

Ordinance No 2004 - 6

Conewago Township Zoning Ordinance Amendment

Be it enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, Act 247, the Pennsylvania Municipalities Planning Code, July 31, 1968, as amended.

Definitions

Community Propane Supply – A temporary energy source until the extension of natural gas occurs to service a specific residential or non-residential development. A Community Propane Supply may consist of one propane tank or a series of tanks located in the specific residential or non-residential development that it is intended to serve. The Community Propane Supply shall be installed pursuant to the applicable regulations of this Ordinance.

Permanent Community Propane Supply – A permanent source of energy used in-lieu of a natural gas system. A Permanent Community Propane Supply may consist of one propane tank or a series of tanks, and installed pursuant to the applicable regulations of this Ordinance.

Section 1: Section 403 shall be amended by adding the following Conditional Use:

D. Community Propane Supply

Section 2: Section 503 shall be amended by adding the following Conditional Use:

I. Community Propane Supply

Section 3: Section 603 shall be amended by adding the following Conditional Use:

J. Community Propane Supply

Section 4: Section 703 shall be amended by adding the following Conditional Use:

I. Community Propane Supply

Section 5: Section 803 shall be amended by adding the following Conditional Use:

A. Community Propane Supply

Section 6: Section 903 shall be amended by adding the following Conditional Use:

C. Community Propane Supply

D. Permanent Community Propane Supply

Section 7: Part 10, of the Conewago Township Zoning Ordinance entitled General Provisions shall be amended by adding new Section 1019 entitled Community Propane Supply (CPS) and Permanent Community Propane Supply (PCPS):

- A. CPS may be used in-lieu of natural gas systems for a period of five years, or an agreed upon time frame between the Township and Developer, from the issuance of the first certificate of use and/or occupancy.
- B Individual propane systems, or secondary propane systems used to supplement another form of energy, when used in conjunction with a single-family detached dwelling or single non-residential use shall be exempt from these regulations. The use of individual or secondary systems shall be installed pursuant to the Uniform Construction Code, if applicable.
- C When a CPS is proposed as part of a single-phase or multi-phase development, the CPS shall be located within the subdivision that it is serving, and comply with the following standards:
 - 1. A written agreement must be executed between the developer and natural gas company agreeing to the intent and capability of extending natural gas to the subdivision within the required time frame.
 - 2. The CPS and natural gas system and extension thereof shall be bonded by the developer to secure the construction and operation of the natural gas system within the required time frame, and to ensure the removal of the temporary propane tanks and associated appurtenances, including but not limited to the berm, landscaping, and fencing.
 - 3. All adjoining lot owners adjacent to the development shall be notified of the CPS and be provided with a location map showing its location in proximity to their property.
 - 4. A setback of 250' shall be established around each tank, or series of tanks used in a CPS from any dwelling.
 - 5. When a CPS is completely or partially above ground, the CPS shall be completely surrounded by a berm, with the exception of the point, a minimum of 6' high with a berm slope of 3 to 1 or less steep. The top of the berm shall be a minimum 8' wide and planted with a minimum 6' high trees or evergreens to provide a continuous buffer of at least 95% within two years of planting.
 - 6. A 10' high fence topped with barbed wire shall be located around a propane tank or series of propane tanks used in a CPS. The gate leading into the confined area shall be locked at all times when not being serviced.

Conewago Twp. Ord. No. 2004-6 – Community Propane Supply – 11/10/2004

7. A propane tank or series of tanks shall be installed pursuant to the Uniform Construction Code, if applicable.

D. Permanent Community Propane Supply (PCPS) shall comply with the following standards met:

1. All adjoining lot owners adjacent to the property shall be notified of the PCPS and be provided with a location map showing its location in proximity to their property.

2. A buffer area of 500' shall be established around each tank, or series of tanks used in a PCPS.

3. When a PCPS is completely or partially above ground, the PCPS shall be completely surrounded by a berm, a minimum of 6' high with a berm slope of 3 to 1 or less steep. The top of the berm shall be a minimum 8' wide and planted with a minimum 6' high trees or evergreens to provide a continuous buffer of at least 95% within two years of planting.

4. A 10' high fence topped with barbed wire shall be located around a propane tank or series of propane tanks used in a PCPS. The gate leading into the confined area shall be locked at all times when not being serviced.

E. Notification and Disclosure

1. A disclosure shall be executed informing buyers of real estate in the development of the CPS and the requirement to convert to natural gas when made available. A copy of the disclosure shall be provided to the Township at the time when a building permit is applied for.

2. In the case of a speculation home or model home, the disclosure shall be executed between the developer or builder and purchaser of the real estate at the time of settlement.

F. General Restrictions and Prohibitions

1. A CPS or PCPS shall not be permitted in a floodplain or wetlands

2. A CPS shall be setback a minimum of 250' from a public right-of-way.

3. A PCPS shall be setback a minimum of 500' from a public right-of-way.

4. A CPS or PCPS shall be located a minimum of 1000' from a public or private park, or school.

5. A CPS or PCPS shall be setback a minimum of 1000' from state gamelands, private hunting clubs, or a shooting range.

6. A CPS cannot be offered to lots, dwellings, or non-residential uses other than those located in the subdivision that it is intended to serve.

Section 8: All other Sections of the Conewago Township Zoning Ordinance not heretofore amended shall remain the same.

Section 8: REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 9: EFFECTIVE DATE. This Ordinance shall take effect on the _____ Day of _____ 2004

Section 10: ENACTMENT. ENACTED AND ORDAINED INTO AN ORDINANCE THIS _____ DAY OF _____, 2004

Conewago Township
Dauphin County, Pennsylvania

ATTEST: _____

Chairman

Vice-Chairman

Supervisor

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