ORDINANCE NO.	13-01

do 4.

AN ORDINANCE OF HEIDELBERG TOWNSHIP, YORK COUNTY, PENNSYLVANIA REGULATING THE OPENING AND CUTTING OF STREETS AND INSTALLATION OF DRIVEWAYS

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Heidelberg Township, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

1. SHORT TITLE

This ordinance shall be known as and may be cited as the "Heidelberg Township Roadway Occupancy Ordinance".

2. **PERMIT REQUIRED**

No person, partnership, corporation, limited liability company, utility, municipal authority, or other business entity shall make any tunnel, opening, excavation or work of any kind or connect any street Right-of-Way without first securing a Road Occupancy Permit from Heidelberg Township, hereinafter referred to as the Township, for each separate undertaking.

3. APPLICATION

In order to obtain a Road Occupancy Permit, an applicant must submit the following:

- a. The application for a permit shall be on a form prescribed by the Township and shall be submitted in triplicate;
- b. The applicant shall also submit three copies of a sketch, on a form prescribed by the Township, showing the location and dimensions of the intended facility or driveway, the width of the improved roadway, the right-of-way of the street and the distance to the nearest intersecting street as well as any other information necessary to determine the exact location and scope of the proposed work.
- c. A fee, payable to the Township, for the issuance of the permit shall accompany each application. The fee shall be established by resolution of the Board of Supervisors of the Township and shall be in accordance with the fee schedule established by the Pennsylvania Department of Transportation for highway occupancy permits.
- d. If the proposed work will involve the premature excavation/opening of a road that has been constructed or resurfaced within the last fifty (50) years, a Degradation Fee shall also be submitted with the application. This fee shall be established by resolution of the Board of Supervisors of the Township.

- e. At the time of application, in addition to the permit fee, the applicant shall pay to the Township a fee to cover the cost of inspecting the permitted work upon completion thereto, to ensure compliance with the conditions, restrictions and regulations prescribed by the Township. The aforesaid fee shall be established by resolution of the Board of Supervisors of the Township and shall be in accordance with Section 3.c.
- f. Present evidence, if requested by the Township, that all material, labor and/or equipment necessary to accomplish the work are available to the applicant.
- g. The permittee does hereby agree, by the filing of an application, to save the Township, its Board of Supervisors, officers, employees and agents harmless and to indemnify all, or any of them, from any and all claims, damages, suits, liabilities and costs which may arise, or be claimed to arise, by reason of the work, either as authorized or as actually undertaken by the permittee. The issuance of a permit, or the doing of any work provided for this Ordinance, shall constitute the agreement, by the person doing the work, to the provisions of this subsection, irrespective of whether same is expressed elsewhere.
- h. The permittee shall post financial security to secure the structural integrity of the roadway improvements. The financial security will be in the amount of 100% of the street reconstruction. After final inspection the financial security will be reduced to the amount of 15% of the street reconstruction and extend for a time period not greater than one year. The financial security shall be in a form and in an amount acceptable to the Township.

4. **PERMIT ISSUANCE**

- a. The Township shall, within ten (10) working days following receipt of a completed application, including all submittals, act on the application and issue a Road Occupancy Permit if the application conforms to the requirements of this Ordinance. If the application is not in conformance with this Ordinance, the Township shall, within the same time frame, deny such permit and notify the applicant of the reasons for denial.
- b. The Township may, in addition to the conditions set forth herein, impose such other conditions upon the issuance of the permit as may be reasonably necessary to protect the health and safety of the public during the course of the work.
- c. No work shall be commenced by the applicant until the Township has approved the application and the permit has been issued, other than under those exceptions which pertain to Section 5, Emergency Procedures. By the filing of the application for a permit, the applicant agrees that the applicant shall perform the work in accordance with the terms of this Ordinance, the permit, as issued, and all applicable laws and regulations pertaining thereto and that the applicant shall be bound, in all respects, by the terms and conditions of this Ordinance.
- d. The work for which a permit is issued shall be commenced within thirty (30) days from the date of its issuance. If the work is not commenced by that date, the permit shall automatically be considered as revoked and, thereafter, a new permit

for the work will only be issued upon payment of a new permit fee. The permittee shall notify the Township, at least twenty-four (24) hours in advance, as to the date and time when the work will be commenced.

- e. A permit is not transferable by the permittee to any other person.
- f. A permit shall terminate at the end of the period of the time specified in the permit or upon completion of the work, whichever occurs first. If the permittee is unable to complete the work within the time specified in the permit the permittee shall, prior to its termination, request an extension of time from the Township, in writing, which shall include the reason for the requested extension. If the Township determines that an extension is necessary, it may grant the permittee such additional time as the Township deems appropriate for completion of the work, subject to an extension fee as set by resolution of the Board of Supervisors.
- g. All permits shall be issued subject to the rights of the Township and the public to use any roadway that is the subject of the permit, for all purposes for which such roadway may lawfully be used.
- h. A permit may be revoked by the Township, after written notice to the permittee, as a result of any one (1) of the following:
 - i. a violation of any condition of the permit;
 - ii. a violation of any provision of this Ordinance or any other applicable statute, ordinance or regulation relating to the work;
 - the existence of any condition or the doing of any act by the permittee which constitutes or creates a nuisance or which endangers the safety or property of the public; or
 - iv. written notice of the revocation shall be served upon the permittee or the permittee's agent. The notice shall contain a brief statement of the reason for the revocation and it shall be effective if delivered either by personal delivery to the permittee, or the permittee's agent, or by mailing same to the permittee at the address on the application, by placing same in the United States Postal Service, certified mail, return receipt requested.

5. EMERGENCY PROCEDURES

- a. Nothing in this Ordinance shall preclude the opening of any roadway for emergency repairs necessary for the safety of the public or the restoration of continuance of a public utility or other public service.
- b. Emergency openings shall be permitted without first obtaining a Road Occupancy Permit.
- c. The person, partnership, corporation, limited liability company, utility, municipal authority, or other business entity, shall notify the Township of any work to be performed or that has been performed on an emergency basis and an application for a Road Occupancy Permit and all applicable fees shall be submitted as herein prescribed within five (5) working days following the completion of the

emergency work. Thereafter, the provisions of this Ordinance shall apply. To protect the public safety and facilitate restoration of the trench, emergency openings may be backfilled with Pa. No. 2A crushed aggregate and compacted. The temporary bituminous surface shall be a minimum of two (2) inches thick. Final restoration shall occur within ninety (90) days.

6. PERFORMANCE OF WORK

a. Responsibility of Permittee

- i. The permittee shall be responsible to ensure compliance with all terms and conditions of the permit by the permittee's agents, contractors and successors.
- ii. A copy of the permit must be posted on the job site or must be in the possession of the workmen on the job. The permit shall be produced upon request to any authorized employee of the Township.
- iii. The permittee shall have the responsibility for complying with the provisions of Act 287, Act of December 10, 1974, P.L. 852, 73 P.S. §176-182, as amended, regarding notification of excavation work. Compliance with this Ordinance is not compliance with the provision of the Act, and the Township assumes no liability should permittee fail to comply with the provisions of the Act.
- iv. No excavation shall be made, or attempted, if it shall or may interfere with any utility lines or other underground facilities, unless the permitee has first secured the permission of the owners of all such facilities.
- v. If an underground facility is damaged by the permittee, such damage shall be repaired and/or restored by the permittee, as necessary and in accordance with the directions of the owner of the facility.
- vi. No monument of granite, concrete, iron, steel, brass or other lasting material shall be removed or disturbed, or caused to be removed or disturbed, without the permittee first obtaining permission, in writing from the Township to do so, in which case the permittee shall pay the Township for all its expenses necessary and incidental to all replacements of such monuments.
- vii. If, in the opinion of the Township, the work to be undertaken is such that it will affect any property which abuts or adjoins the area of the work, the Township may require the permittee to give notice of the same to the owners and/or tenants of each such affected property. In the case of disruption to electric, gas, phone, water or cable services, the permittee will inform the Township Emergency Management Coordinator and the Township of the expected commencement and length of such disruption, such notice to be given at a time not earlier than 48 hours and not later than 24 hours before the disruption begins. Absent of such notice, no

- disruption of the services may commence, without approval of the Township.
- viii. All backfilling, as well as all other work, shall be accomplished by the permittee with due diligence so that no roadway is obstructed to a greater extent or for a longer period of time than is actually necessary. If the work is not prosecuted with due diligence or, in the opinion of the Township, it does not comply with the terms of this Ordinance, the permit or sound engineering practices, the Township shall so notify the permittee, in writing and the permittee shall then be required, within three (3) days from the permittee's receipt of such notice, to proceed to complete the work or correct any deficiency in the work. If the permittee does not comply with the terms of this notice, the Township may then proceed against the permittee who has not complied with all the requirements of this Ordinance relative to any prior permits issued to the permittee, the Township to be the judge of such noncompliance.
- ix. The Township, or designated representative, shall have the right to inspect all the work and is also authorized to secure such outside inspection services as may, in its judgment, be necessary in order to ensure compliance by the permittee with the provisions of this Ordinance and the permit. The permittee shall be responsible for reimbursing the Township for the reasonable costs of such outside services within thirty (30) days of receiving an invoice for same.
- x. No permittee shall perform any work beyond that originally authorized by the permittee's permit to an extent greater than ten (10) percent in excess of that specified in the permit, unless such excess work is approved, in advance, by the Township and the Township is paid any additional fees occasioned thereby. Upon completion of any additional work that is not covered by the original permit, the permittee shall file a revised application with the Township reflecting the scope of same.

b. Maintaining a Structure or Facility

i. As long as the permittee operates and leaves in place any structure or facility in, upon or along the right-of-way of a Township highway, the permittee shall maintain and keep the structures or facilities in good order and repair.

c. Maintaining Traffic

- i. Whenever possible, the permittee shall maintain the normal flow of traffic.
 - 1. No excavation in any roadway shall extend beyond the centerline of such roadway until the surface of the initial excavation is restored to a condition which shall provide safe and convenient

- access for pedestrian and vehicular traffic. At no time will the improved part of a roadway be completely closed to vehicular or pedestrian traffic, unless such closing is authorized, in advance and in writing, by the Township.
- 2. At all times while the work is in progress and prior to its completion, the permittee shall maintain safe crossings for pedestrian and vehicular traffic at all roadway intersections and, in addition, safe crossings for pedestrians at intervals of not more than three hundred (300) feet.
- 3. Two (2) lanes of traffic shall, where possible, be kept open at all intersections by the installation of covering steel plates. All such steel plates shall be firmly secured and, where appropriate, imbedded in bituminous material so as to withstand the normal flow of traffic. If the size and character of the excavation makes it impractical to use steel plates, the permittee shall so advise the Township at the time the application for the permit is filed and the work shall not commence until the Township consents to the omission of the steel plates.
- 4. The permittees shall maintain vehicular access to all private driveways, except during working hours when construction operations prohibit such access, the owner of any driveway that is affected to be notified of such non-access, by the permittee, prior to the commencement of the specific work. The permittee shall also insure that there is free access, at all times, to the fire hydrants in the area covered by the scope of the work.
- ii. The permittee shall, prior to the commencement of and during the work authorized by the permit, and including work done on an emergency basis, erect traffic control measures in accordance with the Pennsylvania Department of Transportation, Publication 213, Temporary Traffic Control Guidelines.
- iii. In all locations where normal traffic flow is to be restricted, including Emergency Work, it shall be the responsibility of the permittee prior to the commencement of the work, to notify the Police Department, Fire Department, York County Control (911), and the School District in which the work is being done, of the location, nature, date(s), and hour(s) that normal traffic flow is anticipated to be restricted.
- iv. The permittee shall notify the above agencies when normal traffic flow is restored.

d. Disposition of Materials

i. If a permittee shall cause any earth, sand, gravel, rock, stone or other material to be either deposited upon or caused to roll, flow or wash onto

any roadway and there is thereby created a nuisance or a danger to the public health and safety, the permittee shall cause all such material to be promptly removed from the roadway. In the event any such material is not removed within eight (8) hours after notification to the permittee by the Township to do so, the Township may then take all steps necessary to accomplish such removal, the costs of the removal to be paid to the Township by the permittee.

- ii. The permittee shall be responsible for controlling dust and mud conditions created by the permitted work.
- iii. As the work progresses, all excess excavated materials and materials that are not suitable for backfill shall be removed and properly disposed of by the permittee.
- iv. All materials suitable for backfill shall be placed or stored on the side of the operation away from traffic, unless otherwise authorized by the Township and shall be stored in a manner so as not to interfere with the flow of water in any gutter, drain, pipe, culvert, ditch or waterway. The stored material shall not interfere with the flow of pedestrian traffic.

e. Method of Construction

 Lateral Utility Crossing from Edge of Cartway to Edge of Cartway on Roadways that have been Constructed or Resurfaced within the Last Five Years

1. Boring

- a.. When crossing under any improved area, the opening for a utility facility shall be drilled, bored, driven or tunneled on a horizontal plane at a minimum depth of 3 feet from the surface of the highway, including its swale ditches, to the top of the opening.
 - i. If the facility is more than 12 inches in diameter, the bored cylindrical space surrounding the facility shall be filled with grout.
 - ii. Wet boring shall be prohibited.
- b. No boring or receiving pit openings for the purpose of placing utility facilities or other structures under the improved area by drilling, boring, driving, or tunneling shall be made closer than 3 feet to the edge of the roadway, unless the permit, justified by conditions, authorizes a lesser clearance.
- c. Facilities and other structures crossing the improved area shall be constructed so as to assure the safety of the traveling public and to

preclude the necessity of entering upon the improved area to affect future maintenance or replacement.

2. Open Cut Trenching Across Improved Area

Trenching across improved area shall consist of the following:

- a. No open cut trenching shall be permitted across the improved area, unless authorized by the permit.
- b. Open cut trenching across the improved area may be authorized by the permit where drilling, boring, driving or tunneling are not feasible because:
 - i. the subsurface is solid rock;
 - ii. there are other facilities located longitudinally under the improved area and their location precludes methods other than trenching;
 - iii. adjacent development is very congested urban area that makes the construction of tunneling, boring or receiving pits impossible.
- c. Concrete pavement excavation, backfilling and restoration shall be completed by the permittee in accordance with Section 6.e.iv and all other Township rules, regulations and ordinances.
- d. Bituminous pavement excavation, backfilling and restoration shall be completed by the permittee in accordance with Section 6.e.v and all other Township rules, regulations and ordinances.
- ii. Lateral Utility Crossing from Edge of Cartway to Edge of Cartway on Roadways
 That Have Not Been Constructed or Resurfaced Within the Last 5 Years or
 Crossing From Facilities Located Within the Cartway

Open trenching may be permitted when authorized by the permit.

- 1. Concrete pavement excavation, backfilling and restoration shall be completed by the permittee in accordance with Section 6.e.iv and all other Township rules, regulations and ordinances.
- 2. Bituminous pavement excavation, backfilling and restoration shall be completed by the permittee in accordance with Section 6.e.v and all other Township rules, regulations and ordinances.

iii. Open Cut Trenches Parallel to the Cartway

- 1. Open cut trenches for utility facilities and other structures shall be made so that the near edge of the trench is at least 3 feet away from the edge of the roadway, unless the permit authorizes a lesser distance, with a minimum depth of 3 feet from the surface of the roadway or invert of the drainage swale to the top of the facility.
- 2. No more than two hundred (200) feet, measured longitudinally, of any roadway shall be opened in any roadway until such time as the previously opened surface of the roadway is restored to a safe and convenient condition for vehicular or pedestrian traffic unless such opening is authorized, in writing, by the Township.
- 3. Open cut trenches within 18 feet of the centerline of the existing cartway on streets and roads with a 50 foot right-of-way and within 14 feet of the centerline of the existing cartway on streets and roads with a 33 foot right-of-way shall meet the following requirements:
 - a. Concrete pavement excavation, backfilling and restoration shall be completed by the permittee in accordance with Section 6.e.iv and all other Township rules, regulations and ordinances.
 - b. Bituminous pavement excavation, backfilling and restoration shall be completed by the permittee in accordance with Section 6.e.v and all other Township rules, regulations and ordinances.
- 4. When the trench is within the area described in this subsection and not within an improved cartway but within the shoulder area, the shoulder shall be replaced in-kind. The bedding, backfill and compaction requirements, defined in Sections 6.e.iv and 6.e.v, are required for a trench within the shoulder area.
- 5. When the trench is outside the area described in this subsection and not within an improved cartway or shoulder, it can be backfilled with suitable backfill in 8 inch lifts, topsoiled and seeded.

iv. Concrete Pavement Replacement

- 1. A concrete saw shall be used for all concrete pavement cuts.
- 2. Existing pavement, which is removed in the course of the work, shall be removed for a distance of at least one (1) foot beyond the outer limits of the

excavation, so that a firm base of undisturbed subgrade shall underlie the perimeter of the replacement pavement.

- 3. For Utility Trenches: The opening shall be backfilled with material suitable for insulation to a height not to exceed 1 foot over the top of the facility, compacted in not more than 4 inch lifts.
- 4. The excavation shall be backfilled using PennDOT No. 2A coarse aggregate, placed in level, 12-inch thick layers (loose measure) that is then compacted to a firm condition using appropriate mechanical compacting equipment. A firm condition is described as that compacted material density where additional application of compaction equipment does not result in further settlement of the backfill material.
- 5. No subgrade shall be covered until it has been inspected and approved by the Township or its designated representative.
- 6. Where subgrade disturbance is contained within an individual slab, the entire slab shall be replaced from joint to joint and centerline to edge of pavement (including curb) except in the following cases:
 - a. The maximum width of a replacement section need not be greater than twice distance from the centerline of the roadway to the edge of pavement except where the existing pavement beyond the replacement section is severely cracked and deteriorated. The required limits of replacement pavement shall be determined by the Township.
 - b. Where the pavement surrounding an excavation is not cracked or otherwise deteriorated, the Township may approve a minimum width of replacement from the centerline of the roadway to the edge of pavement.
- 7. Concrete pavement patches shall be jointed to existing pavements using 1.25-inch diameter dowel bars, 18 inches long (9 inch embedment each side) placed 12 inches center-to-center in joints that are transverse to the centerline, and 24 inches center-to-center in joints along the centerline.
- 8. Replaced pavement construction joints shall be either Type D or Type G and expansion joints shall be Type E as shown on Sheet 1 of 4, Drawing RC-20, PennDOT Publication No. 72.
- 9. Concrete used for replacement pavement shall conform to the requirements for Type AA as specified in Section 704 of PennDOT Publication 408. The plastic concrete shall have a minimum air entrainment between 6.0% and 7.5%.

- v. Bituminous Concrete (Asphalt) Pavement Replacement
 - 1. Asphalt paving shall be scored or otherwise cut in a straight line.
 - 2. Existing pavement, which is removed in the course of the work, shall be removed for a distance of at least one (1) foot beyond the outer limits of the excavation, so that a firm base of undisturbed subgrade shall underlie the perimeter of the replacement pavement.
 - 3. For Utility Trenches: The opening shall be backfilled with material suitable for insulation to a height not to exceed 1 foot over the top of the facility, compacted in not more than 4 inch lifts.
 - 4. The excavation shall be backfilled using PennDOT No. 2A coarse aggregate, placed in level, 12-inch thick layers (loose measure) which are then compacted to a firm condition using appropriate mechanical compacting equipment. A firm condition is described as that compacted material density where additional application of compaction equipment does not result in further settlement of the backfill material.
 - 5. No subgrade shall be covered until it has been inspected and approved by the Township or the Township's designed representative.
 - 6. Following placement and compaction of the PA No. 2A crushed stone aggregate and cutback operation, a 3 inch thick 25mm Superpave Base Course, 2 inch thick 19mm Superpave Binder Course, and a 1-1/2 inch thick 9.5 mm Superpave Wearing Course shall be constructed.
 - 7. All bituminous pavement joints shall be sealed with PG 64-22, 6 inches in width.

f. ABOVE GROUND FACILITIES

Permits will not be issued to install above ground facilities which:

- i. the Township determines to be hazardous or potentially hazardous to the general public;
- ii. interferes with the clear sight vision of motorists at intersection highways, roads or entering driveways and access drives;
- iii. fall within the proposed construction area of either road widening or curb construction.

g. DRIVEWAYS

- i. Driveways entering upon any Pennsylvania State highway shall not be constructed unless and until a Highway Occupancy Permit has been issued for same by the Pennsylvania Department of Transportation. The Highway Occupancy Permit shall be provided to the Township at the time of making application for the Heidelberg Township Road Occupancy Permit.
- ii. The regulations governing access driveways as contained in the Heidelberg Township Zoning Ordinance and the Subdivision and Land Development Ordinance shall be strictly observed.
- iii. Driveways entering upon any public street or highway within the Township shall be so constructed as to provide for the proper drainage along the shoulder or curb line of the street or highway and shall be so located as to afford an unobstructed view of the traffic thereon.
- iv. Concrete paving for driveway surfaces shall not extend beyond the gutter line or outside edge of the shoulder, and the area between the gutter line or shoulder and the street paving shall be paved with a bituminous macadam pavement. In general, the surface of the driveway at the curb line shall be 4 inches below the established elevation of the street or highway centerline, and shall conform to the established grade of the street or highway gutter to provide proper drainage. The use of culverts to carry gutter drainage under the driveway entrances will not be permitted, except upon approval by the Board of Supervisors or their representative.

h. COMPLETION

- i. Within five (5) working days or completion of the permitted work, the permittee shall give written notice thereof to the Township.
- ii. Upon receipted of the written notice of completion, the Township shall inspect the work and where necessary, enforce compliance with the conditions, restrictions and regulations imposed by the Township.
- iii. The Township shall re-inspect the work periodically after completion of the project and all required restoration work.
- iv. Should settlement of a restored area of the work occur within a period of one (1) year from the date of completion of the permanent restoration by the permittee, such settlement shall be considered conclusive evidence of defective

work, the Township may then take all action necessary to correct the condition, the cost of such corrective action to be paid by the permittee.

- v. The Township shall not, in any way, be responsible for any part of the work which is either omitted or improperly done by the permittee, and no officer or employee of the Township is authorized to assume any jurisdiction of or responsibility for such part of the work, except when same becomes necessary in the exercise of the police power of the Township in order to protect the public health and safety.
- vi. Prior to the next scheduled resurfacing of the street, should any settlement of the road surface or other defect appear in the work, contrary to the conditions, restrictions and regulations imposed by the Township, the permittee shall be notified of such defect or defects, in writing, by the Township.
- vii. All repairs of any defect shall be completed by the permittee within sixty (60) days from notification by the Township.
- viii. Should the permittee fail to make repairs within sixty (60) days from such notification, the Township may proceed to correct such unsatisfactory work, all costs thereby incurred by the Township, including an additional twenty percent (20%) of such costs, to be billed to and promptly paid by the permittee or the Township may elect to use the maintenance security to pay to correct the unsatisfactory work.
- ix. Should any defect or road settlement be determined by the Township to be hazardous to the health, safety or welfare of the general public, the permittee shall immediately make temporary repairs, install warning devices or take other appropriate measures to protect the general public.
- x. Upon the failure of the permittee to act expeditiously to address any hazards as identified by the Township, the Township may take the steps it deems necessary to protect the health, safety and welfare of the general public.
- xi. Should the Township be required to take such measures all costs thereby incurred by the Township, including an additional twenty percent (20%) of such costs, will be billed to and promptly paid by the permittee.

i. PENALTIES

i. The provisions of this Ordinance shall be enforced by the Police Department serving the Township, and by the Township Public Works Director, Building Permit Officer or Zoning, or other appropriate officer or officers of the Township. Any person, partnership, corporation, limited liability company, municipal

authority, or other business entity who shall violate any provision of this Ordinance, upon conviction therefore in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of the fine and costs, to a term off imprisonment not the exceed ninety (90) days. Each day that a violation of this Ordinance continues, or each section of this Ordinance which shall be found to have been violated, shall constitute a separate offense.

j. REPEAL

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

k. SEVERABILITY

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

I. EFFECTIVE DATE

i. This Ordinance shall become effective 5 days after its adoption.

ENACTED AND ORDAINED, this 7th day of JANUARY, 2013.

ATTEST:

BOARD OF SUPERVISORS HEIDELBERG TOWNSHIP YORK COUNTY, PENNSYLVANIA

<u>Morma A. Markle, Suc.</u> Norma A. Markle, Secretary

Larry W. Sterner, Vice-Chairman