

ARTICLE XIV

SUPPLEMENTAL REGULATIONS

History: Amended by Ordinance No. 2022-06-04, June 8, 2022, Ordinance No. 2023-07-02 July 12, 2023 and Ordinance No. 2024-07-05

Several uses identified in this Chapter, even though permitted, are required to address these "supplemental regulations" which are intended to provide additional safety standards, both for the applicant and the adjacent property owners.

§20-1401. Manufactured Homes

- A. A manufactured home, for the purposes of this Chapter, shall be as defined in Article II.
- B. No manufactured home lacking toilet and washing facilities, or cooking and food storage facilities shall be permitted, nor shall any self-propelled vehicles used as living quarters, or travel trailers designed for temporary occupancy, be permitted for residential purposes for a period exceeding fourteen (14) days. Such manufactured home or vehicle shall not be placed in any yard area.
- C. Manufactured homes placed on a single lot (parcel), not located within a mobile home park, shall meet all requirements of this Section, as well as all applicable regulations of this and any other regulations of Center Township relative to a single family dwelling unit. Homes placed in a mobile home park shall comply with Section 20-1508A.26.
- D. Manufactured homes shall be installed in compliance with the Pennsylvania Uniform Construction Code. (see Chapter 2)
- E. Manufactured homes shall be placed on required foundations and skirted within thirty (30) days of arrival on the lot. A one-time extension of not more than thirty (30) days may be granted by the Zoning/Code Enforcement Officer upon written request by the manufactured home owner.
- F. No manufactured home shall be occupied until it has received an occupancy permit from the Zoning/Code Enforcement Officer. The Zoning/Code Enforcement Officer shall not issue an occupancy permit until all applicable regulations are satisfied.

G. Any enclosed additions added to a manufactured home after its placement on the foundation, and not a part of the original construction, shall match the materials and colors of the original.

H. No manufactured home shall be removed from the Township until all current and back municipal, county and school district taxes have been paid in full. The property occupied by the manufactured home may be liened for the unpaid taxes whether or not such property is owned by the occupants of the manufactured home.

§20-1402. Nonresidential Performance Standards

- A. The following regulations shall apply to any new development permitted, except when such regulations are less restrictive than comparable regulations administered by State or Federal agencies.
- B. The following emissions, as measured at the property line shall be considered the maximum allowable:
 1. Noise: Fifty (50) decibels, whether steady or intermittent, measured on property boundary, but excluding train and truck noises.
 2. Smoke: No waste material of any kind shall be burned in the open air on any industrial property. In no case shall smoke emitted from any manufacturing process exceed a density equivalent to number two (2) on the Ringelmann smoke detection chart.
 3. Odor: No discernible odor beyond property boundary in period of still air.
 4. Vibration: Not discernible beyond property boundary.
 5. Storage of highly flammable substances: Location not less than two hundred (200) feet from property boundary and separated from other stored substances and structures, except for incidental supplies used in connection with manufacturing processes carried out on the premises and in accordance with Pennsylvania State Police Fire Marshal regulations.

6. Glare - Lighting devices which may produce objectionable glare onto neighboring properties and/or roadways shall be regulated as follows:
 - a. In any district, any operation or activity producing intense glare shall be so conducted that direct and/or indirect illumination from the source of light shall not cause illumination in excess of one-half (1/2) of one (1) foot-candle above background when measured at any residential district boundary line. Flickering or intense sources of light shall be controlled so as not to cause a nuisance across any lot lines or roadways.
- C. All outside lighting, including lighting for signs, shall be directed in such a way as to not create a nuisance to any adjacent property and/or roadway. (See Figures 28 and 29, Appendix B.) All illumination devices and fixtures shall be equipped with a glare-shielding device approved by the Township Engineer. Side effects of industrial activities shall be controlled as follows:
 1. Sky-reflected glare: Operations creating glare shall be conducted in an enclosed structure without facing nearby residences.
 2. Dust: Shall be gathered and bagged within the structure housing the process producing the dust and in accordance with the Environmental Protection Agency (E.P.A.) and the Pennsylvania Department of Environmental Protection (D.E.P.) standards, and all stored items producing dust shall be stored in an enclosed yard or regularly sprayed with water to eliminate dust problems. This shall include covering of trucks and spraying of materials and trucks prior to transport to eliminate the possibility of the material causing dust in transport and/or dropping of the material from the truck to the road.
 3. Outside storage: Stored materials shall comply with all applicable D.E.P. regulations and shall not be placed to allow seepage of liquids or toxic substances into the ground. Liquid storage vessels shall be surrounded by a dike enclosing sufficient volume to contain the vessel or vessels if ruptured,

and including seepage runoff from coal, culm, ashes or any substance which could seep into the ground water supply or adjacent streams or rivers; nor shall it be deposited in such form or manner that they may be transferred off such premises by natural causes or forces, such as by wind or flood.

4. Waste disposal: Organic wastes shall be stored in covered containers and disposed of in accordance with Pennsylvania D.E.P. regulations and the Pennsylvania Hazardous Waste Act of 1980.
- D. Determination of Violation: The Zoning/Code Enforcement Officer shall investigate any purported violation. If the Zoning/Code Enforcement Officer determines a violation exists, the Zoning/Code Enforcement Officer shall report in writing such information to the Board of Center Township Supervisors for further action, with recommendations.

§20-1403. Land Development

- A. Any developer of land proposing to construct a multi-family residential structure or structures, or any nonresidential structure or structures shall be required to meet all applicable standards of this Chapter, including Supplemental Regulations, Signs and Parking Requirements; as well as those application and review requirements established in Chapter 14, Subdivision and Land Development regulations, as may be amended from time to time.
- B. On all recorded parcels within the municipal boundaries of Center Township involving the development and operation of a natural gas compressor station or processing plant, an application for land development approval, consistent with the provisions of the Chapter 14, Center Township Subdivision and Land Development Ordinance, shall be submitted which shall also comply with the applicable standards outlined in Section 20-1415, or as superseded by the provisions of Commonwealth Act 13 of February 2012.

§20-1404. Home Occupation

- A. Home occupations are permitted as an accessory use in the residential zoning districts provided the occupation is clearly incidental to the use, except that such permission shall not

supersede any deed restriction, covenant or agreement restricting the use of land, nor any master deed, bylaw or other document applicable to a common ownership community.

- B. No exterior changes shall be made to the dwelling, nor shall any additions be made, to accommodate the home occupation. Exception: Mandatory changes required by the Pennsylvania Uniform Construction Code. (See Chapter 2)
- C. No accessory structures shall be used for a home occupation or used to supplement a home occupation.
- D. No more than one (1) person, which is not a resident in the dwelling, may be employed in the occupation.
- E. All parking for the employee and patrons shall be off the street and shall not be located within the front yard line.
- F. Signs identifying the home occupation shall conform to the standards established in Article XVII.
- G. A home occupation permit must be obtained prior to the start of activities, with a fee as established in the Township Fee Schedule. Home occupation permits must be renewed annually upon application by the property owner. Each annual renewal application shall be accompanied by an application fee, as established from time to time by the Board of Supervisors. Permit renewal is contingent upon compliance with all applicable regulations. Permits and permit renewals are the responsibility of the property owner.
- H. The home occupation shall meet all performance standards as identified in Section 20-1402.
- I. No goods or products not produced on the premises shall be permitted to be sold as part of the home occupation.
- J. No more than twenty-five percent (25%) of the existing residential structure floor area shall be used as a home occupation.
- K. All home occupations must comply with the Pennsylvania Uniform Construction Code. (See Chapter 2)

- L. Permits must be posted conspicuously in the home occupation area.

§20-1405. General Landscaping

- A. At least ten percent (10%) of any property to be developed for a nonresidential use or uses, shall be landscaped. Not less than five percent (5%) of the total property area shall be landscaped in that portion lying between the principal structure on the property and the abutting street right-of-way.
- B. Landscaping may take the form of grassed areas, shrubbery, low trees, ground cover, mulching materials, boulders or other similar features, and shall be maintained.
- C. A landscaping plan is required which shall clearly show all landscaping elements, as required, by type and location.

§20-1406. Buffer Yards/Screening

- A. Buffer yard requirements are based on the type and intensity of the land use and those on the adjacent properties. The type of buffer yard required may be placed within the required side and rear yard of a lot, and may be satisfied by any of the options illustrated. The type of plant materials are not specified by this Section, however, only those plant materials capable of fulfilling the intended function shall satisfy the requirements of this Section.
- B. To determine the required buffer yard (see Appendix "A"), the type of use proposed to be developed (or the most similar use) should be located in the first column. Next, identify the existing use on the adjacent property (or properties). The letter that is found in the "box" that intersects those uses identifies the buffer yard required for that use. The type of buffer yards are described as follows:
 - 1. Opaque Screen, Type A - A screen that is opaque from the ground to a height of at least six (6) feet, with intermittent visual obstructions from the opaque portion to a height of at least twenty (20) feet. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of spatial separation. The opaque screen may be composed of a wall, fence or densely planted vegetation. Compliance of planted vegetative screens

will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstruction should not contain any completely unobstructed openings more than ten (10) feet wide.

2. Semi-Opaque Screen, Type B - A screen that is opaque from the ground to a height of three feet (3'), with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, or planted vegetation. Compliance of planted vegetative screens will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than fifteen (15) feet wide.
3. Broken Screen, Type C - A screen composed of intermittent visual obstructions from the ground to a height of at least twenty (20) feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The screen may contain deciduous plants.

§20-1407. Excavation and/or Landfill

All requests for the excavation of materials from a site, and/or the operation of a landfill shall be reviewed by, and address the requirements of, the Butler County Conservation District and the Pennsylvania Department of Environmental Protection, and shall meet the following requirements:

- A. The operator shall submit a scaled drawing prepared by a Registered Professional Engineer to the Zoning/Code Enforcement Officer indicating:
 1. The property upon which the excavating will occur, including abutting roads, property lines and boundary on the property within which the excavating will occur.
 2. Contours at five (5) foot intervals, indicating existing contours and proposed contours at conclusion of excavation.
 3. Solution to drainage from the site shall be in accordance with Chapter 21, Stormwater Management.
 4. The registration seal of the Engineer preparing the drawing.
- B. The operator shall comply with all regulations of this Chapter and other applicable regulations relative to grading and drainage upon conclusion of the project.
- C. The excavation or land fill project shall be operated as follows:
 1. Access to the site shall be controlled through one (1) point.
 2. The operator shall post the property, noting that a dangerous condition exists and warning trespassers away.
 3. The operator shall take care that trucks leaving the property are not overloaded and that spilled material is removed from adjacent public roads not less frequently than once every twenty-four (24) hours while the excavation is in progress.
 4. Water accumulating on the site shall be removed to a drainage way, and any contaminated water shall be treated before allowed to enter a drainage way.
 5. When the operation ceases for a period of at least ninety (90) days or moves from one area of the site to another, slope areas remaining shall be left in accordance with the requirements for grading set forth in the Subdivision and Land Development regulations.

6. The operator shall apply annually, upon the date of issuance of the original permit, for a renewal of the permit. A total of four (4) renewals shall be permitted for any single project, and all excavating work shall be completed within five (5) years from the date of issuance of original permit.
 7. The Board of Supervisors shall have the right to close the excavating operation or landfill at any time or deny the right to renewal of the permit, if in its opinion, the operation is being carried on without respect for these controls.
- D. Review and Approval; Bonding of Roads
1. The Township Engineer shall review the drawing submitted in support of the permit for compliance with the requirements.
 2. The necessary permits, if any, required by the Commonwealth of Pennsylvania, shall have been issued to the operator, and a favorable review of the submission by the Township Engineer shall have been completed prior to approval by the Zoning/Code Enforcement Officer.
 3. The Township Engineer shall assess what damages to adjacent private property or to State or Township roads might occur through improper operation from the excavation/landfill and shall determine a value upon such damages which will be equal to the amount of a bond to be posted by the excavator in favor of the Township. Such bond shall be renewed prior to the issuance of an extension of the permit.
 4. The amount of the bond, less any sums needed to correct damages caused as a result of the excavation/landfill operations, shall be refunded to the operator after the conclusion of the operation, or after five (5) years, whichever is sooner.

§20-1408. Solar Considerations

To help provide a sensitivity to solar concerns, developers shall be sensitive to solar planning, which shall be considered a purpose of this Chapter. Portions of this Chapter (building heights, lot dimensions and setbacks) shall be considered by the Planning Commission and approved by the Board of Supervisors with concern towards the following definitions and rights of an individual:

- A. Solar Energy: Radiant energy received either directly or indirectly from the sun at wavelengths suitable for conversion into thermal, chemical or electric energy.
- B. Solar Skyspace: The space between a solar collector (passive or active) and the sun which must remain unobstructed in order to permit efficient utilization of the solar energy system.
- C. Solar Skyspace Easement: An expressed right, easement, covenant, condition or other property interest in any deed or other instrument executed by or on behalf of, any landlord, which protects the solar skyspace of an actual, proposed or designated solar collector at a described location by forbidding or limiting activities or land uses that interfere with access to solar energy.
- D. Underground Structures: Any completed building that was designed to be built partially or wholly underground, and which was not intended to serve as a substructure or foundation for a building. Four types of underground structures are recognized:
 1. Elevational: Wall exposed
 2. Atrium or courtyard
 3. Penetrational: Wall openings
 4. Chamber
- E. Developments shall take advantage of topography and solar orientation to provide good building sites, to prevent shadows cast by adjacent buildings and to landscape with vegetation to its full potential to save energy.

§20-1409. Fences, Hedges and Walls

- A. Hedges or fences on a property at the intersection of two (2) public streets shall be prohibited within the triangle area whose sides are described by the two (2) property lines

intersecting at the intersection and an imaginary line connecting the points at which the required building setback lines, if extended, would intersect the property lines (clear sight triangle, as defined, see Appendix B Figure 5).

- B. No fence or hedge shall exceed eight (8) feet in height above the ground if the fence or hedge is erected along a side or rear property line and to the rear of the front building line.
- C. No fence or hedge shall exceed four (4) feet in height above the ground if the fence or hedge is erected along the front property line or alongside property lines toward the front property line.
- D. No fence or hedge shall be erected on the road right-of-way.
- E. Retaining walls shall require approval of the Township Engineer if their height exceeds their distance to the property line. Retaining walls, if used, shall be designed to withstand soil pressures from behind and shall have adequate foundations to avoid overturning, as well as a drainage system to remove water collecting behind the wall. Retaining walls shall require approval of the Zoning/Code Enforcement Officer and shall not be closer than three (3) feet to any property line.
- F. Security fences surrounding industrial, commercial or public properties may be exempt from Section 20-1409B and Section 20-1409C provided they are of an open surface, less than fifty (50) percent opaque. Required buffer fences, strips, and landscaping are not included under this Section.

§20-1410. Self-Storage Facility

- A. No storage may take place outside of a storage unit.
- B. No self-storage facility shall have water or sanitary sewer service.
- C. Access shall be from a main highway/road only.
- D. The maximum height of any structure shall be fifteen (15) feet
- E. The maximum length of any structure shall be two hundred (200) feet
- F. The maximum width of any building shall not exceed fifty (50) feet

- G. Minimum distance between buildings:
 - 1. face to face - thirty (30) feet
 - 2. end to end - twenty (20) feet
- H. The access road, or driveway, shall be paved.
- I. The access areas to each storage unit and/or structure, shall be made permanently mud and dust free.
- J. The entire facility shall be fenced, with access limited to the owner and those using the facility.
- K. The facility shall be screened from adjacent properties and shall meet the standards established in Section 20-1406.
- L. Exterior lighting shall be required and shall illuminate the entire compound. Such lighting shall be oriented away from and shall not produce glare on streets and/or adjacent properties, and shall meet the standards established in Section 20-1402B.6.
- M. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public is prohibited and shall meet the standards established in Section 20-1402.

§20-1411. Logging Operations

Pursuant to Pennsylvania Law, logging shall be permitted within any zoning district in Center Township. (For the requirements pertaining to the commercial harvesting of timber, refer to Chapter 10).

§20-1412. Swimming Pools

- A. A swimming pool shall be placed only to the rear or side of the principal structure and shall meet the setback requirements stated for the principal structures in that Zoning District. No swimming pool shall be placed to the front of the principal structure. See Section 20-202, Yards, Corner Lots.
- B. The pool shall be setback from the property line the same distance as for the primary structure.
- C. In-ground pools, installed before April 19, 2004, shall be surrounded by a security fence, at least four (4) feet in height, with access through a locked gate. All pools installed on or after April 19, 2004 must comply with the Pennsylvania Uniform Construction Code. (See Chapter 2)

- D. Above-ground pools, installed before April 19, 2004, shall have ladders which can be removed or folded-up to prevent access. All pools installed on or after April 19, 2004 must comply with the Pennsylvania Uniform Construction Code. (See Chapter 2)
- E. All equipment required in the operation of the pool shall be accessible for maintenance.
- F. Public pools shall meet the requirements of the Pennsylvania Departments of Health and Environmental Protection.

§20-1413. Adult Entertainment Establishments

To help protect and maintain the health, safety, morals and general welfare of its citizens, and to preserve the property values and characteristics of the surrounding neighborhoods, the Center Township Supervisors have established the following definitions and requirements for Adult Entertainment Establishments. Additional standards which must be addressed prior to conditional use approval are found in Section 20-1508A.16.

- A. Classification: The following businesses are included in the "Adult Entertainment Establishments" classification:
 - 1. Adult arcades
 - 2. Adult bookstores and/or video store
 - 3. Adult cabaret/bottle club
 - 4. Adult motel
 - 5. Adult motion picture theater
 - 6. Adult theater
 - 7. Massage establishment
- B. Definitions: The specific terms used for the purpose of this Section are defined as follows:

- 1. Adult Arcade: Any place to which the public is permitted, or invited, wherein coin-operated, slug-operated, electronically or mechanically-controlled still, or motion, picture machines, projectors or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time; and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."
- 2. Adult Bookstore or Video Store: Any commercial establishment which, as one of its business purposes, offers for sale or rental, for any form of consideration, any one, or more, of the following:
 - a. Books, magazines, periodicals or other printed matter or photographs, films, motion pictures, video cassettes or reproductions, slides or other visual representation which depict or described "specified sexual activities" or "specified anatomical areas"; or
 - b. Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."
- 3. Adult Cabaret (Bottle Club): A nightclub, bar or similar commercial establishment which regularly features:
 - a. Persons who appear in a state of nudity; or
 - b. Live performances which are characterized by the exposure of "specified sexual activities" or by "specified anatomical areas"; or
 - c. Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
 - d. The ability for patrons to bring their own alcoholic beverages or liquor into the establishment.

4. Adult Motel: Any motel, hotel or similar commercial establishment which:
 - a. Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas", and has a sign visible from the public right-of-way which advertises the availability of this adult-type photographic reproduction; or
 - b. Offers sleeping rooms for rent, four (4) or more times in one calendar day, during five (5) or more calendar days in any continuous thirty (30) day period.
 5. Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, or other photographic reproductions are regularly shown, which are characterized by the depiction of "specified sexual activities" or "specified anatomical areas".
 6. Adult Theater: Any theater, concert hall, auditorium or similar establishment which regularly features persons who appear nude or in a state of nudity or in live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas".
 7. Massage Establishment: Any establishment or business which provides the services of massage and body manipulation, including exercises, heat, light, and water treatments of the body; and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist, licensed by the State.
 8. Nudity/State of Nudity: The appearance of a bare human buttock, anus, male genitals, female genitals or female breast.
 9. Specified Anatomical Areas: The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.
 10. Specified Sexual Activities: Means, and includes, any of the following:
 - a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; or
 - b. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
 - c. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral/anal copulation, sodomy, or other normal or abnormal sex acts; or
 - d. Masturbation, actual or simulated.
- C. Permit Required
1. Any person who operates an adult entertainment establishment shall be required to obtain a permit from the Township.
 2. An application for an adult entertainment permit shall be made on a form provided by the Township. The application shall be accompanied by the required fee, a sketch or diagram showing the floor plan and lot configuration. A statement indicating the total floor area shall also be included. Parking facilities must be identified and are required to meet the requirements of this Chapter. Nonconforming structures not having the required parking sites shall not be issued a permit unless the adult entertainment establishment was in existence as a lawful use prior to the date of enactment of this Chapter.
 3. Prior to issuance of an adult entertainment permit, the premises shall be inspected and found to be in compliance with this Chapter and all applicable codes.
 4. The fact that other Township permits have been issued does not exempt the use from the need for an adult entertainment permit.

- D. Fees: The annual fee for an adult entertainment permit is five hundred dollars (\$500.00), or such fee as may be established by the Township by resolution.
- E. Expiration of Permit: Each permit shall expire one (1) year from the date of issuance, and may be renewed by application as described in Section 20-1914 C 2, above.
- F. Inspection:
1. The premises of an adult entertainment establishment may be inspected by the Township Zoning/Code Enforcement Officer, or designee, at any time the establishment is open for business.
 2. Refusal to permit such inspection shall be a violation of this Chapter.
- G. Revocation of Permit:
1. The Zoning/Code Enforcement Officer shall revoke a permit if he determines that the permittee:
 - a. Is or has been convicted of a sexually-related offense;
 - b. Provided false information on application;
 - c. Has knowingly allowed possession, use or sale of controlled substances on the premises;
 - d. Has knowingly allowed prostitution on the premises;
 - e. Has allowed any person under the age of eighteen (18) to perform;
 - f. Has admitted any person under the age of eighteen (18);
 - g. Has permitted "specified sexual activities" to be performed on the premises.

The revocation of an adult entertainment permit shall be for one (1) year from the date of revocation. In the case of A above, the revocation shall be effective for two (2) years in the event of a misdemeanor or five (5) years in the case of a felony.

- H. Transfer of Permit: A permittee shall not transfer the adult entertainment permit to another person, and shall not operate an adult entertainment establishment at another location.

§20-1414. Campgrounds

In order to provide for the development of commercial campground facilities within the Township, this Section identifies standards which must be addressed, in addition to those identified in Section 20-1508A.25. A campground shall be considered a land development and shall be required to address all applicable provisions of the Township's Subdivision and Land Development regulations, Chapter 14, as may be amended.

- A. Campgrounds may be used by camping units as temporary living quarters; may be rented by the day or week only, and the length of stay shall not exceed fourteen (14) days.
- B. A written report shall be submitted which describes:
 1. The impact of the campground upon Township and State roads;
 2. The impact of the campground on sewer facilities, water supplies, schools and other public service facilities;
 3. The suitability of the site for the intensity of the development, including soils, slopes, woodlands, wetlands, floodplains, aquifers and other natural features, and the impact of the campground on these natural features;
 4. The impact of the campground on the preservation of agriculture and other land uses which are essential to public health and welfare.
- C. Campground rules shall be submitted at the time of licensing; such rules shall be modeled after the Pennsylvania State Recreation Area Rules and Regulations (March 1996, as amended).

- D. The owner of a campground shall pay a license fee, which shall be determined by the Township and shall be renewed annually. Upon application for renewal, the Township shall review compliance by the owner with all Township regulations. Should the owner be found in violation of any Chapter regarding the use of the campground, the application for renewal of the license shall be denied until such violation(s) have been corrected
- E. Each campsite and every other structure in the park supplied with water or sewer, or both, must be served by a public or community system approved by the Pennsylvania Department of Environmental Protection (DEP).
- F. Accessory structures or uses which may be permitted are: recreation facilities; office; residence (for owner/caretaker); maintenance structure(s); restroom; laundry room; convenience store. Such accessory structures shall:
 - 1. Be available to campers only;
 - 2. Not exceed twenty (20) feet in height (residences may be placed above office/laundry/convenience store, however, it shall not exceed thirty-five (35) feet in height.
 - 3. Not be located closer than one hundred (100) feet to any property line or road right-of-way.
- G. The campground and accessory uses shall be completely private uses, not available to the general public other than through reservation with the owner.
- H. Motor vehicles, other than recreational vehicles or those towing such, are not permitted, except on the improved roads as identified on the approved plan.
- I. Storage may be permitted for the owner of the campground, only, as regulated by this Chapter. No on-site storage of camping units, not owned by the campground owner shall be permitted.
- J. The campground shall be completely enclosed by a fence, a minimum of six (6) feet in height and shall be maintained in relatively good condition.
- K. There shall be only one (1) primary access to the campground from a State or Township road or highway; and, at least one (1) emergency access way to be used for emergency situations only (preferably not the same road or highway).
- L. The primary access to the campground shall have a minimum width of fifty (50) feet and shall have a maximum slope of two (2) percent for a length not less than one hundred (100) feet.
- M. The campground shall provide off-street parking and loading areas which are separated from the general traffic flow.
- N. All interior roads and parking/loading areas shall be paved. Tar and chips will be accepted as a minimum.
- O. Lighting shall be provided, by the owner, at the primary access to the campground. Such lighting, as well as all interior lighting, shall not produce glare on adjacent roads and properties.
- P. No noise from recordings, loudspeakers or public address systems shall be allowed which interferes with the reasonable enjoyment of adjacent residential properties.
- Q. The campground development shall meet the performance standards as set forth in Section 20-1402 of this Chapter.
- R. Each campground shall be inspected at reasonable times and at such intervals as may be required for the proper enforcement of these regulations and the safekeeping of the health, safety, and welfare of the public.

§20-1415. Oil and Gas Operations

- A. Oil and Gas Operations, which include the construction of compressor stations and gas processing plants, shall be reviewed by the Center Township Planning Commission and approved by the Board of Supervisors prior to the issuance of any required Township permits. All proposals for Oil and Gas Operations, whether listed as permitted or conditional uses, shall include the following submittal information in addition to the requirements for land developments specified in Chapter 14, Center Township Subdivision and Land Development Ordinance, where such operation involves the development and operation of a natural gas compressor station or processing plant:

1. For all oil and gas operations, as defined, whether permitted by right or conditional use, the following health and safety information shall be submitted for review as part of the application:
 - a. Copies of all information submitted to the Pennsylvania Department of Environmental Protection required for issuance of an oil and gas operation permit.
 - b. Copies of industry standard health and safety reports for development and operation of such facilities.
 - c. Sealed and signed affidavit from applicant's engineering consultant that the proposed facility(ies) meets all current industry standards and specific Commonwealth standards under the Pennsylvania Oil and Gas Act (1984, PL 1140, No. 223), as amended.
 - d. Design and Construction methods proposed to mitigate any identified health and safety issues at the subject site, including but not limited to, installation of sound barriers, chemical storage and frack water disposal, site lighting, and stormwater management may be referred to professional consultants at the Township's discretion, the cost for which shall be borne by the applicant.
 - e. Copies of any previous enforcement notices, fines or penalties assessed against the applicant, applicant's contractors or consultants involved in the development of the proposed oil and gas operation.
 - f. Other information deemed by the Planning Commission or Board of Supervisors relevant to address public health and safety concerns regarding the proposed oil and gas operations
2. The applicant shall provide the Zoning Officer a routing plan for access to the site, identifying Commonwealth and Township roadways being utilized, including copies of any required road performance bonds, Commonwealth permits or other required local or Commonwealth permits.
3. Applicant shall provide the Zoning Officer with a copy of the Erosion and Sediment Control General Permit (ESCGP) approved by the Pennsylvania Department of Environmental Protection.
4. The applicant shall provide a copy of any access security measures approved by the Pennsylvania Department of Environmental Protection during the gas drilling operation phase on lands in zoning districts where such activity is permitted.
5. Any approved landscaping plan shall be visually consistent with the provisions of Section 20-1405.
6. At the time an application for a Township Zoning Permit is submitted, unless otherwise specified, a copy of all Pennsylvania Department of Environmental Protection required information regarding the rehabilitation-reclamation of the site shall be attached.
7. Notification requirements of the Pennsylvania Department of Environmental Protection shall be satisfied prior to commencement of those activities specified in this Section.

8. In lieu of a land development plan pursuant to Chapter 14, Subdivision and Land Development Ordinance, an applicant may instead present the Township Engineer and Planning Commission those plans, studies and reports submitted by the applicant to DEP, which substantially complies with Chapter 14, Subdivision and Land Development Ordinance, requirements, including, but not limited to the erosion and sediment control general permit ("ESCGP-2 Permit). This provision shall supersede any contrary requirements in Chapter 14. These items shall be reviewed by the Township Planning Commission and/or Township Engineer to determine substantial compliance.
- B. Setbacks from recorded property lines shall be in conformance with the provisions of Commonwealth of Pennsylvania Commonwealth Act 13 of February 2012 where applicable, unless such minimum setback is waived by the affected abutting property owner or is otherwise specified.
 - C. Any operator utilizing Center Township owned and maintained weight restricted roads for Oil and Gas Operation activities shall be held to the minimum Township standards for purposes of bonding. It shall be the sole responsibility of the operator to keep the roadway segments being utilized passable and mud-free for all vehicular traffic at all times, in addition to the following:
 1. Where a Center Township owned and maintained road is to be used for an Oil and Gas Operation, a maintenance plan shall be provided to the Township showing all roadway segments being used and the reason Township roads need to be accessed. Such plan shall include a schedule to keep the roadway passable and mud-free.
 2. When the operator's maintenance plan for accessing Township owned and maintained roads for an Oil and Gas Operation is considered deficient by the Township Engineer due to excessive use related to such oil and gas operation, an agreement shall be executed to rebuild the roadway surface, subbase and drainage prior to use. Such roadway rehabilitation work shall be performed at a time deemed appropriate by the Board of Supervisors with input from the Township Engineer.
- D. Where such oil and gas operations are classified as conditional uses in certain zoning districts, the following review procedure and submittal information shall be provided and development standards met:
 1. An application for Conditional Use approval for an Oil and Gas Operation which involves an oil or natural gas well and impoundment area, compressor station or processing plant shall be filed with the Zoning Officer along with the required administrative fee and such application shall include information as outlined and processed as follows:
 - a. Identify and describe the property, its location and the present use.
 - b. Reasonably describe present improvements and any intended additions and changes.
 - c. Disclose the Conditional Use for which the application is being made, and show how the property, as it may be improved, meets the standards and criteria required for approval.
 - d. Upon receipt of such application for Conditional Use, the Zoning Officer shall forthwith refer the same to the Township Planning Commission. The application for conditional use shall be processed as per the provisions of the Pennsylvania Municipalities Planning Code, Section 9.13.2.

- e. The Township Board of Supervisors shall hold a public hearing pursuant to public notice, on the Conditional Use application, as per the provisions of the Pennsylvania Municipalities Planning Code, Section 908.
 - f. The Township Board of Supervisors may authorize Conditional Uses pursuant to express standards and criteria specified in this Ordinance for said uses and may attach such additional conditions and safeguards as it may deem necessary where such conditions and safeguards are not pre-empted by Commonwealth Act 13 of February 2012.
 - g. The Township Staff shall report the action of the Township Board of Supervisors as per the provisions of the Pennsylvania Municipalities Planning Code, Section 9.13.2.
2. For any Oil and Gas Operation, the Operator shall;
- a. Install temporary safety fencing, at least eight (8) feet in height or as specified in Section 20-1810 Fences, Hedges and Walls, around impoundment areas. Where applicable Federal or Commonwealth regulations require additional or alternative fencing, those standards shall dictate.
 - b. Install warning signs providing notice of the potential dangers at the well site.
 - c. Provide security personnel 24/7 at all times when a drilling rig or hydraulic fracturing equipment is on the well site.
 - d. Prior to development, the Operator shall provide to the Township's first responders, including the Volunteer Fire Department, Police Department and Ambulance service in addition to the Zoning Officer, a copy of its Preparedness, Prevention and Contingency ("PPC") Plan.
 - e. Prior to drilling, the Township shall ascertain whether the Township's first responders have secured adequate training to deal with any potential dangerous conditions that may result due to development activities. First responders shall have a minimum of five hours of training per year to meet this standard. Upon request from the Township, the Operator will, prior to drilling of its first oil and gas well in the Township, make available, with at least 30 days' notice, at its sole cost and expense, one appropriate group training program of up to five hours for first responders. Such training shall be made available at least annually during the period when the Operator anticipates drilling activities in the Township.
 - f. All reportable spills and accidents are to be reported in person and in writing to the Township Administrative Office at 150 Henricks Road, Butler, PA 16001-8472 in a timely manner.
 - g. An emergency response plan shall be submitted addressing methods to handle the following:
 - 1) Well leakage
 - 2) Spill containment
 - 3) Vandalism creating unknown conditions
 - 4) Defective casing or cementing
 - 5) Potential contamination between the well and the public and/or private water supply
3. A noise level not to exceed 50 dBA at the nearest property line or the applicable standard imposed by Commonwealth or Federal statutes shall be the maximum permitted at any compressor station or processing plant site. A noise level not to exceed 60 dba at the property line shall be maintained at the well drilling and impoundment area sites unless otherwise specified.

4. The primary access road to the oil and gas well site shall be improved with a dust-free, all weather surface and constructed in such a manner that no stormwater, sediment or debris shall be carried onto any public roadway.
5. Adequate and appropriate lighting is essential to the safety and welfare of those persons involved in the development of oil and gas, and the Operator shall take steps, to the extent practicable, to direct site lighting downward and inward toward the drill site, well head, or other area being developed so as to minimize glare on public roads and adjacent buildings within three hundred (300) feet measured from the property line or leased area line of the drill site, well head, or other area being developed.
6. In the event the access road to a well pad is located all or partially in a zoning district different than the well pad, the access road shall be authorized consistent with the requirements of this Ordinance applicable to the well pad with input from the Township Engineer.

§20-1416. Container Storage Area

In order to provide a safe and secure location for the temporary placement of portable re-useable storage containers, this section identifies standards which must be addressed. These standards must also acknowledge and address the possibility of the containers being used for harmful and/or illegal activities such as, but not limited to, those initiated and carried out by criminals and/or terrorists.

A. General Requirements

1. A container storage area, for the purposes of this Chapter, shall be as defined in Article II.
2. As used herein, the compound is that portion of the site entirely enclosed by fence.
3. As used herein, the site is the uninterrupted parcel of land on which the compound is located.
4. The minimum required compound area shall be one (1) acre.

5. The entire site shall be subject Chapter 14, Subdivision and Land Development Ordinance, requirements.
6. The primary access(s) to the compound shall have a minimum width of fifty (50) feet and shall have a maximum slope of two (2) percent for a length not less than one hundred (100) feet.
7. Site access shall be from local roads only. Access from private lane shall be prohibited.
8. All area inside fenced compound shall be made to be, and shall remain, dust free and vegetation free.
9. The compound shall be screened from adjacent properties and shall meet the standards established in Section 20-1406.
10. Landscaping of areas outside of the compound fence shall be as required by Section 20-1405.
11. All site landscaping and vegetation must be continually maintained and groomed.
12. All vegetation within ten (10) feet of the fence must be maintained and groomed to a maximum height of six (6) inches.
13. Associated access road or driveway shall be paved or concrete surface.
14. Exterior lighting shall be required and shall illuminate the entire compound. Such lighting shall be oriented away from and shall not produce glare on streets and/or adjacent properties.
15. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public is prohibited. As used herein, a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public means a noise or sound which annoys or disturbs a reasonable person of reasonable sensitivities.
16. Signs shall comply with Article XVII of this Chapter.
17. No products of any kind, new or used, shall be sold on or at the site.

18. Each container storage compound shall be located not less than five hundred (500) feet from the nearest container storage compound.
 19. Compound area shall contain no other structures.
 20. Solid waste management shall comply with Chapter 16 of the Center Township Codification of Ordinances.
 21. Burning at site shall be prohibited.
 22. Trucks are prohibited from extended stays at site. All trucks must leave site within one (1) hour of arrival.
- B. Containers
1. The number of containers per acre of compound area shall be consistent with, and shall not exceed, industry standards.
 2. No compound shall allow the accumulation of more than one hundred (100) containers at any given time.
 3. All containers shall be located inside the compound fence.
 4. All containers must be of the type that is totally enclosed by metal.
 5. Containers shall NOT be stacked more than two (2) high.
 6. Loading/unloading of container contents shall be prohibited.
 7. Containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric and/or graphic signage and/or writing.
EXCEPTION: The container owner and/ or manufacturers name and logo, and the container tracking number.
 8. Any activity and/or container markings and/or graphics placed on containers or anywhere on the site, using and/or involving nudity, partial nudity, sexually oriented materials, sexually oriented entertainment, and/or sexually oriented services shall be prohibited.
 9. All containers shall be totally and securely closed and locked.
 10. All containers shall be identified by a legible tracking number specific to the container. Duplicate numbering is prohibited.
 11. Containers shall be positioned so the tracking number is not obstructed from view at ground level.
 12. Immediately upon request, the site owner must provide the Township and/or law enforcement with the following information with respect to any and all containers;
 - a. Container owner
 - b. Container contents
 - c. Container arrival date
 - d. Container content shipping history. The site owner shall retain this information for a period of one (1) year after the container is removed from the site.
 13. Materials stored within containers are subject to review, inspection and approval by the Township Zoning/Code Enforcement Officer and/or local law enforcement, upon request.
 14. Containers containing hazardous and/or explosive material shall be prohibited.
 15. Containers weeping/seeping liquids and/or dust shall be prohibited
 16. Containers containing organic waste shall be prohibited.
 17. The following shall NOT be considered compliant containers and shall be prohibited;
 - a. Containers or trailers with permanently attached axles.
 - b. Railroad cars, truck vans, mobile homes, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials

18. Any container which emits any odor sufficient to disturb the peace and general tranquility of the neighboring public shall be prohibited and shall be removed immediately upon notification from the Township or law enforcement. As used herein, any odor sufficient to disturb the peace and general tranquility of the neighboring public means an odor which annoys or disturbs a reasonable person of reasonable sensitivities.

19. Maximum time an individual container can remain on site is one (1) year. A thirty (30) day off site period is required before same container can be reintroduced to site.

C. Compound Fence and Gate

1. The entire compound area shall be fenced, with access limited to the owner and those using the facility.
2. The compound perimeter fence shall NOT enter into the minimum setback required by the applicable Zoning District.
3. Fence shall be of commercial grade corrosion resistant metal, minimum six (6) feet in height.
4. Fence shall be constructed so as to deter entry by unauthorized persons.
5. All entry driveways to compound shall be controlled by a gate that is to remain closed and locked except for entry/exit of a vehicle. The gate shall close immediately after passage of an individual vehicle.
6. All entry/exit gates to the site shall remain locked in the closed position between the hours of 9:00 pm to 7:00 am.
7. All entry gates shall be located so as to provide sufficient room for a truck with container to be completely off of street right of way prior to gate opening.
8. The site owner's name and twenty-four (24) hour contact phone number shall be conspicuously posted at all site entry areas in minimum four (4) inch high reflective lettering.
9. The 911 site address shall be conspicuously posted at all site entry areas in minimum four (4) inch high reflective lettering.

10. A Fire Department key box shall be installed at all gated areas.

§20-1417. Motor Vehicle Sales and/or Rental

- A. Parking and traffic areas shall be paved or concrete surface.
- B. The selling of food and/or drink shall be prohibited.
- C. Outdoor speakers shall be prohibited.
- D. Any activity using and/or involving nudity, partial nudity, sexually oriented materials sexually oriented entertainment, and/or sexually oriented services shall be prohibited.
- E. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public. As used herein, a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public means a noise or sound which annoys or disturbs a reasonable person of reasonable sensitivities.
- F. All public oriented events and/or activities must occur inside the main structure.
- G. All public oriented events and/or activities not directly applicable to sales and rental of Motor Vehicles shall be prohibited.
- H. Using any part of required parking area and/or any part of required traffic way and/or any part of any public way, for display of merchandise is prohibited.
- I. Outdoor storage areas shall be located and screened in compliance with Chapter 14, Section 14-904 of the Center Township Codification of Ordinances.
- J. When located adjacent to a residential area, hours of operation shall be limited to 8 AM through 9 PM.
- K. Solid waste management shall comply with Chapter 16 of the Center Township Codification of Ordinances.
- L. No derelict or damaged vehicles shall be stored on the premises for more than one (1) month.

§20-1418. Motor Vehicle Service and/or Repair

- A. Parking and traffic areas shall be paved or concrete surface.

- B. The selling of food and/or drink shall be prohibited.
- C. Outdoor speakers shall be prohibited.
- D. Any activity using and/or involving nudity, partial nudity, sexually oriented materials sexually oriented entertainment, and/or sexually oriented services shall be prohibited.
- E. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public. As used herein, a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public means a noise or sound which annoys or disturbs a reasonable person of reasonable sensitivities.
- F. All public oriented events and/or activities must occur inside the main structure.
- G. All public oriented events and/or activities not directly applicable to service and/or repair of Motor Vehicles shall be prohibited.
- H. Using any part of required parking area and/or any part of required traffic way and/or any part of any public way, for display of merchandise is prohibited.
- I. Outdoor storage areas shall be located and screened in compliance with Chapter 14, Section 14-904 of the Center Township Codification of Ordinances.
- J. All new and used parts stored on the premises shall be stored inside a screened area.
- K. All un-useable parts stored on the premises shall be stored inside a screened area and removed periodically, but not less than monthly.
- L. When located adjacent to a residential area, hours of operation shall be limited to 8 AM through 9 PM.
- M. Solid waste management shall comply with Chapter 16 of the Center Township Codification of Ordinances.
- N. No derelict, damaged or unlicensed vehicles shall be stored on the premises for more than one (1) month. Vehicles waiting repair or painting shall be kept behind a fence at least four (4) feet high, obscuring their view from adjacent properties and roads