** The surface of and the space above or below any public Street, public roadway, public highway, public freeway, public lane, public way, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, or any public easement or Public Right-of-Way now or hereafter held by the Township which shall entitle Franchisee to the use thereof for the purposes of installing over poles such wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and appurtenant to the operation of the System.
- 2.24 **Subscriber:** Any Person who legally receives Cable Service and non-Cable Service, with the exception of telephony like services, whether or not a fee is paid for such Service.
- 2.25 **System Facilities or Facilities:** Cable System equipment used by the Franchisee to provide Service in the Franchise Area.
- 2.26 **Township:** The Township of Haverford, Pennsylvania, as represented by the Board.

2.27 **Transfer:** Any transaction in which (1) an ownership or other interest in a Franchisee, its Cable System, or any Person that is a cable operator of the Cable System is transferred from one Person or group of Persons to another Person or group of Persons so that control of the Franchisee is transferred; or (2) the rights and/or obligations held by the Franchisee under a Franchise Agreement are transferred or assigned to another Person or group of Persons. Unless otherwise specified in a franchise agreement control for these purposes means working control, in whatever manner exercised. Unless otherwise specified in a franchise agreement, the addition, deletion, or other change of any general partner of the Franchisee, any person who owns or controls the Franchisee, or a cable operator of the Cable System is such a change of control.

2.28 **User:** A Person or organization utilizing a channel or equipment and Facilities for purposes of producing and/or transmitting material, as contrasted with the receipt thereof in the capacity of a Subscriber.

### Section 3 - Grant of Franchise

3.01 **Grant of Franchise:** The Township may grant one or more cable television Franchises, and each such Franchise shall be awarded in accordance with and subject to the provisions of this Ordinance. This Ordinance may be amended from time to time, and in no event shall this Ordinance be considered a contract between the Township and a Franchisee such that the Township would be prohibited from amending any provision hereof.

3.02 **Franchise Required:** No Person may construct or operate a Cable System over, on, or under public Streets in the Township without a Franchise granted by the Township unless otherwise authorized by law, and no Person may be granted a Franchise without having entered into a Franchise Agreement with the Township pursuant to this Ordinance.

#### 3.03 **Franchise Characteristics:**

- a. A Franchise authorizes use of Township Streets for installing cables, wires, lines, optical fiber, underground conduit, and other Facilities to operate a Cable System and to provide other communications and information services within a Franchise Area, but does not expressly or implicitly authorize the Franchisee to provide Service to, or install cables, wires, lines, underground conduit, or any other equipment or Facilities on private property without owner consent (except for use of compatible easements pursuant to Section 621 of the Cable Act, 47 U.S.C. § 541(a)(2)), or to use publicly or privately owned conduits without a separate agreement with the owners.



- b. The term of a Franchise shall not exceed twelve (12) years and may not exceed five (5) years unless the Franchise Agreement contains clear and enforceable provisions for regulating upgrades, improving any customer service requirements, reevaluating access requirements, and making such other requirements as may be necessary in light of advancements in technology.
- c. A Franchise is non-exclusive and will not explicitly or implicitly preclude the issuance of other Franchises to operate Cable Systems within the Township, or affect the Township's right to authorize use of Township Streets by other Persons to operate Cable Systems or for other purposes as it determines appropriate.
- d. Once a Franchise Agreement has been accepted and executed by the Township and a Franchisee, such Franchise Agreement shall constitute a contract between the Franchisee and the Township, and the terms, conditions, and provisions of such Franchise Agreement, subject to the Ordinance and all other duly enacted and applicable laws, shall define the rights and obligations of the Franchisee and the Township relating to the Franchise.
- e. All privileges prescribed by a Franchise shall be subordinate to any prior lawful occupancy of the Streets, and the Township reserves the right to reasonably designate where a Franchisee's Facilities are to be placed within the Streets.
- f. A Franchise shall be a privilege that is in the public trust and personal to the original Franchisee. Except as otherwise agreed to in a franchise agreement No Transfer of a Franchise shall occur without the prior consent of the Township and unless application is made by the Franchisee and Township approval obtained, pursuant to this Ordinance and the Franchise Agreement.

### 3.04 Franchisee Subject to Other Laws, Police Power:

- a. A Franchisee shall at all times be subject to and shall comply with all applicable federal, state, and Township laws. A Franchisee shall at all times be subject to all lawful exercise of the police power of the Township, including all rights the Township may have under 47 U.S.C. § 552.
- b. No course of dealing between a Franchisee and the Township, nor any delay on the part of the Township or Franchisee in exercising any rights hereunder, shall operate as a waiver of any such rights of the Township or Franchisee or acquiescence in the actions of the Township or Franchisee in contravention of rights except to the extent expressly waived by the Township

or Franchisee or expressly provided for in a Franchise Agreement.

- c. The Township shall have the maximum plenary authority to regulate Cable Systems, Franchisees, and Franchises as may now or hereafter be lawfully permissible; except where rights are expressly waived by a Franchise Agreement they are reserved, whether expressly enumerated or not.

### 3.05 Interpretation of Franchise Terms:

- a. The express terms of this Ordinance will prevail over conflicting or inconsistent provisions in a Franchise Agreement unless such Franchise Agreement expresses an explicit intent to waive a requirement of this Ordinance.
- b. The provisions of a Franchise Agreement will be liberally construed in favor of the Township or Franchisee in order to effectuate the purposes and objectives of this Ordinance and the Franchise Agreement and to promote the public interest.
- c. Except as to matters that are governed by federal law or regulation, a Franchise Agreement will be governed by and construed in accordance with the laws of the State of Pennsylvania.

3.06 *Operation of a Cable System Without a Franchise:* Any Person who occupies Township Streets or Public Rights-of-Way for the purpose of operating or constructing a Cable System and who does not hold a valid Franchise from the Township shall be subject to all provisions of this Ordinance, including but not limited to its provisions regarding construction and technical standards and franchise fees. In its discretion, the Township at any time may require such Person to enter into a Franchise Agreement within thirty (30) days of receipt of a written notice by the Township that a Franchise Agreement is required; and/or require such Person to remove its property and restore the area to a condition satisfactory to the Township within such time period; and/or remove the property itself and restore the area to a satisfactory condition and charge the Person the costs therefor. In no event shall a Franchise be created unless it is issued by action of the Township and subject to a Franchise Agreement.

3.07 *Right of Condemnation Reserved:* Nothing in this Ordinance or the Franchise shall limit any right the Township may have to acquire by eminent domain or otherwise any property of Franchisee.

## Section 4 - Applications for Grant, Renewal, or Modification of Franchises

### 4.01 Written Application:

- a. A written application shall be filed with the Township for (1) grant of an initial Franchise; (2) renewal of a Franchise under either the formal or informal procedures in accordance with Section 626 of the Cable Act, 47 U.S.C. § 546; or (3) modification of a Franchise Agreement pursuant to this Ordinance or a Franchise Agreement. The Township may require the applicant to demonstrate in its application compliance with all requirements of this Ordinance and all applicable laws.
- b. To be acceptable for filing, a signed original of the application shall be submitted together with 10 copies. The application must be accompanied by the required application filing fee as set forth in Section 4.05, conform to any applicable request for proposals, and contain all required information. All applications shall include the names and addresses of persons authorized to act on behalf of the applicant with respect to the application.
- c. All applications accepted for filing shall be made available by the Township for public inspection.

### 4.02 Application for Grant of an Initial Franchise:

- a. A Person may apply for an initial Franchise by submitting a request for issuance of a Request for Proposals ("RFP") and requesting an evaluation of that proposal pursuant to Subsection 4.02d. Upon receipt of a request for an RFP, the Township shall commence a proceeding to identify the future cable-related needs and interests of the community and, upon completion of that proceeding, shall promptly issue an RFP and proposed Franchise Agreement, which shall be mailed to the Person requesting its issuance and made available to any other interested party. The applicant shall respond within the time directed by the Township, providing the information and material set forth in Subsection 4.02c. The procedures, instructions, and requirements set forth in the RFP shall be followed by each applicant as if set forth and required herein. The Township Manager, or his designee, shall be authorized to seek additional information from any applicant and to establish deadlines for the submission of that information.
- b. Notwithstanding the provisions of Section 4.02a, a Person may apply for an initial Franchise by submitting an unsolicited proposal and requesting an evaluation of that proposal pursuant to Subsection 4.02d.

c. An RFP for the grant of an initial Franchise shall require, and an unsolicited proposal shall contain, at minimum, the following information:

1. Name and address of the applicant and identification of the ownership and control of the applicant, including: the names and addresses of the ten (10) largest holders of an ownership interest in the applicant and Affiliates of the applicant, and all persons with five (5) percent or more ownership interest in the applicant and its Affiliates; the Persons who control the applicant and its Affiliates; all officers and directors of the applicant and its Affiliates; and any other business affiliation and Cable System ownership interest of each named Person.
2. A demonstration of the applicant's technical ability to construct and/or operate the proposed Cable System, including identification of key personnel.
3. A demonstration of the applicant's legal qualifications to construct and/or operate the proposed Cable System, including but not limited to a demonstration that the applicant meets the following criteria:
  - (a) The applicant must not have submitted an application for an initial or renewal Franchise to the Township, which was denied on the ground that the applicant failed to propose a System meeting the cable-related needs and interests of the community, or as to which any challenges to such franchising decision were finally resolved adversely to the applicant, within three (3) years preceding the submission of the application.
  - (b) The applicant must not have had any cable television Franchise validly revoked by any franchising authority within three (3) years preceding the submission of the application.
  - (c) The applicant must have the necessary authority under Pennsylvania law to operate a Cable System.
  - (d) A Franchise will not be issued to an applicant that may not hold the Franchise as a matter of federal law. An applicant must have, or show that it is qualified to obtain, the necessary federal licenses or waivers required to operate the System proposed.
  - (e) An applicant shall not be issued a Franchise if, at any time during the ten (10) years preceding the submission of the application, applicant was convicted of any act or omission of such character that the applicant cannot be relied upon to deal truthfully with the Township and the Subscribers of the Cable

System, or to substantially comply with its lawful obligations under applicable law, including obligations under consumer protection laws and laws prohibiting anticompetitive acts, fraud, racketeering, or other similar conduct.

- (f) An applicant shall not be issued a Franchise if it files materially misleading information in response to an RFP issued by the Township, or intentionally withholds information that the applicant lawfully is required to provide.
- (g) An applicant shall not be issued a Franchise if an elected official of the Township holds a controlling interest in the applicant or an Affiliate of the applicant.

Notwithstanding the foregoing, the Township shall provide an opportunity to an applicant to show that it would be inappropriate to deny it a franchise under 4.02c3(b) or (e), by virtue of the particular circumstances surrounding the matter and the steps taken by the applicant to cure all harms flowing therefrom, the lack of involvement of the applicant's principals, or the remoteness of the matter from the operation of cable television Systems.

- 4. A statement prepared by a duly authorized financial officer regarding the applicant's financial ability to complete the construction and operation of the Cable System proposed.
- 5. A description of the applicant's prior experience in Cable System ownership, construction, and operation, and identification of communities in which the applicant or any of its principals have, or have had, a cable Franchise or license or any interest therein.
- 6. Identification of the area of the Township to be served by the proposed Cable System, including a description of the proposed Franchise Area's boundaries.
- 7. A detailed description of the physical Facilities proposed, including channel capacity, technical design, performance characteristics, headend, and access Facilities.
- 8. Where applicable, a description of the construction of the proposed System, including an estimate of plant mileage and its location, the proposed construction schedule, a description, where appropriate, of how Services will be converted from existing Facilities to new Facilities, and information on the availability of space in conduits including, where appropriate, an estimate of the cost of any necessary rearrangement of existing Facilities.

9. The proposed rate structure, including projected charges for each Service tier, installation, converters, and other equipment or Services.
  10. A demonstration of how the applicant's proposal will reasonably meet the future cable-related needs and interests of the community, including descriptions of how the proposal will meet the needs described in any recent community needs assessment conducted by or for the Township, and how the proposal will provide adequate Public, Educational, and Governmental Access Channel capacity, Facilities, or financial support to meet the community's needs and interests.
  11. Pro forma financial projections for the proposed Franchise term, including a statement of projected income, and a schedule of planned capital additions, with all significant assumptions explained in notes or supporting schedules.
  12. If an applicant proposes to provide Cable Service to an area already served by an existing cable Franchisee, the identification of the area where the overbuild would occur, the potential Subscriber density in the area that would encompass the overbuild, and the ability of the Streets to accommodate an additional System.
  13. Any other information as may be reasonably necessary to demonstrate compliance with the requirements of this Ordinance.
  14. Information that the Township may request of the applicant that is relevant to the Township's consideration of the application.
  15. An affidavit or declaration of the applicant or authorized officer certifying the truth and accuracy of the information in the application, acknowledging the enforceability of application commitments, and certifying that the proposal meets all federal and state law requirements.
- d. In evaluating an application for a Franchise, the Township shall consider, among other things, the following factors:
- (1) The extent to which the applicant has substantially complied with the applicable law and the material terms of any existing cable Franchise for the Township.
  - (2) Whether the quality of the applicant's Service under an existing Franchise in Eaverford, including signal quality, response to customer complaints, and billing practices, has been reasonable in light of community needs and interests of the communities served.
  - (3) Whether the applicant has the financial, technical, and legal qualifications to provide Cable Service.

- (4) Whether the applicant's proposal is reasonable to meet the future cable-related needs and interests of the community, taking into account the cost of meeting such needs and interests.
  - (5) Whether, to the extent not considered as part of 4.02d(4), the applicant will provide adequate Public, Educational, and Governmental Access Channel capacity, Facilities, or financial support.
  - (6) Whether issuance of a Franchise is warranted in the public interest considering the immediate and future effect on the Public Rights-of-Way and private property which would be used by the Cable System, including the extent to which installation or maintenance as planned would require replacement of property or involve disruption of property, public services, or use of the Public Rights-of-Way; the effect of granting a Franchise on the ability of cable to meet the cable-related needs and interests of the community; and, to the extent permissible pursuant to the provisions of the cable act, the comparative superiority or inferiority of competing proposals.
  - (7) Whether the applicant or an Affiliate of the applicant owns or controls any other Cable System in the Township, or whether grant of the application may eliminate or reduce competition in the delivery of Cable Service in the Township.
- e. If the Township finds that it is in the public interest to issue a Franchise considering the factors set forth above, it shall issue a Franchise, subject to the applicant's entry into an appropriate Franchise Agreement. If the Township denies a Franchise, it will issue a written decision explaining why the Franchise was denied. Prior to deciding whether to issue or not to issue a Franchise, the Township may hold one or more public hearings or implement other procedures under which comments from the public on an applicant's proposal may be received. The Township also may grant or deny a request for a Franchise based on its review of an application without further proceedings and may reject any application which is incomplete or fails to respond to an RFP. This Ordinance is not intended and shall not be interpreted to grant any applicant or existing Franchisee standing to challenge the issuance of a Franchise to another.
- f. If the Township grants a Franchise subject to the applicant's entry into a Franchise Agreement, the Township and the Franchisee shall agree on the terms of a Franchise Agreement within thirty (30) calendar days from the date of the Township resolution granting the Franchise. This period may be extended for good cause by the Township. If agreement is not reached with the Township within thirty (30) calendar days from the date

~~of the Township resolution granting the Franchise, or if the period is not extended by the Township, the Franchise will be null and void without further action by the Township. The Township shall approve or disapprove the proposed agreement by resolution, or may direct that it be subject to further negotiation.~~

4.03 *Application for Grant of a Renewal Franchise:* Renewal shall be conducted in a manner consistent with Section 626 of the Cable Act, 47 U.S.C. § 546. If neither the Franchisee nor the Township activates or can activate the renewal process set forth in 47 U.S.C. § 546(a)-(c) (including, for example, if the provisions are repealed), the provisions of Section 4.02 shall apply and a renewal request shall be treated the same as a request for an initial Franchise. The following additional requirements shall apply to all applicants seeking renewal after the effective date of this Ordinance where the procedures set forth in 47 U.S.C. § 546(a)-(c) are activated.

- a. Upon completion of the review and evaluation process set forth in Section 626(a)(1), (2) of the Cable Act, 47 U.S.C. § 546(a)(1), (2), should that process be invoked, a cable operator seeking renewal of a Franchise may, on its own initiative or at the request of a franchising authority, submit a proposal for renewal.
- b. Upon receipt of the renewal application, the Township shall publish notice of its receipt and make copies available for review by the public.
- c. Within four (4) months of the date it receives the proposal for renewal, and based on the standards set forth in Section 626(c) of the Cable Act, 47 U.S.C. § 546(c), the Township will either:
  - (1) Pass a resolution agreeing to renew the Franchise, subject to the negotiation of a Franchise Agreement mutually satisfactory and agreeable to the Township and the Franchisee; or
  - (2) Pass a resolution that makes a preliminary assessment that the Franchise should not be renewed;
- d. If a preliminary assessment is made that a Franchise should not be renewed, at the request of the Franchisee, the Township will commence a proceeding in accordance with Section 626(c) of the Cable Act, 47 U.S.C. § 546(c), to address the issues set forth in Section 626(c)(1)(A)-(D) of the Cable Act, 47 U.S.C. § 546(c)(1)(A)-(D).
- e. If renewal of a Franchise is denied, the Township may acquire ownership of the Cable System or effect a Transfer of ownership of the System to another Person upon approval of the Board. Any such acquisition or Transfer shall be at fair market value, determined on



- the basis of the Cable System valued as a going concern but with no value allocated to the Franchise itself.
- f. If renewal of a Franchise is denied and the Township does not purchase the Cable System or approve or effect a Transfer of the Cable System to another Person, the Township may require the former Franchisee to remove its Facilities and equipment at the former Franchisee's expense. If the former Franchisee fails to do so within a reasonable period of time, the Township may have the removal done at the former Franchisee's and/or surety's expense.
  - g. To the extent that any of the provisions of this Ordinance are inconsistent with Section 626 of the Cable Act, 47 U.S.C. § 546, they shall not apply.

**4.04 Application for Modification of a Franchise:** An application for modification of a Franchise Agreement shall include, at minimum, the following information:

- a. The specific modification requested;
- b. The justification for the requested modification, including the impact of the requested modification on subscribers and others, and the financial impact on the applicant if the modification is approved or disapproved, demonstrated through, inter alia, submission of financial pro formas;
- c. A statement whether the modification is sought pursuant to Section 625 of the Cable Act, 47 U.S.C. § 545, and, if so, a demonstration that the requested modification meets the standards set forth in 47 U.S.C. § 545;
- d. Any other information that the applicant believes is necessary for the Township to make an informed determination on the application for modification; and
- e. An affidavit or declaration of the applicant or authorized officer certifying the truth and accuracy of the information in the application, and certifying that the application is consistent with all federal and state law requirements.

**4.05 Filing Fees:** To be acceptable for filing, an application submitted after the effective date of this Ordinance shall be accompanied by a filing fee in the following amount, as appropriate:

- a. For an initial franchise: \$250
  - 1. The request for issuance of an RFP: \$ 250
  - 2. The response to the RFP or the unsolicited proposal: \$ 250
- b. For renewal of a franchise: \$ 1000
- c. For modification of a franchise agreement: \$ 500

- 4.06 *Public Hearings:* An applicant shall be notified of any public hearing held in connection with the evaluation of its proposal and shall be given an opportunity to be heard.

**Section 5 - System Design**

Unless a review of future cable-related needs and interests (whether conducted prior to issuance of an RFP or in evaluating an unsolicited proposal) shows that different standards should apply, every Cable System must at least satisfy the following requirements.

- 5.01 *Minimum Capacity:* Any Cable System constructed, upgraded, or reconstructed after the effective date of this Ordinance at a minimum shall be a fiber-based, 550 MHz System. Township may require in a Franchise Agreement that the System shall be designed in accordance with FCC guidelines pertaining to "consumer friendly" interfaces so that all Service tiers can be received without the aid of a converter.
- 5.02 *Description of System:* The Franchisee shall provide the Township a full description of the System proposed for construction and shall, upon completion of any System modification or upgrade, submit to the Township "as built" maps for the entire System, as modified or upgraded, to the extent such maps have not previously been provided to the Township.
- 5.03 *Interconnection:*
- a. A Franchisee shall, at the request of the Township as specified in its franchise agreement design the system so that it may be interconnected with other Cable Systems.
  - b. The Franchisee shall, at the request of the Township, interconnect with other Cable Systems.
- 5.04 *Provision of Service:* Unless otherwise specified in a Franchise Agreement, after Cable Service has been established by activating trunk distribution cable for an area specified in a Franchise Agreement, the Franchisee shall provide Cable Service to any household requesting Cable Service within that area, including each multiple dwelling unit in that area, except for multiple dwelling units to which it cannot obtain access.
- 5.05 *Technical Standards:*
- a. Any Cable System within the Township shall meet or exceed the technical standards set forth in 47 C.F.R. § 76.601 and any other applicable technical standards as specified in a franchise agreement, including any such standards as hereafter may be amended or adopted by the Township.

- b. A Franchisee shall not design, install, or operate its Facilities in a manner that will interfere with the signals of any broadcast station, the Facilities of any public utility, the Cable System of another Franchisee, or individual or master antennas used for receiving television or other broadcast signals.
- c. At the times specified in the Franchise Agreement or as required by FCC rules, the Franchisee shall perform at its expense proof of performance tests, and such other tests as may be specified in the Franchise Agreement, designed to demonstrate compliance with this Section, the Franchise Agreement, and FCC requirements. The Franchisee shall provide the proof of performance test results promptly to the Township. The Township may require in a franchise agreement that a Franchisee shall provide the Township ten (10) days' advance written notice when a proof of performance or other required test is scheduled so that the Township may have an observer present. The Township shall have the right to inspect the Cable System Facilities during and after their construction to ensure compliance with this Section, the Franchise Agreement, and applicable provisions of local, state and federal law, and may require in a franchise agreement that the Franchisee perform additional tests based upon its prior investigation of System performance or upon Subscriber complaints.

## Section 6 - Minimum Facilities and Services

6.01 *Emergency Alert System:* Franchisee shall install and thereafter maintain for use by the Township an Emergency Alert System ("EAS"). This EAS shall be remotely activated by telephone and shall allow a representative of the Township to override the audio on all channels on the System in the event of a civil emergency or for reasonable tests. The Township will provide reasonable notice to Franchisee prior to any test use of the EAS.

### 6.02 *Access Channels:*

- a. The Township may require in a franchise agreement that the Franchisee shall reserve for use by the Township, without charge, a minimum of five (5) percent of its downstream channel capacity for public, educational, and governmental use, or if greater, the amount of capacity required to transmit three (3) 6 MHz channels to Subscribers delivering a signal the technical quality of which is equivalent to the technical quality of other channels on the System.
- b. The Township may require in a franchise agreement that the Franchisee shall reserve for use by the Township, without charge, a minimum of 20 Mhz of its activated upstream capacity for public, educational, and

governmental use, or if greater, the amount of capacity required to transmit three (3) 6 MHz channels upstream. The Township may require in a franchise agreement that the Franchisee shall provide all modulators, demodulators, laser transmitters/receivers, and other devices as may be required to permit use of the upstream and downstream capacity, and that, after January 1, 1994, upon the Township's request, the Franchisee shall make such modifications as may be required to use video compression technology and add such equipment in connection with all or part of the upstream and downstream channel capacity for public, educational, and governmental use.

#### 6.03 Studio and Equipment:

a. The Township may require in a franchise agreement that the Franchisee shall provide to the Township sufficient funds for the purchase of one public access facility located within the Township, which facility shall include an adequate studio, editing suites, control room, playback area, administrative and training space, tape, set, and equipment storage space, and all property shall be secured, ventilated, air conditioned, heated, lighted, wired, and accessible to the handicapped. Township may require in a Franchise Agreement that the Franchisee shall also provide equipment to fully equip the facility, including the studio, separate portable equipment suitable for community use, automated playback equipment, and control facilities, so that signals can be received on the upstream channels or originated from the facility, and then routed from the facility to the System headend and onto appropriate channels on the Cable System.

#### 6.04 Remote Line Telecasting:

- a. The Franchisee shall provide upstream channel capacity for live telecasts from such public buildings as may be specified in the Franchise Agreement.
- b. The Franchisee shall make available all devices necessary to accomplish upstream telecasts through such public facilities.

#### 6.05 Haverford Public Access Corporation:

- a. Immediately upon the award of the first Franchise pursuant to this Ordinance, there shall be established a non-profit organization known as the Haverford Public Access Corporation. The Board of Directors of the Corporation shall consist of five members, to be appointed by the Board. Members of the Corporation's Board shall be appointed for terms of no longer than four years per appointment.

- b. The Corporation shall manage, promote, and develop the best use of the channels, equipment, and Facilities for public, educational, and governmental use provided under any Franchise Agreement, and in particular shall seek to stimulate the use of public, educational, and governmental channels;

## Section 7 - Construction Provisions

7.01 *System Construction Schedule:* The Franchisee shall specify the construction schedule.

### 7.02 *Construction Standards:*

- a. The construction, operation, maintenance, and repair of the Cable System shall be in accordance with all applicable sections of the Occupational Safety and Health Act of 1970, as amended, the National Electrical Safety Code, the National Electric Code, other applicable federal, state, or local laws and regulations that may apply to the operation, construction, maintenance, or repair of a Cable System, including, without limitation, local zoning and construction codes, and laws and accepted industry practices, all as hereafter may be amended or adopted.
- b. All installation of electronic equipment shall be of a permanent nature, using durable components.
- c. Without limiting the foregoing, antennas and their supporting structures (towers) shall be painted, lighted, erected, and maintained in accordance with all applicable rules and regulations of the Federal Aviation Administration and all other applicable state or local laws, codes, and regulations, all as hereafter may be amended or adopted.
- d. Without limiting the foregoing, all the Franchisee's plant and equipment, including, but not limited to, the antennae site, headend and distribution system, towers, house connections, structures, poles, wires, cable, coaxial cable, fiber optic cable, fixtures, and apparatuses shall be installed, located, erected, constructed, reconstructed, replaced, removed, repaired, maintained, and operated in accordance with good engineering practices, performed by experienced maintenance and construction personnel so as not to endanger or interfere with improvements the Township shall deem appropriate to make or to interfere in any manner with the rights-of-way or legal rights of any property owner or to unnecessarily hinder or obstruct pedestrian or vehicular traffic.
- e. Franchisee shall at all times employ ordinary care and shall install and maintain in use commonly accepted methods and devices preventing failures and accidents which are likely to cause damage, injury, or nuisance to the public.

- f. Any and all Streets, public property, or private property which are disturbed or damaged during the construction, repair, replacement, relocation, operation, maintenance, or construction of the System shall be promptly repaired by Franchisee at its expense.
- g. A Franchisee shall, at its expense, and by a time specified by the Township, protect, support, temporarily disconnect, relocate, or remove any of its property when required by the Township by reason of traffic conditions, public safety, Street construction, Street resurfacing or widening, change of Street grade, installation of sewers, drains, water pipes, power lines, signal lines, tracks, or any other type of municipal, public utility improvements, street vacation, or for any other purpose where the convenience of the Township would be served thereby; provided, however, that the Franchisee shall, in all such cases, have the privilege of abandoning any property in place. The Township shall reimburse a franchisee under this subsection to the same extent that it reimburses telephone, electric and other like companies for such disconnection, relocation or removal.
- h. If any removal, relaying, or relocation is required to accommodate the construction, operation, or repair of the Facilities of another Person that is authorized to use the public Streets, a Franchisee shall, after thirty (30) days' advance written notice, take action to effect the necessary changes requested by the responsible entity. The Township may resolve disputes as to responsibility for costs associated with the removal, relaying, or relocation of Facilities as among entities authorized to install Facilities in the public Streets if the parties are unable to do so themselves.
- i. In the event of an emergency, or where a Cable System creates or is contributing to an imminent danger to health, safety, or property, the Township may remove, relay, or relocate that Cable System without prior notice. When possible, the Township will make reasonable efforts to notify Franchisee and give Franchisee reasonable opportunity to cure.
- j. A Franchisee shall, on the request of any Person holding a building moving permit issued by the Township, temporarily raise or lower its wires to permit the moving of buildings. The expense of such temporary removal or raising or lowering of wires shall be paid by the Person requesting same, and the Franchisee shall have the authority to require such payment in advance, except in the case where the requesting Person is the Township, in which case no such payment shall be required. The Franchisee shall be given not less than five calendar days (5) days'

- advance notice to arrange for such temporary wire changes.
- k. A Franchisee shall have the authority to trim trees that overhang a Street of the Township so as to prevent the branches of such trees from coming in contact with the wires and cables of the Franchisee. At the option of the Township, such trimming may be done by it or under the supervision, direction, and expense of the Franchisee.
  - l. A Franchisee shall use, with the owner's permission, existing underground conduits or overhead utility facilities whenever feasible and may not erect poles in Public Rights-of-Way without the express permission of the Township. Copies of agreements for use of conduits or other facilities shall be filed with the Township as required by the Franchise Agreement or upon Township request.
  - m. On Streets where electrical and telephone utility wiring is located underground, either at the time of initial construction of a Cable System or at any time thereafter, a Franchisee's cable shall also be located underground at the Franchisee's expense. Between a Street and a Subscriber's residence, a Franchisee's cable must be located underground if both electrical and telephone utility wiring are located underground. If either electric or telephone utility wiring is aerial, a Franchisee may install aerial cable except where a property owner or resident requests underground installation and agrees to bear the additional cost of such installation over and above the cost of aerial installation. In the event the telephone or electric utilities are reimbursed by the Township for the placement of cable underground or the movement of cable, Franchisee shall be reimbursed on the same terms and conditions as the telephone or electric utilities.
  - n. All wires, cable lines, and other transmission lines, equipment, and structures shall be installed and located to cause minimum interference with the rights and convenience of property owners. The Township may issue such rules and regulations concerning the installation and maintenance of a Cable System installed in, on, or over the Streets, as may be consistent with this Ordinance and the Franchise Agreement. The Township shall have the right to install and maintain free of charge upon the poles owned by the Franchisee any wire and pole fixtures that do not unreasonably interfere with the Cable System operations of the Franchisee.
  - o. All safety practices required by law shall be used during construction, maintenance, and repair of a Cable System. A Franchisee shall not place Facilities, equipment, or fixtures where they will interfere with any gas, electric, telephone, water, sewer, or other utility facilities, or obstruct or hinder in any manner

the various utilities serving the residents of the Township of their use of any Street or any other Public Right-of-Way.

- p. Prior to erection of any towers, poles, or conduits or the construction, upgrade, or rebuild of a cable communications system, authorized under this Ordinance, the Franchisee shall first submit to the Township and other designated parties in accordance with applicable municipal ordinances, for approval a concise description of the Facilities proposed to be erected or installed, including engineering drawings, if required, together with a map and plans indicating the proposed location of all such Facilities. No erection or installation of any tower, pole, underground conduit, or fixture or any rebuilds or upgrading of the cable communications System shall be commenced by any Person until such approval therefor has been received from the Township.
- q. Any contractor proposed for work or construction, installation, operation, maintenance, or repair of System equipment must be properly licensed under laws of the State and all applicable local ordinances.
- r. In the event the use of any part of a Cable System is discontinued for any reason for a continuous period of twelve (12) months, or in the event such System or property has been installed in any Street without complying with the requirements of this Ordinance or a Franchise Agreement, or the Franchise has been terminated or canceled or has expired, the Franchisee, within thirty (30) days after written notice by the Township, shall commence removal from the Streets of all such property as the Township may require.
- s. The Township may extend the time for the removal of abandoned facilities for a period not to exceed one hundred eighty (180) days.
- t. In the event of such removal or abandonment, the Franchisee shall restore the area to a condition satisfactory to the Township.

7.03 *Publicizing Proposed Construction Work:* Franchisee shall publicize significant proposed construction work at least one (1) week prior to commencement of that work by causing written notice of such construction work to be delivered to the Township Manager and by notifying those Persons most likely to be affected by the work in at least two of the following ways: by telephone, in person, by mail, by distribution of flyers to residences, by publication in local newspapers, or in any other manner reasonably calculated to provide adequate notice. In addition, before entering onto any person's property, the Franchisee shall make reasonable efforts contact the property owner or (in the case of residential property) the resident at least two days in advance. If the Franchisee must enter premises, it



must make reasonable efforts to schedule an appointment at the convenience of the owner or resident.

## Section 8 - Operation and Reporting Provisions

- 8.01 *Open Book and Records:* The Township shall have the right to inspect and copy upon two (2) weeks' written notice at any time during normal business hours all books, receipts, maps, plans, financial statements, contracts, service complaint logs, performance test results, records of requests for Service and other reasonable material of Franchisee relating to the operation of Franchisee's cable system serving the township and which are required to perform its regulatory and compliance monitoring responsibilities under the terms of this Ordinance, a Franchise Agreement, or applicable law.
- 8.02 *Reports Required:* The Franchisee shall upon request file the following reports with the Township:
- a. All reports required by the Federal Communications Commission (FCC) including, but not limited to any proof of performance tests and results, Equal Employment Opportunity (EEO) reports, and all petitions, applications, and communications of all types submitted by Franchisee to the FCC, the Security and Exchange Commission (SEC), or any other Federal or State regulatory commission or agency having jurisdiction over any matter affecting operation of Franchisee's System shall be submitted to the Township.
  - b. An annual report setting forth the physical miles of plant construction and plant in operation during the fiscal year. Such report shall also contain any revisions to the System "as built" maps filed with the Township. The annual report shall be provided in February.
  - c. Construction reports will at the request of the Township, be sent to the Township bi-monthly after the Franchise is awarded for any construction undertaken during the term of the Franchise until construction is complete, including any rebuild that may be specified in the Franchise.
  - d. Proof of performance test results, at the request of the Township will be supplied to the Township when sections of the System are rebuilt and as required in this Ordinance.
  - e. Technical tests required by the Township as specified in this Ordinance and the Franchise Agreement, at the request of the Township, will be submitted to the Township promptly upon completion of such tests.
  - f. The following financial reports for the Franchise Area, as specified in a franchise agreement and submitted annually to the Township ninety (90) days after the end of the Franchisee's fiscal year:
    1. An ownership report, indicating all Persons, who at any time during the preceding year did control

or benefit from an interest in the Franchise of five (5) percent or more.

2. An annual fully audited and certified financial report from the previous calendar year, including year-end balance sheet; income statement showing Subscriber revenue from each category of Service and every source of non-Subscriber revenue, line item operating expenses, depreciation expense, interest expense, and taxes paid; statement of sources and applications of funds; and depreciation schedule.
  3. A current annual statement of all capital expenditures including the cost of construction and of equipment.
  4. An annual list of officers and members of the Board of Directors of Franchisee and any Affiliates.
- g. The following System and operational reports shall be submitted annually to the Township:
1. A report on the System's technical tests and measurements.
  2. A report on programs and Services offered by Franchisee, including Public, Educational, Governmental, and Leased Access Channels.
  3. An annual summary of the previous year's activities including, but not limited to, subscriber totals for each category of Service offered, including number of pay units sold, new Services offered, and the amount collected annually from other Users of the System and the character and extent of the Service rendered thereto.
  4. An annual summary of complaints received and handled in addition to any reports required in the Franchise.
- h. The Franchisee shall upon request prepare and furnish to the Township at the time and in the form prescribed, such additional reports with respect to its operation, affairs, transactions, or property as may be reasonably necessary and appropriate to the performance of any of the rights, functions or duties of the Township in connection with this Ordinance or the Franchise.

#### 8.03 Records Required:

- a. The Franchisee shall at all times maintain:
  1. A record of all complaints received and interruptions or degradation of Service experienced for the preceding period prior to a performance review.
  2. A full and complete set of plans, records, and "as built" maps showing the exact location of all cable communications System equipment installed or

in use in the Township, exclusive of Subscriber Service drops.

- b. The Township may impose reasonable requests for additional information, records, and documents from time to time.

#### 8.04 Performance Evaluation:

- a. The Township may, at its discretion, hold scheduled performance evaluation sessions annually. All such evaluation sessions shall be open to the public.
- b. Special evaluation sessions may be held at any time during the term of the Franchise at the request of the Township.
- c. All evaluation sessions shall be open to the public and announced in a newspaper of general circulation. Franchisee shall notify subscribers of all such evaluation sessions by announcement on a local origination channel on the system between the hours of 11:00 a.m. and 9:00 p.m. for five (5) consecutive days preceding each session.
- d. Topics that may be discussed at any scheduled or special evaluation session may include, but not be limited to system performance and construction, Franchisee compliance with this Ordinance and the Franchise, customer Service and complaint response, subscriber privacy, Services provided, programming offered, Service rate structures, if applicable, Franchise fees, penalties, free or discounted Services, applications of new technologies, judicial and FCC filings, and line extensions.
- e. During the review and evaluation by the Township, the Franchisee shall fully cooperate with the Township and shall provide such information and documents as the Township may need to reasonably perform its review.

### Section 9 - Consumer Protection Provisions

9.01 *Customer Service Requirements:* Every Franchise Agreement shall require a Franchisee to comply with all applicable federal, state, and local customer service requirements and shall specify the minimum customer service requirements the Franchisee must satisfy. Unless otherwise prohibited by law, every Franchisee must satisfy the following requirements unless otherwise specified in its Franchise Agreement.

- a. Franchisee shall maintain an office within the Township that shall be open at least during normal business

hours, which shall include evening hours and some weekend hours.

- b. Franchisee shall render sufficient service, make repairs promptly, and interrupt service only for good cause and for the shortest time possible.
- c. Franchisee shall maintain adequate telephone lines and personnel to respond to Subscriber complaints or inquiries and schedule service calls in a timely manner.
- d. Service calls for maintenance or repairs shall be performed at no charge; provided, however, if such maintenance or repair is required as a result of damage caused by a Subscriber or as a result of Subscriber's personal equipment, then Franchisee may charge a reasonable cost for time and material.

9.02 *Notice of Programming Changes:* Franchisee shall give at least thirty (30) days' notice to Subscribers and the Township of any change in programming decisions or channel realignment.

9.03 *Reconnection:* Franchisee shall restore Service to customers wishing restoration of Service provided customer shall first satisfy any previous obligations owed to Franchisee.

9.04 *Disconnection:* Franchisee shall charge subscribers to have Cable Service disconnected only in accordance with the provisions of the Cable Act. A refund of unused Service charges shall be paid to the customer within thirty (30) days from the date of termination of Service.

9.05 *Downgrade Fees:* Franchisee shall charge downgrade fees only in accordance with the provisions of the Cable Act.

9.06 *Parental Control Option:* Franchisee shall provide parental control devices to all Subscribers who wish to be able to cut off any objectionable channel or channels of programming from the Cable Service entering the Subscriber's home. Franchisee shall charge for this control option only in accordance with the provisions of the Cable Act.

9.07 *Township Director:* Franchisees shall fully fund annually a full-time Township Director position, to oversee and monitor cable compliance and complaint resolution. The amounts of payments for such position shall be made by the Township out of Franchise fees owed pursuant to this Ordinance.

## Section 10 - Rate Regulation

10.01 *Rate Charge and Rate Schedule:*

- a. Each Franchisee shall in accordance with the provisions of the Cable Act provide information as to its initial monthly rates, installation

- charges, and all other charges, including but not limited to equipment fees, late fees, and other administrative charges, if any.
- b. Franchisee shall give Subscribers at least thirty (30) days' notice of its intention to change monthly rates, equipment charges, and installation charges by mailing notices thereof to each of the current Subscribers to whom such charges will apply. The Franchisee shall give the Township Manager or his/her designee thirty (30) days' advance notice of any rate change.
- c. The Franchisee shall not, as to rates, charges, Services, or Facilities make or grant any undue privilege or advantage to any party, nor subject any party to undue prejudice or disadvantage, provided that the Franchisee may establish reasonable classifications of customers. In accordance with Section 623 (e) of the Cable Act, 47 U.S.C. § 543 (e). Nothing in this Ordinance prohibits the reduction or waiver of charges in connection with temporary promotional campaigns or providing a senior citizen discount, provided the same waivers are provided to all similarly situated customers. Moreover, nothing shall prohibit Franchisee from entering into service arrangements (with discounts and special terms) with large residential communities or dwellings (including apartments, condominiums and other dwelling units), hotels/motels and mobile home parks located within the Township.

10.02

*Local Regulatory Framework:*

- a. The Township shall regulate all rates and charges to the extent it is allowed to do so by law, provided that the township is certified to regulate rates pursuant to the Cable Act. No rate or charge may be imposed without prior approval to the Township except such rates and charges that the Township is prohibited from regulating. Subject to the foregoing, any change made without prior approval is an illegal change, and Franchisee is prohibited from requesting or requiring a Subscriber to pay an illegal rate as a condition of providing Service
- b. The Township may adopt such regulations, procedures, and standards as it deems necessary to implement rate regulation and may regulate rates by amendment to this Ordinance, by a separate resolution or ordinance, by amendment to a Franchise Agreement, or in any other lawful manner, provided, however, that nothing contained in this section shall conflict with the provisions

of Section 623 of the Cable Act, 47 U.S.C. § 543 and rules promulgated by the FCC thereunder.

**Section 11 - Franchise Fee**

11.01 *Finding:* The Township finds that the Streets and Public Rights-of-Way of the county, state, and Township to be used by a Franchisee for the operation of a cable television System are valuable public property acquired and maintained by the county, state, and Township at great expense to the taxpayers. The Township further finds that the grant of a Franchise to use Streets and Public Rights-of-Way is a valuable property right without which a Franchisee would be required to invest substantial capital.

11.02 *Payment to Township:*

- a. The Township shall be paid a Franchise fee in an amount no less than five (5) percent of its Gross Annual Revenues, in the event the maximum amount permitted under applicable law is greater than five (5) percent than the Township reserves the right to reopen negotiations with Franchisee to address the greater amount, and any increase in Franchisee fee to the maximum allow by law.
- b. To the extent not inconsistent with applicable law, the Franchise fee is in addition to all other taxes and payments that the Franchisee may be required to pay under any federal, state, or local law and to any other tax, fee, or assessment imposed by utilities and cable operators for use of their Services, Facilities or equipment.
- c. To the extent not inconsistent with applicable law, payment of the Franchise fee shall not be considered in the nature of a tax.
- d. No acceptance of any payment by the Township shall be construed as a release or an accord and satisfaction of any claim the Township may have for further or additional sums payable as a Franchise fee under this Ordinance or for the performance of any other obligation of the Franchisee.
- e. In the event any Franchise fee payment or recomputation amount is not made on or before the date specified herein, Franchisee shall pay additional compensation and interest charges computed from such due date, at an annual rate equal to the commercial prime interest rate of the Township's primary depository bank during the period such unpaid amount is owed.
- f. The Franchise fee and any other costs assessed by the Township against a Franchisee shall be paid quarterly to the Township and shall commence as of

the effective date of the Franchise. The Township shall be furnished at the time of each payment with a statement certified by the Franchisee's chief financial officer or an independent certified public accountant reflecting the total amount of quarterly gross revenues for the payment period. Quarterly payments shall be made to the Township no later than 45 days following the end of each calendar quarter. Quarter computation dates are the last days of the months of March, June, September, and December. The Township may require in a Franchise agreement that an annual statement of gross revenues shall be furnished to the Township by an independent, certified public accountant, and that Franchisee shall provide an annual complete audit statement for each calendar year within 90 days from the end of that calendar year.

g. The Township shall have the right to inspect and copy the Franchisee's records as is necessary to verify the accuracy of Franchisee's Franchise fee payments and other possible levied taxes, and the rights to audit and to recompute any amounts determined to be payable under this Ordinance for a period of four (4) years from the date of payment. Audits shall be at the expense of the Township unless the audit discloses an underpayment of greater than five per cent (5%) of the entire amount determined to be payable for the period being audited, in which case the costs of the audit shall be borne by the Franchisee as a cost incidental to the enforcement of the Franchise. Any additional amounts due to the Township as a result of the audit shall be paid within thirty (30) days following written notice to the Franchisee by the Township of the underpayment, which notice shall include a copy of the audit report, unless written notice of disagreement is filed by the Franchisee with the Township within such time period. In the case of a dispute, the issue shall be resolved through binding arbitration in accordance with the procedures of the American Arbitration Association.

h. The Township may require in a franchise agreement that the Franchisee shall maintain its fiscal and financial records in such a manner as to enable the Board to determine the cost of assets of the Franchisee which are used in providing cable services within the Township.

**Section 12 - Insurance; Surety; Indemnification**

- 12.01 **Insurance Required:** A Franchisee shall maintain, and by its acceptance of a Franchise specifically agrees that it will maintain, throughout the entire length of the Franchise period, at least the following liability insurance coverage insuring the Township and the Franchisee: worker's compensation and employer liability insurance to meet all requirements of Pennsylvania law and comprehensive general liability insurance with respect to the construction, operation and maintenance of the Cable System, and the conduct of Franchisee's business in the Township, in the minimum amounts of:
- a. \$1,000,000 for property damage resulting from any one accident;
  - b. \$3,000,000 for personal bodily injury or death resulting from any one accident; and
  - c. \$3,000,000 for all other types of liability.
- 12.02 **Qualifications of Sureties:** All insurance policies shall be with sureties qualified to do business in the State of Pennsylvania; shall be with sureties with an A-1 or better rating of insurance by Best's Key Rating Guide, Property/Casualty Edition; and in a form approved by the Township Manager.
- 12.03 **Policies Available for Review:** All insurance policies shall be available for review by the Township, and a Franchisee shall keep on file with the Township certificates of insurance.
- 12.04 **Additional Insureds; Prior Notice of Policy Cancellation:** The Township may require in a Franchisee Agreement that all insurance policies shall name the Township, its officers, boards, commissions, commissioners, agents, and employees as additional insureds and shall further provide that any cancellation or reduction in coverage shall not be effective unless thirty (30) days' prior written notice thereof has been given to the Township. A Franchisee shall not cancel any required insurance policy without submission of proof that the Franchisee has obtained alternative insurance satisfactory to the Township which complies with this Ordinance.
- 12.05 **Indemnification:** The Township may require in a Franchisee Agreement that a Franchisee shall, at its sole cost and expense, indemnify, hold harmless, and defend the Township, its officials, boards, commissions, commissioners, agents, and employees, against any and all claims, suits, causes of action, proceedings, and judgments for damages or equitable



relief arising out of the construction, maintenance, or operation of its Cable System, the conduct of Franchisee's business in the Township, or in any way arising out of the Franchisee's enjoyment or exercise of a Franchise granted hereunder, except that a franchise shall not indemnify, hold harmless and defend the Township, in connection with any negligent or malicious act or omission attributable to the Township. This provision includes, but is not limited to, the Township's reasonable attorneys' fees incurred in defending against any such claim, suit, or proceeding; and claims arising out of copyright infringements or a failure by the Franchisee to secure consents from the owners, authorized distributors, or Franchisees of programs to be delivered by the Cable System.

12.06

*Indemnification for Cable Act Claims:* The Township may require in a Franchisee Agreement that a Franchisee shall, at its sole cost and expense, fully indemnify, defend, and hold harmless the Township, and in its capacity as such, the officers, agents, and employees thereof, from and against any and all claims, suits, actions, liability, and judgments for damages or otherwise subject to Section 638 of the Cable Act, 47 U.S.C. § 558, arising out of or alleged to arise out of the installation, construction, operation, or maintenance of its System, including but not limited to any claim against the Franchisee for invasion of the right of privacy, defamation of any Person, firm or corporation, or the violation or infringement of any copyright, trade mark, trade name, service mark, or patent, or of any other right of any Person, firm, or corporation. This indemnity does not apply to programming carried on any channel set aside for public, educational or government use, or channels leased pursuant to 47 U.S.C. § 532, unless the Franchisee was in any respect engaged in determining the editorial content of the program, or adopts a policy of pre-screening programming for the purported purpose of banning indecent or obscene programming. Nothing herein shall prohibit the Township from participating in the defense of any litigation by its own counsel and obtaining indemnification for the costs associated therewith.

12.07

*No Limit of Liability:* Neither the provisions of this Section nor any damages recovered by the Township shall be construed to limit the liability of the Franchisee for damages under any Franchise issued hereunder.

### Section 13 - Security Fund

13.01

*Security Deposit:* A Franchise Agreement may provide that, prior to the Franchise's becoming effective, the

Franchisee shall post with the Township a cash security deposit to be used as a security fund to ensure the Franchisee's faithful performance of and compliance with all provisions of this Ordinance, the Franchise Agreement, and other applicable law, and compliance with all orders, permits, and directions of the Township, and the payment by the Franchisee of any claims, liens, fees, or taxes due the Township which arise by reason of the construction, operation, or maintenance of the System. The amount of the security fund shall be Twenty Thousand Dollars (\$20,000).

13.02 **Surety Bond:** In any Franchise Agreement entered into before the effective date of this Ordinance, the Township and Franchisee may agree that the a Franchisee may, in lieu of the security fund, file and maintain with the Township a bond with an acceptable surety in the amount of One Hundred Thousand Dollars (\$100,000) to indemnify the Township against any losses it may suffer in the event the Franchisee fails to comply with one or more of the provisions of its Franchise. Said bond shall be obtained at the sole expense of the Franchisee and remain in effect for the full term of the Franchise plus an additional six (6) months thereafter. The Franchisee and its surety shall be jointly and severally liable under the terms of the bond for any damages or loss suffered by the Township as a result of the Franchisee's nonperformance, including the full amount of any compensation, indemnification or cost of removal of any property of the Franchisee in the event of default, and a reasonable allowance for attorneys' fees and costs, up to the full amount of the bond. The bond shall provide for thirty (30) days' prior written notice to the Township of any intention on the part of the Franchisee to cancel, fail to renew, or otherwise materially alter its terms. Neither the filing of a surety bond with the Township, nor the receipt of any damages recovered by the Township thereunder, shall be construed to excuse faithful performance by the Franchisee or limit the liability of the Franchisee under the terms of its Franchise for damages, either to the full amount of the bond or otherwise.

13.03 **Security Fund in Addition to All Other Township Rights:** The rights reserved to the Township with respect to any security fund or an indemnity bond are in addition to all other rights of the Township, whether reserved by this Ordinance or authorized by other law or the Franchise Agreement, and no action, proceeding, or exercise of a right with respect to such security fund or indemnity bond will affect any other right the Township may have.

13.04 Procedures: The Franchise Agreement shall provide for the procedures to be followed with respect to drawing upon the security fund and surety bond.

Section 14 - Performance Bond

14.01 Establishment of Performance Bond: Prior to any Cable System construction, upgrade, or other work in the Streets, a Franchisee shall establish in the Township's favor a performance bond in an amount specified in the Franchise Agreement or other authorization as necessary to ensure the Franchisee's faithful performance of the construction, upgrade, or other work. The amount of such performance bond shall not exceed One Hundred Thousand Dollars (\$100,000).

14.02 Recovery Under Performance Bond: In the event a Franchisee subject to such a performance bond fails to complete the Cable System construction, upgrade, or other work in the Streets in a safe, timely, and competent manner in accord with the material provisions of the Franchise Agreement, there shall be recoverable, jointly and severally from the principal and surety of the bond, any damages or loss suffered by the Township as a result, including the full amount of any compensation, indemnification, or cost of removal or abandonment of any property of the Franchisee, or the cost of completing or repairing the System construction, upgrade, or other work in the Streets, plus a reasonable allowance for attorneys' fees, up to the full amount of the bond. The Township may also recover against the bond any amount recoverable against the security fund or surety bond where such amount exceeds that available under the security fund or surety bond. Before seeking recovery under this section 14.02 Township shall provide to Franchisee reasonable notice and opportunity to cure.

14.03 Changes to Amount of Performance Bond: The Franchise Agreement shall specify that upon completion of the System construction, upgrade, or other work in the Streets and payment of all construction obligations of the Cable System to the satisfaction of the Township, the Township shall eliminate the bond or reduce its amount after a time appropriate to determine whether the work performed was satisfactory, which time shall be established considering the nature of the work performed. The Township may subsequently require a new bond or an increase in the bond amount for any subsequent construction, upgrade, or other work in the Streets. In any event, the total amount of the bond shall equal ten (10) percent of the cost of the work, but shall not exceed One Hundred Thousand Dollars (\$100,000).

14.04 *Qualifications of Sureties:* The performance bond shall be issued by a surety with an A-1 or better rating of insurance in Best's Key Rating Guide, Property/Casualty Edition; shall be subject to the approval of the Township; and shall contain the following endorsement:

"This bond may not be canceled, or allowed to lapse, until sixty (60) days after receipt by the Township, by certified mail, return receipt requested, of a written notice from the issuer of the bond of intent to cancel or not to renew."

14.05 *Performance Bond in Addition to All Other Township Rights:* The rights reserved by the Township with respect to any performance bond established pursuant to this Ordinance are in addition to all other rights and remedies the Township may have under this Ordinance, the Franchise Agreement, or at law or equity.

#### Section 15 - Enforcement Remedies

15.01 *Available Remedies:* In addition to any other remedies available at law or equity, the Township may apply any one or a combination of the following remedies in the event a Franchisee violates this Ordinance, its Franchise Agreement, or applicable state or federal law:

- a. Impose liquidated damages in such amount, whether on a per-diem, per-incident, or other measure of violation, as provided in the Franchise Agreement. Payment of liquidated damages by the Franchisee will not relieve the Franchisee of its obligation to comply with the Franchise Agreement and the requirements of this Ordinance.
- b. Revoke the Franchise pursuant to the procedures specified in this Ordinance.
- c. In addition to or instead of any other remedy, the Township may seek legal or equitable relief from any court of competent jurisdiction.
- d. Impose penalties available under state and local law for violation of Township ordinances.

15.02 *Determination of Appropriate Remedies:* In determining which remedy or remedies are appropriate, the Township shall take into consideration the nature of the violation, the Person or Persons bearing the impact of the violation, the nature of the remedy required in order to prevent further violations, and such other matters as the Township determines are appropriate to the public interest.

#### Section 16 - Transfers

- 16.01 Township Approval Required: No Transfer shall occur without prior approval of the Township.
- 16.02 Application: An application for a Transfer shall provide complete information on the proposed transaction, including details on the legal, financial, technical, and other qualifications of the transferee, and on the potential impact of the Transfer on Subscriber rates and Service. At a minimum, the information required in Subsection 4.02c of this Ordinance shall be provided with respect to the proposed transferee.
- 16.03 Determination by Township: In making a determination as to whether to grant, deny, or grant subject to conditions an application for a Transfer of a Franchise, (which determination the Township shall make in accordance with Section 617 of the Cable Act, 47 U.S.C. § 537) the Township shall consider the legal, financial, and technical qualifications of the transferee to operate the System; whether the incumbent cable operator is in compliance with its Franchise Agreement and this Ordinance and, if not, the proposed transferee's commitment to cure such noncompliance; whether the Transferee owns or controls any other Cable System in the Township, or whether operation by the Transferee may eliminate or reduce competition in the delivery of Cable Service in the Township; and whether operation by the transferee or approval of the Transfer would adversely affect Subscribers, the Township's interest under this Ordinance, the Franchise Agreement, or other applicable law, or make it less likely that the future cable-related needs and interests of the community would be satisfied at a reasonable cost. The Township reserves the right to review the purchase price of any Transfer or assignment of a Cable System. Any negotiated sale value which the Township deems unreasonable will not be considered in the rate base for any subsequent request for rate increases, if permitted by applicable law.
- 16.04 Transferee's Agreement: No application for a Transfer of a Franchise shall be granted unless the transferee agrees in writing that it will abide by and accept all terms of this Ordinance and the Franchise Agreement, and that it will assume the obligations and liabilities known and unknown of the previous Franchisee under this Ordinance and the Franchise Agreement.
- 16.05 Approval Does Not Constitute Waiver: Subject to applicable statutes of limitations, Approval by the Township of a Transfer of a Franchise does not constitute a waiver or release of any of the rights of the Township under this Ordinance or the Franchise

Agreement, pertaining to a Franchisee's operation of a cable system under this Ordinance or a Franchise agreement and before the date of the Transfer.

## Section 17 - Revocation or Termination of Franchise

- 17.01 *Basis for Revocation:* A Franchise may be revoked by the Township for a Franchisee's failure to construct, operate, or maintain the Cable System as required by this Ordinance or the Franchise Agreement, for defrauding or attempting to defraud the Township or Subscribers, if the Franchise is declared bankrupt, or for any other material violation of this Ordinance or material breach of the Franchise Agreement. To invoke the provisions of this Section, the Township shall give the Franchisee written notice via certified mail of the default in its performance. If within thirty (30) calendar days following such written notice from the Township to the Franchisee, the Franchisee has not taken corrective action or corrective action is not being actively and expeditiously pursued to the satisfaction of the Township, the Township may give written notice via certified mail to the Franchisee of its intent to revoke the Franchise, stating its reasons; provided that, no opportunity to cure shall be provided where the Franchisee has defrauded or attempted to defraud the Township or its Subscribers, or in the event the Franchisee is declared bankrupt. In the case of a fraud or attempted fraud, the Franchise may be revoked after the hearing required under Section 17.02; revocation for bankruptcy shall be governed by Section 17.03.
- 17.02 *Procedure:* Prior to revoking a Franchise, the Township shall hold a public hearing, upon thirty (30) calendar days' notice, at which time the Franchisee and the public shall be given an opportunity to be heard. Following the public hearing, the Township may determine whether to revoke the Franchise based on the information presented at the hearing, and other information of record. If the Township determines to revoke a Franchise, it shall issue a written decision setting forth the reasons for its decision. A copy of such decision shall be transmitted to the Franchisee.
- 17.03 *Revocation After Bankruptcy:* Any Franchise may, at the option of the Township following a public hearing before the Township, be revoked one hundred twenty (120) calendar days after an assignment for the benefit of creditors or the appointment of a receiver or trustee to take over the business of the Franchisee, whether in a receivership, reorganization, bankruptcy assignment for the benefit of creditors, or other

action or proceeding, unless within that one hundred twenty (120) day period:

- a. Such assignment, receivership, or trusteeship has been vacated; or
- b. Such assignee, receiver, or trustee has fully complied with the terms and conditions of this Ordinance and the Franchise Agreement and has executed an agreement, approved by a court of competent jurisdiction, assuming and agreeing to be bound by the terms and conditions of this Ordinance and the Franchise Agreement, and such other conditions as may be established or as are required pursuant to Section 16.

17.04

*Revocation After Foreclosure:* In the event of foreclosure or other judicial sale of any of the Facilities, equipment, or property of a Franchisee, the Township may revoke the Franchise, following a public hearing before the Township, by serving notice on the Franchisee and the successful bidder at the sale, in which event the Franchise and all rights and privileges of the Franchise will be revoked and will terminate thirty (30) calendar days after serving such notice, unless:

- a. The Township has approved the transfer of the Franchise to the successful bidder; and
- b. The successful bidder has covenanted and agreed with the Township to assume and be bound by the terms and conditions of the Franchise Agreement and this Ordinance, and such other conditions as may be established or as are required pursuant to Section 16.

17.05

*Rights on Revocation:* If the Township revokes a Franchise, or if for any other reason a Franchisee abandons, terminates, or fails to operate or maintain Service to its Subscribers, the following procedures and rights are effective:

- a. The Township may require the former Franchisee to remove its Facilities and equipment at the former Franchisee's expense. If the former Franchisee fails to do so within a reasonable period of time, the Township may have the removal done at the former Franchisee's and/or surety's expense.
- b. In the event of revocation, the Township, by resolution, may acquire ownership of the Cable System at an equitable price.
- c. If a Cable System is abandoned by a Franchisee or the Franchisee fails to operate or maintain service to its Subscribers or otherwise terminates the Franchise, the ownership of all portions of the Cable System in Public Rights-of-way shall revert to the Township and the Township may sell,

assign, or Transfer all or part of the assets of the System.

### Section 18 - Rights of Individuals Protected

18.01 *Discriminatory Practices Prohibited:* Franchisee shall not deny Service, deny access, or otherwise discriminate against Subscribers, programmers, or residents of the Township on the basis of race, color, religion, national origin, sex, or age. Notwithstanding the foregoing, Franchisee may offer price discounts to senior citizens. Moreover, nothing shall prohibit Franchisee from entering into service agreements (with discounts and special terms) including apartments, condominiums and other dwelling units, hotels/motels, and mobile home parks located within the Township. Franchisee shall comply at all times with all applicable federal, state, and Township laws, and all executive and administrative orders relating to non-discrimination.

18.02 *Equal Employment Opportunity:* A Franchisee shall not refuse to employ, discharge from employment, or discriminate against any Person in compensation or in terms, conditions, or privileges of employment because of race, color, religion, national origin, sex, or age. The Franchisee shall comply with federal, state, and local laws and regulations governing equal employment opportunities, as the same may be from time to time amended.

18.03 *Subscriber Privacy:*

a. A Franchisee shall at all times protect the privacy of all Subscribers pursuant to the provisions of Section 631 of the Cable Act, 47 U.S.C. § 551. A Franchisee shall not condition Subscriber Service on the Subscriber's grant of permission to disclose information which, pursuant to federal or state law, cannot be disclosed without the Subscriber's explicit consent.

### Section 19 - Miscellaneous Provisions

19.01 *Compliance With Laws:* Franchisee and the Township shall comply with all applicable federal, state, and Township laws and regulations as they become effective, unless otherwise stated.

19.02 *Severability:* If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective. In the event of a subsequent change in



applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the Township and shall thereafter be binding on Franchisee and the Township.

- 19.03 *Emergency Use:* Upon request of the Township, Franchisee shall, at its sole expense, make available Systems and related Facilities to the Township for emergency use during any emergency or disaster.
- 19.04 *Captions:* Captions and headings of this Ordinance are for convenience and reference purposes only and shall not affect in any way the meaning and interpretation of any provisions of this Ordinance.
- 19.05 *Calculation of Time:* Unless otherwise indicated, when the performance or doing of any act, duty, matter, payment, or thing is required hereunder and a period of time or duration for the fulfillment of doing thereof is prescribed and is fixed herein, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of duration time. When the last day of the period falls on a Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

#### Section 20 - Effective Date, Publication, and Time of Acceptance

- 20.01 *Publication; Effective Date:* All Franchises shall be signed by the president of the Board and attested to by the Township secretary. The Franchise shall be published in accordance with the requirements of the Township and state law and shall take effect after it has been (1) accepted by the Franchisee; and (2) the Franchisee and the Township have signed a Franchise Agreement and satisfied all conditions precedent set forth therein.
- 20.02 *Franchisee Bound:* Upon acceptance of a Franchise, Franchisee shall be bound by all terms and conditions contained herein, in the Franchise Agreement, and in its application, to the extent incorporated in the Franchise Agreement.

ADOPTED BY THE BOARD OF COMMISSIONERS this 9th day of  
AUGUST, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2180  
~~ORDINANCE NO. P13-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Belmont Avenue, west side, from Wynnewood Road northwardly for a distance of 100 feet.

SECTION 2. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Belmont Avenue, west side, from Wynnewood Road to a point 30 feet north thereof.

SECTION 3. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

SECTION 4. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 9th day of August A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED. C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2181  
~~ORDINANCE NO. P16-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, and KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind a "HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At 750 Lawson Avenue, a private residence.

SECTION 2. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At 2719 Belmont Avenue, a private residence.

SECTION 3. That Section 175-39, Schedule XXI (175-96) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish FIRE ZONES in the following areas of the Township wherein the parking of motor vehicles shall be prohibited at all times.

- a) Alley to the rear of houses on the 600 block of Dayton Road.
- b) Alley behind 652 thru 658 Lancaster Avenue, alley entrance is on Old Lancaster Road adjacent to 610.
- c) Haverford Road, No. 600., rear of medical/office building.
- d) Fire Training Tower, Hilltop Rd. and Old West Chester Pike, no parking on all sides, 25 ft. each way.
- e) Haverford Hill Condominiums, 400 Glendale Road.
- f) West Chester Pike, No. 1254., commercial/office building.

(2)

SECTION 4. That Section 175-39, Schedule XXI (175-96) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind FIRE ZONES in the following areas:

- a) Manoa Park Apartments.
- b) L & M Caterers.

SECTION 5. That Section 175-75, ARTICLE X, Violations and Penalties, of Ordinance No. 1960 be and the same is hereby supplemented and amended as follows:

C. Receipt of a notice of violation of any provision of a section designated by an asterisk (\*) in Subsection B above shall require the payment of the fine within five (5) days. Failure to pay said fine within five (5) days of the issuance of the violation will result in an additional administration fee of twenty dollars (\$20.) being assessed by the township. An unpaid violation will mandate the issuance of a citation.

D. Receipt of a notice of violation of any provision of a section designated by a dagger (†) in Subsection B above shall require the payment of a fine of ten dollars (\$10.) for each offense, and each daily occurrence of the same offense shall be considered a new offense. If such fine is not paid within forty-eight hours of the issuance of the violation notice, the violator shall be subject to prosecution and, upon conviction in summary proceedings before a District Justice, shall be liable to a fine of not more than three hundred dollars (\$300.) and costs of prosecution and, in default of payment of such fine and costs, imprisonment for not more than thirty (30) days in the county jail. Failure to pay said fine within five (5) of the issuance of the violation will result in an additional administration fee of twenty dollars (\$20.) being assessed by the township. An unpaid violation will mandate the issuance of a citation.

E. Receipt of a notice of violation of any provision of a section designated by a double dagger (‡) in Subsection B above shall require the payment of the fine within five (5) days, after which an additional administration fee of twenty dollars (\$20.) will be assessed by the township. An unpaid violation will mandate the issuance of a citation.

(3)

G. Receipt of a notice of violation of any provision of a section designated by a double asterisk (\*\*) in Subsection B above shall require the payment of a fine of twenty dollars (\$20.) for each offense. Failure to pay said fine within five (5) days of the issuance of the violation will result in an additional administration fee of twenty dollars (\$20.) being assessed by the township. An unpaid violation will mandate the issuance of a citation.

SECTION 6. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 shall be supplemented and amended so as to establish "NO PARKING AT ANY TIME" zone restriction on the following roadway:

- a) On Pennview Road, north side, approximately 90 feet from Bellemeade Avenue.

SECTION 7. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

SECTION 8. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 13th day of September, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2182  
~~ORDINANCE-NO.-P17-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," AMENDING CHAPTER 91, FOOD AND DRINK, AS SET FORTH HEREIN.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

Section 1. That Article I, Section 91-16, Cleanliness Requirements for Food Handlers, is hereby amended as follows:

All food handlers shall wear clean garments and shall keep their hands and fingernails clean at all times when engaged in the handling of food, drink, utensils or equipment. Hair nets, caps or other effective hair covering shall be used by employees engaged in the preparation and service of food or washing of utensils and equipment to keep hair from food and food-contact surfaces.

Section 2. That Article II, Section 91-27, Personnel Requirements, is hereby amended as follows:

- A. Personal Cleanliness: All food handlers shall wear clean garments and shall keep their hands and fingernails clean at all times when engaged in the handling of food, drink, utensils or equipment. Hair nets, caps or other effective hair covering shall be used by employees engaged in the preparation and service of food or washing of utensils and equipment to keep hair from food and food-contact surfaces. No employee shall use tobacco in any form while engaged in the handling of food or drink.

Section 3. Any ordinance or part of ordinance to the extent that it is inconsistent herewith, is hereby repealed.

ADOPTED THIS 13th day of September, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: Fred C. Moran  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2183

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. The "General Laws of the Township of Haverford" Ordinance No. 1960, Chapter 37, Wards, Sections 37-2 through 37-10 shall be amended to read as follows to reflect technical and typing corrections:



## WARD NO. 1

The boundaries of Ward No. 1 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at the point of intersection of Darby Creek with the extension of Glendale Road (running westwardly) at a point near an arc in the said Glendale Road where the direction of the said road changes from a westwardly to southerly direction; thence northwardly along Darby Creek to a point, the said point being the southwest corner of property now or late of James A. Weaver, said point also being approximately 450 linear feet north of West Chester Pike; thence eastwardly along the south said property line to the center of Lawrence Road; thence northwardly and curving to the right along the center of said road to its intersection with the rear lot line of the lots fronting on the south side of Circle Drive; thence southeastwardly along said rear lot line of lots to its intersection with the rear lot line of lots fronting on the Melrose Avenue cul-de-sac; thence southeastwardly and curving to the left along said rear lot line to the rear lot line of lots fronting on the south side of Melrose Avenue and its extension to its point of intersection with the center of Maryland Avenue; thence southeastwardly along the center of Maryland Avenue to its intersection with the center of Rose Avenue; thence northeastwardly along the center of Rose Avenue to its intersection with the center of Virginia Avenue; thence southeastwardly along the center of Virginia Avenue to its intersection with the center of Holmes Avenue; thence northeastwardly along the center of Holmes Avenue to its intersection with the center of Harrington Road; thence southeastwardly along the center of Harrington Road to its intersection with the center of N. Eagle Road thence southwestwardly along the center of N. Eagle Road to its intersection with the rear lot line of the lots fronting on the north side of Virginia Avenue; thence southeastwardly along said rear lot line of lots to its intersection with the center of Lincoln Avenue; thence westwardly along the center to its intersection with the extension of the center of Virginia Avenue; thence southwardly along the extension of the center of Virginia Avenue to its intersection with the center of Washington Avenue; thence southwestwardly along the center of Washington Avenue to its intersection with Shelbourne

Road; thence northwestwardly along the center of Shelbourne Road to its intersection with the rear lot line of lots fronting on the northerly side of Washington Avenue; thence southwestwardly along said rear lot line to its intersection with Grant Avenue; thence northwestwardly along the rear lot line of lots fronting on the northerly side of Garfield Avenue; thence northwestwardly along said rear lot line to its intersection with the rear lot line of lots fronting on the easterly side of Eagle Road; thence southwardly along said rear lot line to its intersection with the centerline of Garfield Avenue; thence northwestwardly along the center of Garfield Avenue to its intersection with the center of Eagle Road; thence southwardly along the center of Eagle Road to its intersection with the center of Manoa Road; thence westwardly along the center of Manoa Road to its intersection with the center of Oak Way; thence northwardly along the center of Oak Way to its intersection with the center of Glendale Road; thence southwestwardly along the center of Glendale Road and its westwardly extension to the first mentioned point and place of BEGINNING.

## WARD NO. 2

The boundaries of Ward No. 2 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point, the intersection of the center of Township Line Road (U.S. Highway Route 1) with the rear lot line of lots fronting on the west side of Darby Road; thence northwestwardly along the said rear lot line and the extension of same to its intersection with the center of West Chester Pike at Naylor's Run Road; thence northerly along the center of Naylor's Run Road to its intersection with the alley at the rear lot lines on the south side of Wales Road; thence northwestwardly along the center of said alley to its intersection with the extension of a common party wall of a structure now or formerly known as the Falcon Center, said party wall now being the common

boundary line of Wards 2 and 9; thence southwestwardly along said common line to the center of West Chester Pike; thence southeastwardly along the center of West Chester Pike to its intersection with the center of Steel Road; thence southwestwardly along the center of Steel Road to its intersection with the center of Olympic Avenue; thence southwestwardly along the center of Steel Road to its intersection with Greenview Lane; thence northwestwardly along the center of Steel Road to an arc curving to the left; thence continuing westwardly along the center of Steel Road to its intersection with the center of Eagle Road; thence northwestwardly and curving to the right along the center of Eagle Road to its intersection with the center of Garfield Avenue; thence southeastwardly along the center of Garfield Avenue to its intersection with the extended rear lot line of lots fronting on the easterly side of Eagle Road; thence northwardly along said rear lot line to its intersection with the rear lot line of lots fronting on the northerly side of Garfield Avenue; thence eastwardly along said rear lot line and the extension of same to its intersection with the center of Grant Avenue; thence northeastwardly along the center of Grant Avenue to its intersection with the rear lot line of lots fronting on the northerly side of Washington Avenue; thence along said lot line to its intersection with the center of Shelbourne Road; thence southeastwardly along the center of Shelbourne Road to its intersection with the center of Washington Avenue; thence eastwardly along the center of Washington Avenue to a point of intersection with the rear lot line of lots fronting on the east side of Upland Road and lots fronting on the west side of Woodbine Road; thence southwardly along the said rear lot line to its intersection with the center of Manoa Road; thence eastwardly along the center of Manoa Road to its intersection with the extension of the rear lot line of lots fronting on the easterly side of Woodland Drive; thence southeastwardly along said rear lot line to its intersection with extended rear lot line of lots fronting on the northerly side of Rodman Avenue; thence eastwardly along said lot line to its intersection with the lot line of lots fronting on the westerly side of Darby Road; thence southeastwardly along said lot line to its intersection with the center of Rodman Avenue; thence eastwardly along the center of Rodman Avenue to its intersection with the center of Darby Road; thence northwardly along the center of Darby Road to its intersection with the center of Manoa Road one hundred and sixty feet (160') to its intersection with the westerly lot line of Llanbrook Apartments; thence southeasterly along said lot line to its

intersection with the lot line of lots fronting on the northerly side of Valley Road; thence continuing along said rear lot line to its intersection with the westerly lot line of No. 200 Park Road; thence southwesterly along said lot line to its intersection with the center of Park Road; thence southwesterly along said center to its intersection with the center of Township Line Road (U.S. Highway Route 1) thence westwardly along the center of Township Line Road (U.S. Highway Route 1) to the first mentioned point and place of BEGINNING.

### WARD NO. 3

The boundaries of Ward No. 3 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point, the centerline intersection of Ardmore Avenue and Darby Road; thence eastwardly along the center of Ardmore Avenue to its intersection with the center of the SEPTA Hi-Speed Line, formerly the Philadelphia and Western Railway Company; thence southwardly and curving to the left along the center of the said railroad to its intersection with the southwestwardly extension of the common property line of 2900 and 2842 Haverford Road; thence southwestwardly along said property line extension to its intersection with the center of Golf View Road; thence southwardly and curving to the right along the center of Golf View Road to its intersection with the rear lot line of lots fronting on the east side of Overbrook Terrace; thence southeastwardly along the said rear lot line of lots to its intersection with the southerly right-of-way line of Hathaway Lane; northeastwardly along said right-of-way line to its intersection with the center of the SEPTA Hi-Speed Line; thence southeastwardly along said center line to its intersection with southerly lot line extended of 2505 Wynnefield Drive; thence southwestwardly along said lot line to its intersection with the center line of Wynnefield Drive; thence southeastwardly along said center line to its intersection with the center

line of Cherry Lane; thence northwestwardly along said center to its intersection with the centerline of Linden Road; thence southwestwardly along said center line to its intersection with the rear lot line extended of lots fronting on the southerly side of Cherry Lane; thence southwestwardly along said rear lot line to its intersection with the rear lot line of lots fronting on the easterly side of St. Denis Lane; thence southeastwardly along said lot line to its intersection with the center line of Eagle Road; thence northeastwardly along the center line of Eagle Road to its intersection with the extension of the common lot line of 324 and 326 Campbell Avenue, crossing Campbell Avenue and continuing along the rear lot line of lots fronting on the easterly side of Winton Avenue to its intersection with the rear lot line of lots fronting on the north side of Edge Hill Drive; thence westwardly along the said rear lot line, and continuing along the rear lot line of lots fronting on the south side of East Marthart Avenue to its intersection with the extension of the center of Leedom Avenue; thence northwestwardly along the center line of Leedom Avenue to its intersection with East Marthart Avenue; thence southwestwardly along the center of East Marthart Avenue to its intersection with the center of Darby Road; thence southeastwardly along the center of Darby Road to its intersection with the rear lot line of lots fronting on the south side of Marthart Avenue; thence westwardly along said rear lot line of lots to its intersection with the center of Bellemead Avenue; thence northwardly along the center of Bellemead Avenue to its intersection with the center of Wood Lane; thence westwardly and curving to the left along the center of Wood Lane and the extension of same to its intersection with the center of the Philadelphia and Baltimore Central Railroad; thence southeastwardly along the center of said railroad to its intersection with the extension of the rear lot line of lots fronting on the south side of Rittenhouse Circle; thence southwestwardly and northwestwardly along the said rear lot line of lots to its intersection with the rear lot line of lots fronting on the cul-de-sac of Harrington Road; thence southwardly along the said rear lot line of lots to its intersection with the rear lot line of lots fronting on the north side of Virginia Avenue; thence northwestwardly along the said rear lot line of lots to its intersection with the center of Eagle Road; thence northwardly and curving to the right along the center of Eagle Road to its intersection with the center of Grasslyn Avenue; thence northwestwardly and curving to the right along the center of Grasslyn Avenue to its intersection with the center of Ellis Road; thence eastwardly along the center of Ellis Road

to its intersection with the center of Darby Road, thence northwestwardly along the center of Darby Road to the first mentioned point and place of BEGINNING.

#### WARD NO. 4

The boundaries of Ward No. 4 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at the point of intersection of Darby Creek and Ithan Creek, thence northwestwardly along the center of Darby Creek to its intersection with the northerly Township Boundary Line of Haverford Township; being also the southerly Township Boundary line of Radnor Township; thence eastwardly along said northerly Township Boundary Line to its intersection with the easterly right of way line of the Mid-County Expressway (L.R. 1010); thence southeastwardly along said right of way line to its intersection with the rear lot line of lots that front on the cul-de-sac of Misty Hollow Court; thence eastwardly and through said cul-de-sac and continuing along the northerly Township Boundary Line to its intersection with the center of Radnor Road; thence southwardly along the center of Radnor Road to its intersection with the center of Darby Road; thence southeastwardly along the center of Darby Road to its intersection with the center of Ellis Road; thence westwardly along the center of Ellis Road to its intersection with the center of Grasslyn Avenue; thence southwardly and curving to the left along the center of Grasslyn Avenue to its intersection with the center of West Eagle Road; thence southwestwardly and curving to the left along the center of West Eagle Road to its intersection with the center of Harrington Road; thence northwestwardly along the center of Harrington Road to its intersection with the center of Holmes Avenue; thence southwardly along the center of Holmes Avenue to its intersection with the center of Virginia Avenue; thence northwestwardly along the center of Virginia Avenue to its intersection with the center of Rose Avenue; thence southwardly and curving to the right along

the center of Rose Avenue to its intersection with the center of Maryland Avenue; thence northwestwardly along the center of Maryland Avenue to its intersection with the extension of the rear lot line of lots fronting on the south side of Melrose Avenue; thence southwestwardly along said rear lot line of lots and its extension curving to the right along the rear lot line of lots fronting on the Melrose Avenue cul-de-sac to its intersection with the rear lot line of lots fronting on the south side of Circle Drive; thence northwestwardly along said rear lot line of lots to its intersection with the center of Lawrence Road; thence westwardly along the center of Lawrence Road to its intersection with the southernmost property line now or late of James A. Weaver, said point also being approximately 450 linear feet north of West Chester Pike; thence westwardly along said property line to the center of Darby Creek; thence northwardly along the center of Darby Creek to the first mentioned point and place of BEGINNING.

#### WARD NO. 5

The boundaries of Ward No. 5 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point being the northeast corner of Haverford Township; said point being the point of intersection of the rear lot line of No. 645 and No. 641 San Marino Avenue and the westerly right of way line of the former Pennsylvania Railroad; thence southeasterly and bisecting lots No. 637 through 621 to its intersection with the center of San Marino Avenue; thence continuing southeasterly along the line that is the common boundary line between Haverford and Lower Merion Township; thence continuing southeastwardly along said boundary line to its intersection with the center of College Lane; thence westwardly along the center and including the center line extended, to its intersection with the center line of Walton Lane; thence southerly along the center line of Walton Lane to its intersection with Featherbed Lane; thence southwestwardly along the center line extended of

Walton Lane to the rear line of Elwell Field; thence northeasterly to its intersection with the common lot line between now or formerly Haverford Village Apartments on the west and Haverford Park Apartments on the east; thence southwestwardly along the lot line of Haverford Village Apartments to its intersection with the center of Ardmore Avenue; thence westwardly along the center of Ardmore Avenue to its intersection with the center line of Morris Road; thence southwardly along said center line to its intersection with the center of Aubrey Avenue; thence westwardly along the center of Aubrey Avenue to its intersection with the center of Belmont Avenue; thence southwardly along the center of Belmont Avenue to its intersection with the center of Malvern Road; thence westwardly and curving to the left along the center of Malvern Road and its extension along the common property line between 2842 and 2900 Haverford Road to its intersection with the center of the SEPTA Hi-Speed line formerly the Philadelphia Western Railway; thence northwestwardly and curving to the right along the center of said railroad to its intersection with the center of Ardmore Avenue; thence westwardly along the center of Ardmore Avenue to its intersection with the center of Darby Road; thence northwestwardly along the center of Darby Road to its intersection with the center of Radnor Road; thence northwardly and curving to the left along the center of Radnor Road to its intersection with the northern Township Boundary line common to Radnor Township; thence eastwardly along said Radnor Township line to the first mentioned point and place of BEGINNING.

#### WARD NO. 6

The boundaries of Ward No. 6 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point in the center of County Line Road, said Road also being the County and Township Boundary Line, common to Montgomery and



Delaware Counties and Lower Merion and Haverford Townships, said point also being a point of intersection with the rear lot line of a lot fronting on the north side of Ardmore Avenue, known now or formerly as Haverford Park Apartments; thence southeastwardly along Lower Merion Township Line to the center of Old Powder Mill Lane; thence westwardly along the center of Old Powder Mill Lane and its extension to its intersection with the SEPTA Hi-Speed Line, formerly the Philadelphia Western Railway; thence northwestwardly and curving to the right along the center of the SEPTA Hi-Speed Line to its intersection with the center of Eagle Road; thence westwardly along the center of Eagle Road to its intersection with the center of Poplar Road; thence northwestwardly along the center of Poplar Road to its intersection with Linden Road, thence northeastwardly along the center of Linden Road to its intersection with Cherry Lane; thence southeastwardly and curving to the right along the center of Cherry Lane to its intersection with Wynnefield Drive; thence northwestwardly along the center of Wynnefield to its intersection with the southerly property line extended of 2505 Wynnefield Drive; thence northeastwardly along the southerly property line of 2505 Wynnefield Drive to its intersection with the center with the SEPTA Hi-Speed Line; thence northwestwardly along the center of the SEPTA Hi-Speed line to its intersection with the southerly right of way line of W. Hathaway Lane; thence southwestwardly along the southerly right of way line of W. Hathaway Lane to its intersection with the common property line of 307 and 309 W. Hathaway Lane; thence northwestwardly across W. Hathaway Lane and along the common property line extended of 300 and 308 W. Hathaway Lane; thence continuing northwestwardly along said common property line to its intersection with the rear lot line of lots fronting on the east side of Overbrook Terrace; thence northwestwardly along said rear lot line to its intersection with the center of Golf View Road; thence eastwardly and curving to the left along the center of Golf View Road to its intersection with the southwesterly extension of the common property line between 2842 and 2900 Haverford Road; thence northeastwardly along said common property line and its extension crossing Haverford Road and continuing on the center of Malvern Road; thence northwardly and curving to the right along the center of Malvern Road to its intersection with Belmont Avenue; thence northwestwardly along the center of Belmont Avenue to its intersection with the center of Aubrey Avenue; thence northeastwardly along the center of Aubrey Avenue to its intersection with the

center of Morris Road; thence northwestwardly along the center of Morris Road to its intersection with the center of Ardmore Avenue; thence eastwardly along the center of Ardmore Avenue to its intersection with the common lot line of lots fronting on the north side of Ardmore Avenue being known now or formerly as Haverford Village Apartments on the west and now or formerly as Haverford Park Apartments on the east; thence northwardly along said common lot line, approximately 700 linear feet, to its intersection with the rear lot line of said common lots; thence westwardly along said rear lot line to its intersection with the rear line of Elwell Field; thence northerly to its intersection with the center of Walton Lane where it intersects Featherbed Lane; thence northwestwardly and curving to the left along the center of Walton Lane; thence continuing along the center of Walton Lane and curving to the right to its intersection with the center of College Lane extended; thence eastwardly along the center of College Lane to its intersection with the Common boundary Line of Delaware and Montgomery Counties and Lower Merion and Haverford Townships; thence southeastwardly along said boundary line to the first mentioned point and place of BEGINNING.

#### WARD NO. 7

The boundaries of Ward No. 7 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point of intersection of the center of Earlington Road with the center of Manoa Road; thence westwardly along the center of Manoa Road to its intersection with the center of Allston Road; thence southeastwardly along the center of Allston Road to its intersection with the rear lot line of lots fronting on the southerly side of Manoa Road; thence westwardly along said rear lot line and crossing Twin Oaks Drive to its intersection with the westerly lot line of the Llanbrook Apartments; thence northwestwardly along the westerly side of the Llanbrook Apartment lot line to

its intersection with the center of Manoa Road; thence westwardly along the center of Manoa Road one hundred and sixty feet (160') to its intersection with the center of Darby Road; thence southwardly along the center of Darby Road to its intersection with the easterly extension of the center of Rodman Avenue; thence westwardly along the center of Rodman Avenue, to its intersection with the rear lot line of lots fronting on the westerly side of Darby Road; thence northerly along said lot line to its intersection with the rear lot line of lots fronting on the northerly side of Rodman Avenue; thence westerly along said rear lot line to its intersection with the rear lot line of lots fronting on the easterly side of Woodland Drive; thence northwestwardly along said rear lot line to its intersection with the center of Manoa Road; thence westwardly along the center of Manoa Road to its intersection with the southerly extension of the rear lot line of lots fronting on the westerly side of Woodbine Avenue; thence northwestwardly along said rear lot line of lots to its intersection with the center of Washington Avenue; thence northeastwardly along the center of Washington Avenue to its intersection with the extension of the center of Virginia Avenue; thence northwestwardly and curving to the left along the extension of the center of Virginia Avenue to its intersection with the center of Lincoln Avenue; thence northeastwardly along the center of Lincoln Avenue to its intersection with the extension of the rear lot line of lots fronting on the north side of Virginia Avenue; thence northwestwardly along the said rear lot line of lots to its intersection with the rear lot line of lots fronting on the cul-de-sac of Harrington Road; thence northwardly along said rear lot line of lots to its intersection with the rear lot line of lots fronting on the south side of Rittenhouse Circle; thence southeastwardly and northeastwardly along said rear lot line of lots to its intersection with the center of the Philadelphia and Baltimore Central Railroad; thence northwardly along the center of the said railroad to its intersection with the extension of the center of Wood Lane; thence northeastwardly along the said extension of the center of Wood Lane curving to the right to its intersection with the center of Bellemead Avenue; thence southwardly along the center of Bellemead Avenue to its intersection with the extension of the rear lot line of lots fronting on the south side of Marthart Avenue; thence northeastwardly along said rear lot line to its intersection with the center of Darby Road; thence northwestwardly along the center of Darby Road to its intersection with the center of East Marthart Avenue; thence northeastwardly along the center of East Marthart Avenue to

its intersection with the center of Leedom Avenue; thence southeastwardly along the center of Leedom Avenue to its intersection with the extension of the rear lot line of lots fronting on the south side of East Marthart Avenue; thence eastwardly along said rear lot line of lots to its extension with the rear lot line of lots fronting on the east side of Winton Avenue; thence northwardly along the said rear lot line of lots, crossing Campbell Avenue and continuing along the common lot line of 324 and 326 Campbell Avenue and the extension of same to its intersection with the center of Eagle Road; thence westwardly along the center of Eagle Road to its intersection with the extension of the rear lot line of lots fronting on the easterly side of St. Denis Lane; thence northwestwardly along said rear lot line to its intersection with the rear lot line of lots fronting on the southerly side of Cherry Lane; thence northeastwardly along said rear lot line to its intersection with the center of Linden Road; thence southeastwardly along the center of Linden Road to its intersection with Poplar Road; thence continuing southeastwardly along the center of Poplar Road to its intersection with the center of Eagle Road; thence eastwardly along the center of Eagle Road to its intersection with the center of Earlington Road; thence southwardly along the center of Earlington Road to the first mentioned point and place of BEGINNING.

#### WARD NO. 8

The boundaries of Ward No. 8 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point being the southeasternmost corner of Haverford Township; said corner being the intersection of the westerly lot line extended of No. 2 Rolling Road and the center of Township Line Road (U.S. Route 1) thence westwardly along Township Line Road (U.S. Route 1) to its intersection with the center line of Park Road; thence northwardly along the center of Park Road to its intersection with rear lot line extended of No. 200

Park Road; thence northeastwardly along the said rear lot line extended of lots to its intersection with rear lot line of lots fronting on the north side of Valley Road; thence northwestwardly along said rear lot line of lots to its intersection with the rear lot line of the Llanbrook Apartments; thence northeasterly along said rear lot line also being the rear lot line of lots fronting on the south side of Manoa Road; thence continuing northeastwardly and crossing Twin Oaks Drive to its intersection with the center of Allston Road; thence northwestwardly along the center of Allston Road to its intersection with the center of Manoa Road; thence eastwardly along the center of Manoa Road to its intersection with the center of Earlington Road; thence northwardly along the center of Earlington Road to its intersection with the center of Eagle Road; thence eastwardly along the center of Eagle Road to its intersection with the center of the SEPTA Hi-Speed line, formerly the Philadelphia and Western Railway Company; thence southwardly along the center of same to its intersection with the extension of Old Powder Mill Lane; thence northeastwardly along the extension and center of Old Powder Mill Lane to its intersection with the Lower Merion Township Line; thence southwardly along said Lower Merion Township line to the first mentioned point and place of BEGINNING.

#### WARD NO. 9

The boundaries of Ward No. 9 shall be as shown on the attached map which is made part of this Ordinance, legal description thereof being as follows:

BEGINNING at a point in Darby Creek, said point being the southwesternmost corner of Haverford Township; thence northwardly along Darby Creek, being also the Township Boundary Line common to Springfield-Marple Townships to a point near an arc in Glendale Road extended approximately 600 feet north of Fairview Avenue where the direction of

Glendale Road changes from a northerly to an easterly direction; thence leaving Darby Creek, eastwardly along the extension of the center of Glendale Road to the said center of Glendale Road; thence continuing eastwardly along the center of Glendale Road and its extension to its intersection with the center of Oak Way; thence southwardly along the center of Oak Way to its intersection with the center of South Manoa Road; thence eastwardly along the center of South Manoa Road to its intersection with the center of South Eagle Road; thence southwardly along the center of South Eagle Road to its intersection with the center of Steel Road; thence eastwardly along the center of Steel Road to a curve to the right and continuing southeastwardly to the center of Greenview Lane; thence continuing along said center eastwardly to its intersection with the center of Olympic Avenue; thence northerly along the said center to its intersection with West Chester Pike; thence northwestwardly along the center of West Chester Pike to the extension of a common party wall through a structure now or formerly known as the Falcon Center; said party wall now being the common line between Wards 2 and 9; thence continuing through said party wall northerly to its intersection with the alley at the rear lot lines on the south side of Wales Road; thence continuing southeastwardly along said center line of the alley to its intersection with the center of Naylor's Run Road; thence southwestwardly along the center of Naylor's Run Road to its intersection with West Chester Pike; thence southeastwardly along the center of West Chester Pike to its intersection with the center of Philadelphia and Baltimore Central Railroad; thence southeastwardly along the center of said railroad to its intersection with the center of Township Line Road; thence westwardly along the center of Township Line Road and the extension of same, also being the Upper Darby Township Line to the first mentioned point and place of BEGINNING.

ADOPTED BY THE BOARD OF COMMISSIONERS this 12th day of October, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2184  
~~ORDINANCE NO. P19-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-7, Schedule I (175-76) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "25 MILES PER HOUR" speed limit on the following roadway:

- a) On West Mercer Avenue, from Darby Road to Llanerch Avenue.

SECTION 2. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "NO PARKING HERE TO CORNER" restriction on the following roadway:

- a) On West Mercer Avenue, south side, from Darby Road to a point approximately 30 feet east thereof.

SECTION 3. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "NO PARKING HERE TO CORNER" restriction on the following roadway:

- a) On West Mercer Avenue, north side, from Darby Road to a point approximately 30 feet west thereof.

SECTION 4. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960, be and the same is hereby amended and supplemented so as to rescind a "HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At 634 Dayton Road, a private residence.

(2)

SECTION 5. That Section 175-49, Article VI, of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a two (2) hour limit at any one time between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday, on Brookline Boulevard, north and south sides, and on East Darby Road from Pennsylvania Avenue to Kathmere Road.

SECTION 6. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the said sections or zones giving notice of the regulations aforesaid.

SECTION 7. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 12th day of October, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary



ORDINANCE NO. 2185  
ORDINANCE-NO--P20-93-

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," Chapter 149, Sewage and Drainage Facilities, to provide for the extension and construction of the Township Sanitary Sewer System and to provide for an assessment against the properties benefited, improved or accommodated by such sanitary sewer extension and construction.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. The system of Township sanitary sewers, as established by ordinances, shall hereby be extended by the construction of branch sanitary sewers to service the following properties:

a) DARBY ROAD - 3244, 3247, 3345.

MARPLE ROAD - 1, 19, 21, 25, 29, 33, 37, 41, 45, 49.

b) THE GREENS OF MERION DEVELOPMENT (sanitary sewer to connect to and eliminate the need for existing pumping station)

CAENARVON LANE - 11, 21, 31, 41, 51, 61, 71, 91, 101, 111, 121, 131, 201, 206.

CARDIFF LANE - 141, 151, 161, 171, 181, 191.

c) ALLGATES DEVELOPMENT (sanitary sewer to connect to and eliminate the need for existing pumping station)

ALLGATES DRIVE - 103, 104, 107, 108, 111, 112, 115, 116, 119, 120, 123, 124, 127, 131, 135, 139, 143, 147, 151, 153, 157, 161, 165.

COOPERTOWN ROAD - 6,8,15,30,40, 356.

d) HIGHLAND, TRACY, WESTVIEW

HIGHLAND LANE - 200, 201, 240, 292, 300, 301, 304, 305, 308, 312, 316, 320, 324, 330, 360.

TRACY TERRACE - 1,2,5,9,10,14.

WESTVIEW ROAD - 5,6,9,10,13,14.

(2)

SECTION 2. The branch sanitary sewer hereby ordained shall be constructed in accordance with drawings and specifications approved by Township's construction standards as defined by the Township Engineer.

SECTION 3. The total project costs, less engineering, inspection and the Marriott connection fee shall be assessed against the aforesaid properties to the extent that the aforesaid properties are benefited, improved or accommodated by said sanitary sewer. Municipal liens shall be filed against any of the aforesaid properties in which assessments are not paid within 120 days of notification.

SECTION 4. Any equivalent dwelling unit not included in the aforesaid sections that could be connected to this system extension in the future, shall pay a connection fee, for the privilege of entering the system, at that time, in the amount equal to the final assessment to be levied pursuant to Section 3. Half of this connection fee shall be retained by the Township to recover its expenses and the other half to be apportioned equally to all the aforesaid properties paying the required assessment pursuant to Section 3.

SECTION 5. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

Adopted this 8th day of November, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2186

ORDINANCE-NO--P21-93

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind a "HANDICAPPED PARKING ONLY" zone on the following roadway:

- a) At 26 Rodman Avenue, a private residence.

SECTION 2. That Section 175-28, Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "NO PARKING OF COMMERCIAL VEHICLES AT ANY TIME" restriction on the following roadway:

- a) On Edgewood Road from Kathmere Road southwardly for a distance of 130 ft.

SECTION 3. That Section 175-9, Schedule III, (175-78) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "DO NOT ENTER, MONDAY THROUGH FRIDAY, 4:00 P.M. to 7:00 P.M." on the following roadway:

- a) On Garfield Avenue from Washington Avenue to North Eagle Road.

SECTION 4. Upon the effective date of this ordinance, the Highway Department shall install the appropriate signs in the said sections or zones giving notice of the regulations aforesaid.

SECTION 5. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 8th day of November A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

ORDINANCE NO. 2187  
~~ORDINANCE-NO. P22-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" BY RESCINDING LIMITED LEAF BURNING REGULATIONS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. The "General Laws of the Township of Haverford" Ordinance No. 1960, Chapter 43, Air Pollution, Article II, Limited Leaf Burning, shall be rescinded in its entirety effective January 1, 1994.

SECTION 2. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 8th day of November, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2188  
ORDINANCE-NO--P23-93

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," BY AMENDING FLOODPLAIN REGULATIONS AND CHAPTER 182, ALSO KNOWN AS THE HAVERFORD TOWNSHIP ZONING CODE.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

ARTICLE I:

Chapter 89, Floodplain, is hereby deleted in its entirety.

ARTICLE II:

Chapter 182, Section 604.A Specific intent, is hereby deleted in its entirety, and the following inserted in its place:

A. Specific intent - It is the intent of this section to regulate development of lands in the Township which are subject to periodic flooding for the following purposes:

1. Protect the ecology of the floodplain and promote the general health, safety and welfare of the community.
2. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future or downstream bank erosion.
3. Minimize danger to public health and safety by protecting water supply, sanitary sewage disposal, and natural drainage.
4. Reduce financial burdens imposed on the community, its governmental units and its residents, by preventing the unwise design and construction of development in areas subject to flooding.

ARTICLE III:

Chapter 182, Section 604.B is hereby deleted in its entirety, and the following inserted in lieu thereof:

- B. Applicability - It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, the construction, reconstruction, substantial improvement, enlargement, alteration or

relocation of any structure (including mobile homes) or any other development of a structure or grounds within a flood-prone area as set forth in the Flood Insurance Study and on its attached Flood Insurance Rate Map; prepared and approved by the Federal Emergency Management Agency, Community No. 420417, Map Panel Numbers 0008D, 0009D, 0010D, 0014D, 0015D, 0016D, 0023D, and 0024D, dated September 30, 1993, or any revisions or amendments thereto, and made a part thereof by reference, unless an approved Building Permit has been obtained from the Township Code Enforcement Office.

ARTICLE IV:

Chapter 182, Section 604 is hereby amended by the addition of the following:

- C. Severability - If any Section, subsection, paragraph, sentence, clause, or phrase of this Section shall be declared to be invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Section, which remain in full force and effect, and for this purpose the provisions of this Section are declared to be severable.
- D. Liability - The degree of flood protection sought by the provisions of this Section is considered reasonable for regulatory purposes in the identified floodplain area(s). Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris or upstream development. This Section does not imply that areas outside any identified floodplain areas will be free from flooding or flood damages. This Section shall not create liability upon the township, its officers or employees for any flood damages that result from reliance on this Section or any administrative decision lawfully made thereunder.
- E. Administration -
  - (1) Building Permit(s) shall be required before any proposed construction or development is undertaken within any identified floodplain or flood-prone area of Haverford Township. The Township Code Enforcement Officer shall issue a building permit after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances. No building permit shall be issued until all other required permits have been obtained from any other office or agency.

- (2) Application Procedures. Applications for such a building permit shall be made in writing, to the Township Code Enforcement Officer on forms supplied by the Township. Such applications shall include the following minimum information:
  - (a) Name and address of applicant.
  - (b) Name and address of owner of land on which proposed construction is to occur.
  - (c) Name and address of constructor.
  - (d) Location of site.
  - (e) Proposed lowest floor and basement elevations in relation to mean sea level.
  - (f) Brief description of proposed work and estimated cost.
  - (g) A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- (3) Building Permits. A copy of all applications and plans for new construction in any flood-prone area to be considered for approval shall be submitted by the Township Code Enforcement Officer to the following offices or agencies for recommendations and/or comments:
  - (a) Delaware County Soil Conservation Service;
  - (b) Township Engineer; and
  - (c) Township Planning Commission
  - (d) Township Environmental Committee
- (4) Other Permit Issuance Requirements. Prior to the issuance of any building permit, the Code Enforcement Officer shall review the application for permit to determine if all other necessary governmental permits such as those required by State and Federal Laws have been obtained including those required by Act 537, the Pennsylvania Sewage Facilities Act, the Water Obstruction Act of 1913, and the Federal Water Pollution Control Act Amendments of 1972, Section 404, 33, U.S.C. - 1334. No permit shall be issued until this determination has been made.
- (5) Changes/As Built. After the issuance of a building permit by the Code Enforcement Officer, no changes of any kind shall be made to the application, permit, or any of the plans specifications or other documents submitted with the application without the written consent or approval of the Code Enforcement Officer. A certificate by an Engineer or surveyor must be filed with the Code Enforcement Office in accordance with Ordinance 1960, Chapter 58-2D.
- (6) Placards. In addition to the building permit, the Code Enforcement Officer shall issue a placard which shall be conspicuously displayed on the premises

during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Code Enforcement Officer.

- (7) Provisions involving time limitations for the validity of a permit, inspection requirements, revocation procedures and required permit fees shall be governed under Chapter 58 of the General Laws of Haverford Township, and are hereby incorporated as if fully setforth herein.
- (8) Notices, Hearings, Orders, Appeals.
  - (a) Notices - Whenever the Code Enforcement Officer or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Section, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation as hereinafter provided. Such notice shall:
    - [1] be in writing;
    - [2] include a statement of the reasons of its issuance;
    - [3] allow a reasonable time for the performance of any act it requires;
    - [4] be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served with such notice by any other method authorized or required by the laws of this State;
    - [5] contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter, or any part thereof, and with the regulations adopted pursuant thereto.
  - (b) Hearings - Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this Section, or of any regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter, before the Township Zoning Hearing Board, provided that such person file with the Township Zoning Officer a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within thirty (30) days after the notice was served. The filing of the request for a hearing shall



operate as a stay of the notice and the suspension. Upon receipt of such petition, the Township Zoning Officer shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice shall be modified or withdrawn. The hearing shall be commenced not later than sixty (60) days following the date on which the petition was filed; provided that upon application of the petitioner, the Township Zoning Officer may postpone the date of the hearing for a reasonable time beyond such sixty (60) day period when, in his judgment, the petitioner has submitted good and sufficient reasons for such postponement.

- (c) Findings and Order - After such hearing, the Township Zoning Officer and Township Zoning Hearing Board shall make findings as to compliance with the provisions of this Chapter and regulations issued thereunder and shall issue an order, in writing, sustaining, modifying, or withdrawing the notice which shall be served as provided in § 182-604.E(8)(a).
  - (d) Record and Appeals - The proceedings at such a hearing, including the finding and decision of the Zoning Hearing Board together with a copy of every notice and order related thereto shall be entered as a matter of public record in the Township of Haverford. Any person aggrieved by a decision of the Zoning Hearing Board may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this Commonwealth.
- (9) Penalties - Any person who fails to comply with any or all of the requirements or provisions of this Section, or who fails or refuses to comply with any notice, order or direction of the Code Enforcement Office, the Haverford Township Zoning Hearing Board or any other authorized employee of the municipality shall be guilty of an offense and shall be subject to the Enforcement remedies and penalty provisions contained in § 182-902.G and § 182-902.H of this Chapter. In default of any fine or penalty imposed by a court of competent jurisdiction, such person shall be imprisoned in county prison for a period not to exceed ten (10) days.

F. Floodplain Provisions/Variiances -

A. No Construction or Development

- (1) No construction, development, fill or other placement of an obstruction shall take place within any identified floodplain or flood-prone area of the Township of Haverford.
- (2) Repairs, improvements, or modifications to an existing structure which amount to less than fifty percent (50%) of the market value are permitted provided such work does not result in the horizontal expansion or enlargement of the structure.

B. Identification

(1)(a) Floodplain: For the purposes of this Section, the identified floodplain shall be those areas of the Township of Haverford which have been identified as being subject to flooding by the one hundred (100) year flood. These areas are shown in the Flood Insurance Study (FIS) and the most current Flood Hazard or Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA) for the Township of Haverford.

(1)(b) Flood-prone: For the purposes of this Section, Flood-prone areas shall be identified as those areas as having alluvial soils on the most recent soil survey of the Soil Conservation Service, United States Department of Agriculture or any area measured 50' landward from the top-of-bank of any watercourse.

(2) The identified floodplain area may be revised or modified by the Township where studies or information which, provided by a qualified agency or person, documents the need for such revision or modification. However, prior to any change, approval must be obtained from the Federal Emergency Management Agency and the Department of Community Affairs

(3) Should a dispute concerning any identified floodplain boundary arise, any party aggrieved by such determination may appeal from any decision by the Township Code Enforcement Officer or any other authorized employee of the municipality. The burden of proof shall be on the appellant.

- C. Variances - If compliance with any of the requirements of this Section would result in an exceptional hardship to a prospective builder, developer or landowner, the Township may, upon request, grant relief from the strict application of the requirements. Requests for a variance shall be considered by the Township in accordance with the procedure contained in § 182-1005 of this Chapter and the following:
- (1) All of the information required in 182-1005 as well as:
    - (a) A plan which accurately delineates the area which is subject to flooding, the location of the proposed construction, the location of any other flood-prone development or structures, and the location of any existing or proposed stream improvements or protective works. Included shall be all plans for proposed subdivision and land development in order to assure that:
      - [1] All such proposals are consistent with the need to minimize flood damage;
      - [2] All utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and
      - [3] Adequate drainage is provided so as to reduce exposure to flood hazards.
    - (b) Such plan shall also include existing and proposed contours; information concerning flood elevation, velocities, and other applicable information such as pressures, impact and uplift forces, associated with the one hundred (100) year flood; size of structures, location and elevations of streets; water supply and sanitary sewage facilities; soil types; and floodproofing measures.
    - (c) A document, certified by a registered professional engineer or architect, which states that the proposed construction has been adequately designed to withstand the one hundred (100) year flood elevations, pressures, velocities, impact and uplift forces and other hydrodynamic and buoyancy factors associated with the one hundred (100) year flood.

Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure.

- (2) Notwithstanding the provisions of this Section, no variance shall be granted for:
- (a) The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
    - [1] hospitals
    - [2] nursing homes
    - [3] jails or prisons
  - (b) The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvement to an existing mobile home park or mobile home subdivision.
  - (c) Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume of any amount of radioactive substances) of any of the following dangerous materials or substances on the premises:
    - [1] Acetone
    - [2] Ammonia
    - [3] Benzene
    - [4] Calcium carbide
    - [5] Carbon disulfide
    - [6] Celluloid
    - [7] Chlorine
    - [8] Hydrochloric acid
    - [9] Hydrocyanic acid
    - [10] Magnesium
    - [11] Nitric acid and oxides of nitrogen
    - [12] Petroleum products (gasoline, fuel oil, etc.)
    - [13] Phosphorus

- [14] Potassium
  - [15] Sodium
  - [16] Sulphur and sulphur products
  - [17] Pesticides (including insecticides, fungicides, and rodenticides)
  - [18] Radioactive substances, insofar as such substances are not otherwise regulated
- (3) If granted, a variance shall involve only the least modification necessary to provide relief. If it should become necessary to grant any variance, the applicant shall be required to comply with all applicable requirements of the National Flood Insurance Program Regulations (60.3) including the requirements for elevation, floodproofing and anchoring, and no increase in the one hundred (100) year flood elevations within the floodway. Within any identified floodplain area, the lowest floor (including basement) of any new structure, or any substantial improvement to an existing structure, shall be at least one and one-half (1 1/2) feet above the one hundred (100) year flood elevation. Fully enclosed spaces below the lowest floor shall be prohibited. The applicant must also comply with any other requirements considered necessary by the Zoning Hearing Board.
- (4) In granting any variance, the Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Part.
- (5) Whenever a variance is granted, the Township shall notify the applicant in writing that:
- (a) The granting of the variance may result in increased premium rates for flood insurance.
  - (b) Such variances may increase the risks to life and property.
- (6) In reviewing any request for a variance, the Township Zoning Hearing Board shall consider, at a minimum, the following:
- (a) That there is good and sufficient cause.
  - (b) That failure to grant the variance would result in exceptional hardship to the applicant.

- (c) That the granting of the variance will (1) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public expense, (2) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable State or local ordinances and regulations.
- (7) A complete record of all variance requests and related actions shall be maintained by the Township Zoning Officer. In addition, a report of all variances granted during the year shall be included in the Annual Report to the Federal Emergency Management Agency.
- (8) No variance shall be granted for any development, construction use, or activity within any designated floodway area.

G. Definitions -

Unless specifically defined below or as defined in 182-106.B of this Chapter, words and phrases used in this Section shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Section its most reasonable application.

**BASEMENT** - Any area of the building having its floor subgrade (below ground level) on all sides.

**BUILDING** - see STRUCTURE

**DEVELOPMENT** - any man-made change to improved or unimproved real estate, including but not limited to buildings, or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

**FLOOD** - A general and temporary inundation of normally dry land areas.

**FLOOD PLAIN** - (1) a relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOODWAY** - The channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the base flood without increasing the water surface elevation of that flood more than one foot at any point.

FLOODPROOFING - Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

MINOR REPAIR - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep; but not including any addition, change, or modification in construction, exit facilities, or permanent fixtures or equipment.

NEW CONSTRUCTION - the construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building, structure, and/or improvements, such as streets, utilities, etc. Also for the purposes of this Section all proposed subdivisions and/or land development shall be considered to be new construction.

OBSTRUCTION - any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or floodprone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris, corroding such water, or is a place where the flow of water might carry the same downstream to the damage of life or property.

ONE HUNDRED YEAR FLOOD OR BASE FLOOD - the flood having a one percent (1%) chance of being equalled or exceeded in any given year.

STRUCTURE (FOR FLOOD PLAIN MANAGEMENT PURPOSES) - a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.

SUBDIVISION - the division or redivision of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building, or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

SUBSTANTIAL IMPROVEMENT - Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

- H. Abrogation and Greater Restrictions -  
The provisions of this Section shall supercede any ordinances, codes or portions thereof currently in effect regulating flood prone areas. However, any ordinance, code or portions thereof shall remain in full force and effect to the extent that its provisions are more restrictive.



Page 13

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

ADOPTED this 13th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

## ORDINANCE NO. 2189

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" AMENDING CERTAIN AREA AND BULK REGULATIONS, USE REGULATIONS AND SUPPLEMENTAL REGULATIONS AND CHAPTER 182, ALSO KNOWN AS THE HAVERFORD TOWNSHIP ZONING CODE.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania and it is hereby enacted and ordained by the authority of the same:

## ARTICLE I. DEFINITIONS

Chapter 182, Section 106. "Definitions and word usage; interpretation of regulations" is hereby amended in Subsection B by the insertion of the following:

**IMPERVIOUS SURFACE** - A surface which does not absorb rainwater including, but not limited to, all buildings, parking areas, driveways, roads, sidewalks and any areas in concrete or asphalt. In addition, other areas determined by the Township Engineer to be impervious shall also be classified as impervious surfaces.

**IMPERVIOUS SURFACE RATIO** - A measure of the intensity of use of a parcel of land. The Impervious Surface Ratio shall be measured by dividing the total area of all impervious surfaces within a site by the net site area.

## ARTICLE II. ESTABLISHING MAXIMUM IMPERVIOUS SURFACE RATIOS

Chapter 182 is hereby amended by adding to each of the following area and bulk regulations subsections the specified maximum impervious surface ratios:

- A. Section 182-202.C.  
(9) Impervious Surface Ratio: thirty percent  
(30%) maximum.
- B. Section 182-203.C.  
(9) Impervious Surface Ratio: Thirty percent  
(30%) maximum.
- C. Section 182-204.C.  
(9) Impervious Surface Ratio: Forty percent  
(40%) maximum.
- D. Section 182-205.C.  
(9) Impervious Surface Ratio: Forty-five percent  
(45%) maximum.
- E. Section 182-206.C.  
(9) Impervious Surface Ratio: Forty-Five percent  
(45%) maximum.
- F. Section 182-207.C.  
(9) Impervious Surface Ratio: Forty-five percent  
(45%) maximum.
- G. (1) Section 182-208.C., Subsection (1)  
(i) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- G. (2) Section 182-208.C., Subsection (2)  
(i) Impervious Surface Ratio: Seventy-five  
percent (75%) maximum.

- H. Section 182-302.C.  
(8) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- I. Section 182-303.C.  
(8) Impervious Surface Ratio: Sixty-Five percent  
(65%) maximum.
- J. Section 182-402.C.  
(8) Impervious Surface Ratio: Sixty-five percent  
(65%) maximum.
- K. Section 182-403.C.  
(8) Impervious Surface Ratio: Seventy percent  
(70%) maximum.
- L. Section 182-404.C.  
(8) Impervious Surface Ratio: Seventy-five percent  
(75%) maximum.
- M. (1) Section 182-405.C.  
(8) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- M. (2) Section 182-405.D.  
(17) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- M. (3) Section 182-405.E.  
(16) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- N. Section 182-406.C.  
(7) Impervious Surface Ratio: Sixty-five percent  
(65%) maximum.
- O. Section 182-502.C.  
(9) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- P. Section 182-503.C., Subsection (2)  
(i) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- Q. Section 182-602.C.  
(8) Impervious Surface Ratio: Forty percent  
(40%) maximum.
- R. Section 182-603.C.  
(3) Impervious Surface Ratio: Fifteen percent  
(15%) maximum.

### ARTICLE III. LANGUAGE AMENDMENTS

Chapter 182 is hereby amended in each of the following Area and Bulk Regulations Sections by deleting the text of the specified subsection in its entirety and inserting the following in its place:

- A. Section 182-208.C, Subsection (3)(e)  
Building Coverage and Impervious Surface Ratio:
  - a. Building coverage: Twenty-five percent  
(25%) maximum.
  - b. Impervious surface ratio: Forty-five percent  
(45%) maximum.
- B. Section 182-209.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
  - a. Building coverage: Twenty percent (20%)  
maximum.
  - b. Impervious surface ratio: Forty-five percent  
(45%) maximum.

- C. Section 182-210.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
- a. Building coverage: Twenty percent (20%) maximum.
  - b. Impervious surface ratio: Forty-five percent (45%) maximum.
- D. Section 182-211.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
- a. Building coverage: Fifteen percent (15%) maximum.
  - b. Impervious surface ratio: Forty-five percent (45%) maximum.

#### ARTICLE IV. USE REGULATION AMENDMENTS

Chapter 182 is hereby amended in each of the following Use Regulations Sections:

- A. Section 182-302.B, Subsection (1) shall read:
1. Principal uses. In any O-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:  
  
(further subsections (a) through (g) inclusive shall remain in full force and effect)
- B. Section 182-402.B, Subsection (1) shall read:
1. Uses by right. In any C-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:
    - a. Any use permitted in an O-1 Office District, except that uses specified by 182-302.B, subsection (1)(d) and (1)(f) must meet the area and bulk requirements for an O-1 District contained in 182-302.
    - b. Standard restaurants, provided that there is a minimum lot size of one and five-tenths (1.5) acres.
    - c. Any hotel, motel or inn on a lot not less than two (2) acres.
- C. Section 182-403.B, Subsection (1) shall read:
1. Uses by right. In any C-2 District, land, buildings or premises may be used or occupied by only one (1) of the following:
    - a. Any use permitted in an O-1 Office District, except that uses specified by 182-302.B, subsection (1)(d) and (1)(f) must meet the area and bulk requirements for an O-1 District contained in 182-302.

(Further subsections (b) (c) and (d) inclusive shall remain in full force and effect.)

#### ARTICLE V. SUPPLEMENTAL REGULATIONS AMENDMENT

A. Chapter 182, Section 706.A is hereby amended by adding the following:

5. Vehicles regularly parked or maintained on the premises.
  - a. No commercial vehicle with a gross weight in excess of 11,000 pounds shall be parked or maintained on a property located in any Residential District or the streets adjacent thereto.

- b. No commercial vehicle shall be permitted to load or unload in a residential district except for normal retail deliveries or moving the contents of a home.
  - c. It shall be unlawful for any person to use premises located in a residential district for a loading station or warehouse.
6. No panhandle nor flag lot shall be created within Haverford Township, either by subdivision or lot line change.

B. Chapter 182, Section 707.A subsection (1) is hereby amended to read as follows:

- 1. Every parking space, outdoors or in a garage, shall consist of not less than one hundred sixty-two (162) square feet of usable area for each motor vehicle. Parking spaces shall be a minimum of nine (9) feet wide and eighteen (18) feet long. The required parking area shall be measured exclusive of interior driveways or maneuvering areas. Outdoor parking or service areas for uses open to the public and the approaches thereto shall be paved according to township specifications and shall be graded, properly drained and maintained in a good conditions. In computing the number of parking spaces required in Subsection B of this section, if the computation shall result in a fraction, a space shall be required for each such fractional amount.

C. Chapter 182, Article VII is hereby amended by the addition of the following:

Section 727. Fences and Retaining Walls

- 1. Application and issuance of permit; survey: Applications for a fence or retaining wall shall be completed on the form provided by the Department of Code Enforcement and a diagram of the area to be fenced or enclosed. No fence or retaining wall may be erected until such work is approved by the Director of Code Enforcement, a permit issued and the required fees paid to the Township of Haverford. At the discretion of the Director of Code Enforcement, a survey by a licensed professional land surveyor may be required and form part of the application.
- 2. Unlawful erection and maintenance of fences or retaining walls: Fences or retaining walls may not extend into the right-of-way not split any division or boundary lines. It shall be unlawful to erect or maintain a fence or retaining wall in the front yard area of any lot, tract or parcel of land in the Township of Haverford, Delaware County, Pennsylvania. Front yard area shall be that area from the building setback line extending along the boundary or division line to the street line unless authorized by the Director of Code Enforcement of Haverford Township. Corner lots shall have two (2) front yards, that is one which is bounded on two (2) sides by streets.

3. Location of fences and retaining walls: Fences and walls may be erected in the area immediately to the rear of the building setback line. The fences or walls may be a maximum of six (6) feet in height. However, fences or walls above four (4) feet in height must be fifty-percent (50%) open, provided further that no barbed wire, metal spike or dangerous fence shall be hereafter erected or maintained.

- (1) Fence height. "Fence height" means the vertical dimension measured upward from the surface of the ground at the proposed location of the fence, or upward from the finished ground level on the higher side where there is a necessary retaining wall required for purpose other than a false grade.
- (2) Temporary fences: exceptions. Nothing in this title shall be deemed to interfere with the erection of temporary fences around construction work, erected or maintained pursuant to the Building Code and other ordinances of the Township of Haverford.
- (3) Fire hazard. The Director of Codes Enforcement shall not grant a permit for the erection of any fence which constitutes a fire hazard, either of itself or in connection with the existing structures in the vicinity, nor which will interfere with the access in case of fire by the Fire Department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.
- (4) All fences erected in the Township of Haverford shall have the finished side facing the adjacent property owners and/or the public right-of-way.
- (5) No fence at any time shall prevent the clear view of the motor vehicle traffic entering or leaving from adjoining streets and driveways.
- (6) Six-foot-high fences will be permitted as a use by right in the rear yards of properties zones R-1 through R-9 which are contiguous with Commercial Districts C-1 through C-5; Office Districts O-1 and O-2; and LIN and INS Districts.

ARTICLE VI.

Chapter 182, Section 804 is hereby deleted in its entirety.

SEVERABILITY. Should any section or provision of this Ordinance be declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part hereof.

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

ADOPTED this 13th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: 

FRED C. MORAN

President

Board of Commissioners

Attest: 

Thomas J. Bannar

Township Manager/Secretary

## ORDINANCE NO. 2190

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, REPEALING CHAPTER 160, SUBDIVISION AND LAND DEVELOPMENT, OF THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," ORDINANCE NO. 1960, AND ESTABLISHING GENERAL PROVISIONS, PROCEDURES AND REQUIREMENTS, DESIGN STANDARDS AND REQUIRED IMPROVEMENTS, AND ADMINISTRATIVE PROVISIONS FOR SUBDIVISION AND LAND DEVELOPMENT WITHIN THE TOWNSHIP.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

ARTICLE I. SUBDIVISION & LAND DEVELOPMENT REGULATIONS

Chapter 160, known as Subdivision and Land Development, Articles I and II, and inclusive of all provisions contained therein, are hereby repealed in their entirety, and the following shall be inserted in its place:

Article I. GENERAL PROVISIONS

160-1 Purpose and Objectives

These regulations are established to:

- A. Promote and protect the public Health, Safety and Welfare.
- B. Promote orderly, efficient, integrated and harmonious development and redevelopment.
- C. Provide standards for site suitability to alleviate peril from fire, flood, erosion, excessive noise or other detriment.
- D. Provide uniform procedures and standards for land development.
- E. Assure proper layout and coordination of driveways, streets and other highway access points to accommodate projected traffic patterns and facilitate fire protection.
- F. Encourage preservation of adequate open spaces for recreation, light, air storm water controls and maintenance of the character of this Township.
- G. Encourage coordination and compliance with the provisions of the comprehensive plan and other inter-governmental plans and programs.

160-2 Definitions

Unless otherwise expressly stated, the following words and phrases shall be deemed to be defined as follows:

**ALLEY** - A strip of land over which there is a right-of-way, either publicly or privately owned on which no dwelling or store fronts, serving as a secondary means of access to two (2) or more lots.

**APPLICANT** - A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

**APPLICATION FOR DEVELOPMENT** - Every application, whether preliminary or final, required to be filed and approved prior to the start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

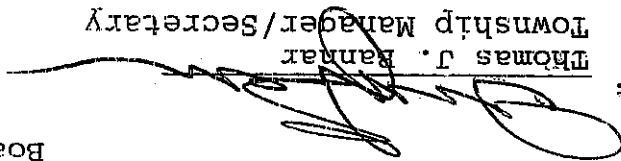
**BUFFER AREA** - A strip of land, a mound or berm, planted and maintained shrubs, bushes, trees, grass or other ground cover material and within which no structure, building or parking area shall be permitted to be placed, other than a wall or fence which meets the requirements of the Zoning Chapter.

noted  
11/10/93

Township Manager/Secretary

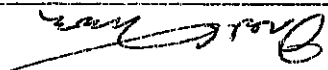
Thomas J. Hannan

Attest:



Board of Commissioners  
President  
FRED C. MORAN

BY:



TOWNSHIP OF HAVERFORD

ADOPTED this 13th day of December, A.D., 1993.

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

SEVERABILITY. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part hereof.

Chapter 182, Section 804 is hereby deleted in its entirety.

ARTICLE VI.

(6) Six-foot-high fences will be permitted as a use by right in the rear yards of properties with R-1 through R-9 which are contiguous with Commercial Districts C-1 through C-5; Office Districts O-1 and O-2; and IIN and INS Districts.

(5) No fence at any time shall prevent the clear view of the motor vehicle traffic entering or leaving from adjoining streets and driveways.

(4) All fences erected in the Township of Haverford shall have the finished side facing the adjacent property owners and/or the public right-of-way.

(3) Fire hazard. The Director of Codes Enforcement shall not grant a permit for the erection of any fence which constitutes a fire hazard, either of itself or in connection with the existing structures in the vicinity, nor which will interfere with the access in case of fire by the Fire Department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.

(2) Temporary fences: exceptions. Nothing in this title shall be deemed to interfere with the erection of temporary fences around construction work, erected or maintained pursuant to the Building Code and other ordinances of the Township of Haverford.

(1) Fence height. "Fence height" means the vertical dimension measured upward from the surface of the ground at the proposed location of the fence, or upward from the finished ground level on the higher side where there is a necessary retaining wall required for purpose other than a false grade.

3. Location of fences and retaining walls: Fences and walls may be erected in the area immediately to the rear of the building setback line. The fences or walls may be a maximum of six (6) feet in height. However, fences or walls above four (4) feet in height must be fifty-percent (50%) open, provided further that no barbed wire, metal spike or dangerous fence shall be hereafter erected or maintained.



- b. No commercial vehicle shall be permitted to load or unload in a residential district except for normal retail deliveries or moving the contents of a home.
  - c. It shall be unlawful for any person to use premises located in a residential district for a loading station or warehouse.
6. No panhandle nor flag lot shall be created within Haverford Township, either by subdivision or lot line change.

B. Chapter 182, Section 707.A subsection (1) is hereby amended to read as follows:

- 1. Every parking space, outdoors or in a garage, shall consist of not less than one hundred sixty-two (162) square feet of usable area for each motor vehicle. Parking spaces shall be a minimum of nine (9) feet wide and eighteen (18) feet long. The required parking area shall be measured exclusive of interior driveways or maneuvering areas. Outdoor parking or service areas for uses open to the public and the approaches thereto shall be paved according to township specifications and shall be graded, properly drained and maintained in a good conditions. In computing the number of parking spaces required in Subsection B of this section, if the computation shall result in a fraction, a space shall be required for each such fractional amount.

C. Chapter 182, Article VII is hereby amended by the addition of the following:

Section 727. Fences and Retaining Walls

- 1. Application and issuance of permit; survey: Applications for a fence or retaining wall shall be completed on the form provided by the Department of Code Enforcement and a diagram of the area to be fenced or enclosed. No fence or retaining wall may be erected until such work is approved by the Director of Code Enforcement, a permit issued and the required fees paid to the Township of Haverford. At the discretion of the Director of Code Enforcement, a survey by a licensed professional land surveyor may be required and form part of the application.
- 2. Unlawful erection and maintenance of fences or retaining walls: Fences or retaining walls may not extend into the right-of-way not split any division or boundary lines. It shall be unlawful to erect or maintain a fence or retaining wall in the front yard area of any lot, tract or parcel of land in the Township of Haverford, Delaware County, Pennsylvania. Front yard area shall be that area from the building setback line extending along the boundary or division line to the street line unless authorized by the Director of Code Enforcement of Haverford Township. Corner lots shall have two (2) front yards, that is one which is bounded on two (2) sides by streets.

Building coverage and Impervious Surface Ratio:

a. Building coverage: Twenty percent (20%) maximum.

b. Impervious surface ratio: Forty-five percent (45%) maximum.

c. Section 182-210.C, Subsection (4)

Building coverage and Impervious Surface Ratio:

a. Building coverage: Fifteen percent (15%) maximum.

b. Impervious surface ratio: Forty-five percent (45%) maximum.

ARTICLE IV. USE REGULATION AMENDMENTS

Chapter 182 is hereby amended in each of the following use Regulations Sections:

A. Section 182-302.B, Subsection (1) shall read:

1. Principal uses. In any 0-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:

(Further subsections (a) through (g) inclusive shall remain in full force and effect)

B. Section 182-402.B, Subsection (1) shall read:

1. Uses by right. In any C-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:

a. Any use permitted in an 0-1 Office District, except that uses specified by 182-302.B, subsection (1) (d) and (1) (f) must meet the area and bulk requirements for an 0-1 District contained in 182-302.

b. Standard restaurants, provided that there is a minimum lot size of one and five-tenths (1.5) acres.

c. Any hotel, motel or inn on a lot not less than two (2) acres.

C. Section 182-403.B, Subsection (1) shall read:

1. Uses by right. In any C-2 District, land, buildings or premises may be used or occupied by only one (1) of the following:

a. Any use permitted in an 0-1 Office District, except that uses specified by 182-302.B, subsection (1) (d) and (1) (f) must meet the area and bulk requirements for an 0-1 District contained in 182-302.

(Further subsections (b) (c) and (d) inclusive shall remain in full force and effect.)

ARTICLE V. SUPPLEMENTAL REGULATIONS AMENDMENT

A. Chapter 182, section 706.A is hereby amended by adding the following:

5. Vehicles regularly parked or maintained on the premises.

a. No commercial vehicle with a gross weight in excess of 11,000 pounds shall be parked or maintained on a property located in any Residential District or the streets adjacent thereto.

- H. Section 182-302.C.  
(8) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- I. Section 182-303.C.  
(8) Impervious Surface Ratio: Sixty-Five percent  
(65%) maximum.
- J. Section 182-402.C.  
(8) Impervious Surface Ratio: Sixty-five percent  
(65%) maximum.
- K. Section 182-403.C.  
(8) Impervious Surface Ratio: Seventy percent  
(70%) maximum.
- L. Section 182-404.C.  
(8) Impervious Surface Ratio: Seventy-five percent  
(75%) maximum.
- M.(1) Section 182-405.C.  
(8) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- M.(2) Section 182-405.D.  
(17) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- M.(3) Section 182-405.E.  
(16) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- N. Section 182-406.C.  
(7) Impervious Surface Ratio: Sixty-five percent  
(65%) maximum.
- O. Section 182-502.C.  
(9) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- P. Section 182-503.C., Subsection (2)  
(i) Impervious Surface Ratio: Sixty percent  
(60%) maximum.
- Q. Section 182-602.C.  
(8) Impervious Surface Ratio: Forty percent  
(40%) maximum.
- R. Section 182-603.C.  
(3) Impervious Surface Ratio: Fifteen percent  
(15%) maximum.

### ARTICLE III. LANGUAGE AMENDMENTS

Chapter 182 is hereby amended in each of the following Area and Bulk Regulations Sections by deleting the text of the specified subsection in its entirety and inserting the following in its place:

- A. Section 182-208.C, Subsection (3)(e)  
Building Coverage and Impervious Surface Ratio:
  - a. Building coverage: Twenty-five percent  
(25%) maximum.
  - b. Impervious surface ratio: Forty-five percent  
(45%) maximum.
- B. Section 182-209.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
  - a. Building coverage: Twenty percent (20%)  
maximum.
  - b. Impervious surface ratio: Forty-five percent  
(45%) maximum.

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, FURTHER AMENDING AND SUPPLEMENTING COMMONWEALTH OF PENNSYLVANIA, LAWS OF THE TOWNSHIP OF HAVERFORD AMENDING CERTAIN AREA AND BULK REGULATIONS, USE REGULATIONS AND SUPPLEMENTAL REGULATIONS AND CHAPTER 182, ALSO KNOWN AS THE HAVERFORD TOWNSHIP ZONING CODE. BE IT ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE Township of Haverford, County of Delaware, Commonwealth of Pennsylvania and it is hereby enacted and ordained by the authority of the same:

ARTICLE I. DEFINITIONS

Chapter 182, Section 106, "Definitions and word usage; interpretation of regulations" is hereby amended in subsection B by the insertion of the following:

IMPERVIOUS SURFACE - A surface which does not absorb rainwater including, but not limited to, all buildings, parking areas, driveways, roads, sidewalks and any areas in concrete or asphalt. In addition, other areas determined by the Township Engineer to be impervious shall also be classified as impervious surfaces.

IMPERVIOUS SURFACE RATIO - A measure of the intensity of use of a parcel of land. The impervious surface ratio shall be measured by dividing the total area of all impervious surfaces within a site by the net site area.

ARTICLE II. ESTABLISHING MAXIMUM IMPERVIOUS SURFACE RATIOS

Chapter 182 is hereby amended by adding to each of the following area and bulk regulations subsections the specified maximum impervious surface ratios:

A. Section 182-202.C. (9) Impervious Surface Ratio: thirty percent (30%) maximum.

B. Section 182-203.C. (9) Impervious Surface Ratio: Thirty percent (30%) maximum.

C. Section 182-204.C. (9) Impervious Surface Ratio: Forty percent (40%) maximum.

D. Section 182-205.C. (9) Impervious Surface Ratio: Forty-five percent (45%) maximum.

E. Section 182-206.C. (9) Impervious Surface Ratio: Forty-five percent (45%) maximum.

F. Section 182-207.C. (9) Impervious Surface Ratio: Forty-five percent (45%) maximum.

G. (1) Section 182-208.C, Subsection (1) Impervious Surface Ratio: sixty-five percent (65%) maximum.

G. (2) Section 182-208.C, Subsection (2) Impervious Surface Ratio: seventy-five percent (75%) maximum.

## ORDINANCE NO. 2189

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" AMENDING CERTAIN AREA AND BULK REGULATIONS, USE REGULATIONS AND SUPPLEMENTAL REGULATIONS AND CHAPTER 182, ALSO KNOWN AS THE HAVERFORD TOWNSHIP ZONING CODE.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania and it is hereby enacted and ordained by the authority of the same:

## ARTICLE I. DEFINITIONS

Chapter 182, Section 106. "Definitions and word usage; interpretation of regulations" is hereby amended in Subsection B by the insertion of the following:

**IMPERVIOUS SURFACE** - A surface which does not absorb rainwater including, but not limited to, all buildings, parking areas, driveways, roads, sidewalks and any areas in concrete or asphalt. In addition, other areas determined by the Township Engineer to be impervious shall also be classified as impervious surfaces.

**IMPERVIOUS SURFACE RATIO** - A measure of the intensity of use of a parcel of land. The Impervious Surface Ratio shall be measured by dividing the total area of all impervious surfaces within a site by the net site area.

## ARTICLE II. ESTABLISHING MAXIMUM IMPERVIOUS SURFACE RATIOS

Chapter 182 is hereby amended by adding to each of the following area and bulk regulations subsections the specified maximum impervious surface ratios:

- A. Section 182-202.C.  
(9) Impervious Surface Ratio: thirty percent  
(30%) maximum.
- B. Section 182-203.C.  
(9) Impervious Surface Ratio: Thirty percent  
(30%) maximum.
- C. Section 182-204.C.  
(9) Impervious Surface Ratio: Forty percent  
(40%) maximum.
- D. Section 182-205.C.  
(9) Impervious Surface Ratio: Forty-five percent  
(45%) maximum.
- E. Section 182-206.C.  
(9) Impervious Surface Ratio: Forty-Five percent  
(45%) maximum.
- F. Section 182-207.C.  
(9) Impervious Surface Ratio: Forty-five percent  
(45%) maximum.
- G. (1) Section 182-208.C., Subsection (1)  
(1) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- G. (2) Section 182-208.C., Subsection (2)  
(1) Impervious Surface Ratio: Seventy-five  
percent (75%) maximum.

- C. Section 182-210.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
- a. Building coverage: Twenty percent (20%) maximum.
  - b. Impervious surface ratio: Forty-five percent (45%) maximum.
- D. Section 182-211.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
- a. Building coverage: Fifteen percent (15%) maximum.
  - b. Impervious surface ratio: Forty-five percent (45%) maximum.

#### ARTICLE IV. USE REGULATION AMENDMENTS

Chapter 182 is hereby amended in each of the following Use Regulations Sections:

- A. Section 182-302.B, Subsection (1) shall read:
1. Principal uses. In any O-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:  
  
(further subsections (a) through (g) inclusive shall remain in full force and effect)
- B. Section 182-402.B, Subsection (1) shall read:
1. Uses by right. In any C-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:
    - a. Any use permitted in an O-1 Office District, except that uses specified by 182-302.B, subsection (1)(d) and (1)(f) must meet the area and bulk requirements for an O-1 District contained in 182-302.
    - b. Standard restaurants, provided that there is a minimum lot size of one and five-tenths (1.5) acres.
    - c. Any hotel, motel or inn on a lot not less than two (2) acres.
- C. Section 182-403.B, Subsection (1) shall read:
1. Uses by right. In any C-2 District, land, buildings or premises may be used or occupied by only one (1) of the following:
    - a. Any use permitted in an O-1 Office District, except that uses specified by 182-302.B, subsection (1)(d) and (1)(f) must meet the area and bulk requirements for an O-1 District contained in 182-302.

(Further subsections (b) (c) and (d) inclusive shall remain in full force and effect.)

#### ARTICLE V. SUPPLEMENTAL REGULATIONS AMENDMENT

A. Chapter 182, Section 706.A is hereby amended by adding the following:

5. Vehicles regularly parked or maintained on the premises.
  - a. No commercial vehicle with a gross weight in excess of 11,000 pounds shall be parked or maintained on a property located in any Residential District or the streets adjacent thereto.

3. Location of fences and retaining walls: Fences and walls may be erected in the area immediately to the rear of the building setback line. The fences or walls may be a maximum of six (6) feet in height. However, fences or walls above four (4) feet in height must be fifty-percent (50%) open, provided further that no barbed wire, metal spike or dangerous fence shall be hereafter erected or maintained.

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- (2) Temporary fences: exceptions. Nothing in this title shall be deemed to interfere with the erection of temporary fences around construction work, erected or maintained pursuant to the Building Code and other ordinances of the Township of Haverford.
- (3) Fire hazard. The Director of Codes Enforcement shall not grant a permit for the erection of any fence which constitutes a fire hazard, either of itself or in connection with the existing structures in the vicinity, nor which will interfere with the access in case of fire by the Fire Department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.
- (4) All fences erected in the Township of Haverford shall have the finished side facing the adjacent property owners and/or the public right-of-way.
- (5) No fence at any time shall prevent the clear view of the motor vehicle traffic entering or leaving from adjoining streets and driveways.
- (6) Six-foot-high fences will be permitted as a use by right in the rear yards of properties zones R-1 through R-9 which are contiguous with Commercial Districts C-1 through C-5; Office Districts O-1 and O-2; and LIN and INS Districts.

ARTICLE VI.

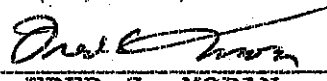
Chapter 182, Section 804 is hereby deleted in its entirety.


SEVERABILITY. Should any section or provision of this Ordinance be declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part hereof.

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

ADOPTED this 13th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY:   
FRED C. MORAN  
President  
Board of Commissioners

Attest:   
Thomas J. Bannar  
Township Manager/Secretary

*Handwritten mark*

## ORDINANCE NO. 2189

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" AMENDING CERTAIN AREA AND BULK REGULATIONS, USE REGULATIONS AND SUPPLEMENTAL REGULATIONS AND CHAPTER 182, ALSO KNOWN AS THE HAVERFORD TOWNSHIP ZONING CODE.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania and it is hereby enacted and ordained by the authority of the same:

## ARTICLE I. DEFINITIONS

Chapter 182, Section 106. "Definitions and word usage; interpretation of regulations" is hereby amended in Subsection B by the insertion of the following:

**IMPERVIOUS SURFACE** - A surface which does not absorb rainwater including, but not limited to, all buildings, parking areas, driveways, roads, sidewalks and any areas in concrete or asphalt. In addition, other areas determined by the Township Engineer to be impervious shall also be classified as impervious surfaces.

**IMPERVIOUS SURFACE RATIO** - A measure of the intensity of use of a parcel of land. The Impervious Surface Ratio shall be measured by dividing the total area of all impervious surfaces within a site by the net site area.

## ARTICLE II. ESTABLISHING MAXIMUM IMPERVIOUS SURFACE RATIOS

Chapter 182 is hereby amended by adding to each of the following area and bulk regulations subsections the specified maximum impervious surface ratios:

- A. Section 182-202.C.  
(9) Impervious Surface Ratio: thirty percent  
(30%) maximum.
- B. Section 182-203.C.  
(9) Impervious Surface Ratio: Thirty percent  
(30%) maximum.
- C. Section 182-204.C.  
(9) Impervious Surface Ratio: Forty percent  
(40%) maximum.
- D. Section 182-205.C.  
(9) Impervious Surface Ratio: Forty-five percent  
(45%) maximum.
- E. Section 182-206.C.  
(9) Impervious Surface Ratio: Forty-Five percent  
(45%) maximum.
- F. Section 182-207.C.  
(9) Impervious Surface Ratio: Forty-five percent  
(45%) maximum.
- G. (1) Section 182-208.C., Subsection (1)  
(i) Impervious Surface Ratio: Sixty-five  
percent (65%) maximum.
- G. (2) Section 182-208.C., Subsection (2)  
(i) Impervious Surface Ratio: Seventy-five  
percent (75%) maximum.



- C. Section 182-210.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
- a. Building coverage: Twenty percent (20%) maximum.
  - b. Impervious surface ratio: Forty-five percent (45%) maximum.
- D. Section 182-211.C, Subsection (4)  
Building Coverage and Impervious Surface Ratio:
- a. Building coverage: Fifteen percent (15%) maximum.
  - b. Impervious surface ratio: Forty-five percent (45%) maximum.

#### ARTICLE IV. USE REGULATION AMENDMENTS

Chapter 182 is hereby amended in each of the following Use Regulations Sections:

- A. Section 182-302.B, Subsection (1) shall read:
1. Principal uses. In any O-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:  
  
(further subsections (a) through (g) inclusive shall remain in full force and effect)
- B. Section 182-402.B, Subsection (1) shall read:
1. Uses by right. In any C-1 District, land, buildings or premises may be used or occupied by only one (1) of the following:
    - a. Any use permitted in an O-1 Office District, except that uses specified by 182-302.B, subsection (1)(d) and (1)(f) must meet the area and bulk requirements for an O-1 District contained in 182-302.
    - b. Standard restaurants, provided that there is a minimum lot size of one and five-tenths (1.5) acres.
    - c. Any hotel, motel or inn on a lot not less than two (2) acres.
- C. Section 182-403.B, Subsection (1) shall read:
1. Uses by right. In any C-2 District, land, buildings or premises may be used or occupied by only one (1) of the following:
    - a. Any use permitted in an O-1 Office District, except that uses specified by 182-302.B, subsection (1)(d) and (1)(f) must meet the area and bulk requirements for an O-1 District contained in 182-302.

(Further subsections (b) (c) and (d) inclusive shall remain in full force and effect.)

#### ARTICLE V. SUPPLEMENTAL REGULATIONS AMENDMENT

A. Chapter 182, Section 706.A is hereby amended by adding the following:

5. Vehicles regularly parked or maintained on the premises.
  - a. No commercial vehicle with a gross weight in excess of 11,000 pounds shall be parked or maintained on a property located in any Residential District or the streets adjacent thereto.

3. Location of fences and retaining walls: Fences and walls may be erected in the area immediately to the rear of the building setback line. The fences or walls may be a maximum of six (6) feet in height. However, fences or walls above four (4) feet in height must be fifty-percent (50%) open, provided further that no barbed wire, metal spike or dangerous fence shall be hereafter erected or maintained.

- (1) Fence height. "Fence height" means the vertical dimension measured upward from the surface of the ground at the proposed location of the fence, or upward from the finished ground level on the higher side where there is a necessary retaining wall required for purpose other than a false grade.
- (2) Temporary fences: exceptions. Nothing in this title shall be deemed to interfere with the erection of temporary fences around construction work, erected or maintained pursuant to the Building Code and other ordinances of the Township of Haverford.
- (3) Fire hazard. The Director of Codes Enforcement shall not grant a permit for the erection of any fence which constitutes a fire hazard, either of itself or in connection with the existing structures in the vicinity, nor which will interfere with the access in case of fire by the Fire Department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.
- (4) All fences erected in the Township of Haverford shall have the finished side facing the adjacent property owners and/or the public right-of-way.
- (5) No fence at any time shall prevent the clear view of the motor vehicle traffic entering or leaving from adjoining streets and driveways.
- (6) Six-foot-high fences will be permitted as a use by right in the rear yards of properties zones R-1 through R-9 which are contiguous with Commercial Districts C-1 through C-5; Office Districts O-1 and O-2; and LIN and INS Districts.

ARTICLE VI.

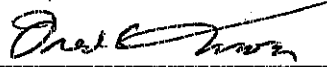
Chapter 182, Section 804 is hereby deleted in its entirety.

SEVERABILITY. Should any section or provision of this Ordinance be declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part hereof.

REPEALER. Any Ordinance or part of an Ordinance to the extent that it is inconsistent is hereby repealed.

ADOPTED this 13th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY:   
FRED C. MORAN  
President  
Board of Commissioners

Attest:   
Thomas J. Bannar  
Township Manager/Secretary

Final  
1/14/94

ORDINANCE NO. 2191

ORDINANCE-NO. P26=93

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish a "HANDICAPPED PARKING ONLY" zone on the following roadways:

- a) 715 Woodland Drive
- b) 1356 Warren Avenue

SECTION 2. Upon the effective date of this ordinance, the Highway Department shall install the appropriate signs in the said sections or zones giving notice of the regulations aforesaid.

SECTION 3. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 13th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2192  
~~ORDINANCE-NO--P28-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986 AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" BY AMENDING PROVISIONS OF THE POLICE CIVIL SERVICE RULES AND REGULATIONS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

ARTICLE I. SCOPE: DEFINITIONS: POLICE CIVIL SERVICE COMMISSION

That Section 32, 32-2 Definitions, Paragraph M shall be amended to read as follows:

M. Police Force or Department - The Police Force or Police Department of the Township of Haverford, including those employees who devote their normal working hours to police duty or duty in connection with the Township agencies and services connected with police protection work and who are paid a stated salary or compensation for such work by the Township of Haverford.

That Section 32, 32-3 Definitions, Commission established; membership; filling vacancies, Letter D. shall be added to read as follows:

D. Purpose - The Police Civil Service Commission is created to maintain the sanctity and promote the standards of efficiency in police service within the Township of Haverford. The Commission is granted the exclusive jurisdiction to determine the qualifications, fitness, promotion, and discharge of police officers employed by the Township subject to the limitations imposed under these Rules and Regulations and the applicable provisions of the First Class Township Code. Act of 1931 June 24, P.L. 1206, Article I, Section 101 et seq., as amended (55P.S. Section 55101 et seq., as amended).

ARTICLE II. APPLICATIONS AND EXAMINATIONS FOR NEW EMPLOYEES

That Section 32-32, Creation of Eligibility List, Paragraph A. shall be amended to read as follows:

At the completion of the examination requirements consisting of a physical agility examination, written examination, oral examination, polygraph examination and background investigation, the Commission shall rank all passing applicants on a list with the applicant receiving the highest score at the top of the list

and the applicant receiving the lowest passing score on the bottom of the list. Applicants who qualify for veterans' preference points, totaling ten points, shall have those points added to their passing score prior to being ranked on the eligibility list. The Commission may, at its sole discretion, void an eligibility list at any time.

A. Upon completion of the examination, the Commission shall post the eligibility list ranking the candidates in the Township Manager's Office. The eligibility list shall be presented to the Board of Commissioners at the next regularly scheduled public meeting of the Board. The eligibility list shall be valid for a period of two (2) years from the date of presentation to the Township Board of Commissioners.

### ARTICLE III. APPOINTMENT PROCEDURE

That Section 32-36, Provisional Appointments, shall be amended to read as follows:

Whenever there are urgent reasons for filling of a vacancy in any position in the Police Force and there are no names on the eligibility list for such appointment, the Board may nominate a person to the Commission for a non-competitive examination, he may be appointed provisionally to fill such vacancy. It shall become the duty of the Commission to begin a competitive testing process within three (3) weeks of the provisional appointment by the Board. The regular appointment shall be made no later than 180 days following this provisional appointment.

### ARTICLE IV. PROMOTION PROCEDURE

That Section 32-41, Specific Qualifications, Letter A. shall be amended to read as follows:

A. Experience requirements shall be as follows:

Promotions to

Qualifications

Deputy Chief

A Ranking Lieutenant or a Sergeant of the Haverford Township Police Department with a minimum of five years in rank.

Lieutenant

Sergeant with the Haverford Township Police Department with a minimum of three years experience.

Sergeant

Police Officer with minimum of three consecutive years of service as a Haverford Township Police Officer which period may include the one year probationary period.

That Section 32, 32-42, Procedure Established, Examination for promotion to Lieutenant and Sergeant shall consist of the following parts, Paragraph C shall be amended to read as follows:

Step	Element	Weighing
1.	Written Examination	40%
2.	Oral Examination	<u>60%</u>
		100%

That Section 32, 32-42, Paragraph E shall be amended to read as follows:

Upon completion of the examination, the Commission shall post the eligibility list for promotions in the Township Manager's Office. The eligibility list for promotions shall be presented to the Board of Commissioners at the next regularly scheduled public meeting of the Board. The eligibility list shall be valid for a period of two years from the date of presentation to the Township Board of Commissioners. The Commission may void an eligibility list at any time.

Repealer. Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 13th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2195

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 818 and ORDINANCE NO. 1796, AS FURTHER AMENDED, FIXING THE ANNUAL SEWER RENTAL OR CHARGE FOR THE YEAR 1994 DETERMINING THE AMOUNT OF MONEY TO BE CHARGED TO EACH PROPERTY CONNECTED TO THE SEWER FOR EACH ONE THOUSAND GALLONS OF WATER CONSUMED AND ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Commissioners, County of Delaware, Commonwealth of Pennsylvania, and it is enacted and ordained by the authority of the same that:

SECTION 1. The total amount of the annual sewer rental or charge for the year 1994 to be required is hereby determined to be \$2,997,700 pursuant to and as part of the Budget Adoption procedures of the Home Rule Charter.

SECTION 2. The Board of Commissioners does hereby determine Two Dollars and twenty-seven cents (\$2.27) per one thousand (1,000) gallons of water used by properties connected with the sewage of the Township as the amount of money to be charged to each property connected to the Township Sewer System for the sewer rental or charge for 1994.

SECTION 3. The sewer rent or charge for the year 1994 for each property within the Township of Haverford using the sewer system and facilities of the Township shall be charged at the rate of \$0.00227 per gallon for water consumed or used by said property.

SECTION 4. A two percent (2%) discount shall be allowed if the bill is paid on or before sixty (60) days from the date of the bills. The face amount of all final bills shall be payable on or before one hundred and twenty (120) days from the date of the bills if discount period is disregarded. All sewer rental charges shall be a lien against the property serviced by the sewer facilities of the Township until said sewer rental charges are paid. Failure on the part of the Township to remit a bill due to administrative error or federal postal delivery problems does not exonerate the property owner from paying the sewer rental fee and penalties imposed. It shall be the duty of the Director of Finance to certify to the Township Manager/Secretary the date that all bills are mailed. If said bills are not paid on or before one hundred and twenty (120) days from the date of bill, a penalty of ten percent (10%) shall be added. It shall be the duty of the Director of Finance during or after the twelfth month following the month in which bills were mailed to certify the unpaid bills to the Township Solicitor, who shall proceed to collect such delinquent sewer rental together with penalties and costs accrued thereon either by action at laws, or by filing a lien or liens for the same in the Office of Judicial Support of the Court of Common Pleas of Delaware County, Pennsylvania, and

such liens, together with penalty and costs accrued thereon shall be filed and collected in accordance with law. All sewer rentals not paid prior to the date on which penalty shall be added as herein provided shall be deemed to be delinquent.

SECTION 5. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 27th day of December, A.D., 1993.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary



ORDINANCE NO. 2196  
~~ORDINANCE-NO: P27-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" BY ADDING RETIREMENT PROVISIONS FOR POLICE OFFICERS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. The "General Laws of the Township of Haverford" Ordinance No. 1960, Chapter 30, Pensions and Employee Benefits, Article III, Section 30-12, shall be amended to add the following:

E. Survivor Benefits

- (1) If a police officer retires from the force and receives a pension, in the event of his/her death the following survivor benefits shall apply: 50% of the police officer's pension shall be paid to his/her widow/widower until his/her remarriage or death, or the police officer's legal children until they reach the age of 18, whichever occurs last. (Retroactive to 1/1/77).

SECTION 2. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 10th day of January, A.D., 1994.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2197  
~~ORDINANCE NO. P29-93~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That Section 175-91. Schedule XVI (175-27) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind the "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Farwood Road, east side, from Manoa Road to a point 100 feet south thereof.

SECTION 2. That Section 175-91, Schedule XVI (175-27) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish the "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Farwood Road, east side, from Manoa Road to a point 30 feet south thereof.

SECTION 3. That Section 175-91, Schedule XVI (175-27) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish the "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On Farwood Road, west side, from Manoa Road to a point 30 feet south thereof.

SECTION 4. That Section 175-91, Schedule XVI (175-27) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish the "NO PARKING HERE TO CORNER" zone restriction on the following roadway:

- a) On East Turnbull Avenue, south side, from East Darby Road, to a point 30 feet south thereof.

SECTION 5. That Section 175-95, Schedule XX, (175-31) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to rescind the "HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At Lansdowne Road, west side, two (2) spaces at front entrance of the Elwyn Institute workshop.

SECTION 6. That Section 175-95, Schedule XX, (175-31) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish the "HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At 176 Juniper Road, one (1) space in front of residential dwelling.

SECTION 7. That Section 175-15, Schedule IX (175-84) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish the "YIELD TO PEDESTRIAN IN CROSSWALK" zone restriction on the following roadway:

- a) On Hathaway Lane, west side of the Ardmore Junction Tunnel directing traffic in an easterly direction.

SECTION 8. That Section 175-15, Schedule IX (175-84) of Ordinance No. 1960 be and the same is hereby supplemented and amended so as to establish the "YIELD TO ONCOMING TRAFFIC" zone restriction on the following roadway:

- a) On Hathaway Lane, east side of the Ardmore Junction Tunnel directing traffic in a westerly direction.

SECTION 9. Upon effective date of this ordinance, the Highway Department shall install the appropriate signs in said section or zone giving notice of the regulations aforesaid.

SECTION 10. Any ordinance or part of ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 10th day of January, A.D., 1994.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary