

ORDINANCE NO. 2310  
~~ORDINANCE NO. P25-98~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960 KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" ADOPTED JUNE 30, 1986, BY FURTHER AMENDING AND SUPPLEMENTING CHAPTER 126, ARTICLE II, (USE OF TOWNSHIP PROPERTY) REGULATING ANIMALS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that Ordinance No. 1960, Chapter 126, is hereby amended as follows:

ARTICLE I. PUBLIC PARKS AND PLAYGROUND, ARTICLE II, USE OF TOWNSHIP PROPERTY, Section 126-12 (General Regulations) shall be amended to provide for the addition of the following paragraph:

- I. No animal (s) owned by any person shall be permitted on any township property without written permission from the Township Manager.

ARTICLE 2. REPEALER.

Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 11<sup>th</sup> day of January, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2311

~~ORDINANCE NO. P1-99~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960 KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" ADOPTED JUNE 30, 1986, BY FURTHER AMENDING AND SUPPLEMENTING ARTICLE X (FISCAL AFFAIRS) IMPLEMENTING THE REQUIREMENTS OF THE LOCAL TAXPAYERS BILL OF RIGHTS BY ADOPTING ADDITIONAL RULES AND REGULATIONS.

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania enacted the Local Taxpayers Bill of Rights (the "LTBR") within the provisions of Act 50 of 1998; and

WHEREAS, the Local Taxpayers Bill of Rights requires political subdivisions levying certain local taxes ("Eligible Taxes"), as that term is defined in the LTBR, to adopt rules and regulations for practice, procedure and administration in the audit, assessment, appeal, determination and collection of Eligible Taxes; and

WHEREAS, the Township of Haverford levies a Mercantile License Tax, Business Privilege Tax and Realty Transfer Tax which qualify as eligible taxes under the LTBR; and

WHEREAS, in order to comply with the requirements of the Local Taxpayers Bill of Rights, the Township of Haverford desires to adopt rules and regulations for practice and procedure implementing the LTBR, to be known as the "Haverford Township Local Taxpayers Bill of Rights."

WHEREAS, the Board of Commissioners of Haverford Township desires to amend the above local tax ordinances to be consistent with the Haverford Township Local Taxpayers Bill of Rights, and to repeal any provisions of the above local tax ordinances which are inconsistent with the Haverford Township Local Taxpayers Bill of Rights; and

WHEREAS, the Board of Commissioners of Haverford Township desires to implement a review procedure by which taxpayers may appeal a decision made by the Haverford Township Tax Receiver, or other agent collecting and/or administering the above local taxes, as detailed in the Haverford Township Local Taxpayers Bill of Rights.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that Ordinance No. 1960, Article X (Fiscal Affairs) is hereby amended as follows:

SECTION 1. This Local Taxpayers Bill of Rights applies with respect to all taxes imposed by the Township pursuant to the Local Tax Enabling Act.

SECTION 11. Rights of the Taxpayers and Obligations of the Township during an Audit or Administrative Review of the Taxpayer's Books and Records.

A. Township Requests for Information.

1. The Township, its Auditor, its Solicitor, or other designated representative, is authorized to examine the books and records of any taxpayer in order to verify the accuracy of any return made, or if no return was made, to ascertain whether the tax should be imposed and, if so, the amount of the tax due.
2. The Township may request information from a taxpayer concerning the taxpayers's compliance with Township tax ordinances. Books, journals, invoices, documents and other accounting records utilized by the taxpayer in the ordinary course of business must be kept in a manner which will reflect actual business operations. There must be objective criteria in these books and records, as well as in underlying documents, such as invoices, to support the returns filed by the taxpayer. A taxpayer claiming an exemption or exclusion for any portion of gross receipts or other taxes, must maintain complete records which will support the validity of such claims. Such claims will be disallowed if not sufficiently proven by the taxpayer.
3. Except as otherwise provided herein, an initial inquiry by the Township for information regarding the taxpayer's compliance with Township tax ordinances may include taxes required to be paid or tax returns required to be filed

no more than three years prior to the mailing date of the inquiry notice.

4. However, the Township may make a subsequent request for tax returns or supporting information if, after the initial request, the Township determines that the taxpayer has failed to file a tax return, has underreported income or receipts, or has failed to pay a tax for one or more of the tax periods covered by the initial request.
5. In the event the Township has sufficient information to indicate that the taxpayer has failed to file a required return or to pay a tax which was due more than three years prior to the date of the notice, the three year limitation shall not apply and the Township may request information for any such tax years.
6. The Township may require any taxpayer to provide copies of the taxpayer's federal and state income tax return(s), and all other documents necessary for verification of the taxpayer's compliance status. The Township shall require individuals to provide federal tax returns only where the federal tax information is reasonably necessary for the enforcement or collection of an eligible tax and the information is not available from other sources or the Department of Revenue.
7. Any information obtained by the Township as a result of any audit return, report, investigation, hearing or verification shall be confidential tax information, except as provided by law. However, the information on any license application shall be a public record.

**B. Taxpayer Response.**

1. *Thirty days to respond:* When the Township makes an initial request for information from the taxpayer, the taxpayer shall have at least 30 calendar days from the mailing date of the request, to respond.
2. *Extensions.* Upon written application by the taxpayer submitted to the Township, or its designated Tax Administrator/Collector, within the initial 30 day period, and where good cause for an extension exists, the Township shall grant an extension of time to respond for a reasonable amount of time.
3. *No action by the Township within the response period.* The Township shall take no lawful action against a taxpayer for

the tax year in question, until the expiration of the response period.

4. The books, journals, invoices, and other accounting records of the taxpayer as used in its ordinary course of business must be kept in a manner which will reflect actual business operations of the taxpayer. The books and records of the taxpayer must contain objective criteria to support the returns filed by the taxpayer. A taxpayer claiming an exemption or exclusion for any portion of gross receipts or other taxes, must maintain complete records which will support the validity of such claims. Such claims will be disallowed if not sufficiently proven by the taxpayer.
  5. The taxpayer is required, at its cost, to make all records available to the Township to support the returns which were filed, or should have been filed, by the taxpayer. If the taxpayer does not have records for the entire period requested for review, the Township may utilize whatever information or records are available to reconstruct, as accurately as possible, the figures that reflect the business activity of the taxpayer for the period involved.
- C. **Audit.** The Township has the right to have a designated representative audit or examine any tax return and any taxpayer's books and records to verify accuracy and to assess or reassess the amount of tax due. In the event a taxpayer has failed to file a required return, the Township has the right to have its auditor examine the books and records of the company, or such other information as is available, to determine and assess the amount of tax due.

D. **Notice of Basis of Underpayment.**

1. The Township will notify the taxpayer in writing of the basis for any underpayment that the Township has determined to exist, including: (a) the tax period(s) for which the underpayment is asserted; (b) the amount of the underpayment detailed by tax period; (c) the legal basis upon which the Township has relied to determine that an underpayment exists; and (d) an itemization of the revisions made by the Township to a return or report filed by the taxpayer that results in the determination that an underpayment exists.
2. Unless otherwise specified by the taxpayer, the Township shall apply all voluntary payments of taxes first to taxes

owed, then to interest, then to penalty; and then to any other fees and charges.

**E. Abatement of Certain Interest and Penalties.**

1. *Errors and delays.* In the case of an underpayment, where the Township has contacted the taxpayer in writing with respect to the underpayment of tax finally determined to be due or payable, the Township may abate all or any part of interest for any period, if the underpayment is attributable in whole or in part to any error or delay by the Township in the performance of a ministerial act; provided, that no significant aspect of the error or delay is attributable to the taxpayer. The Township shall determine what constitutes timely performance of ministerial acts.
2. *Erroneous written advice by the Township.* The Township is not required by law to provide written advice to taxpayers. However, the Township shall abate any portion of penalty or interest which is attributable to erroneous advice furnished to the taxpayer in writing by an officer, employee or agent of the Township acting in his or her official capacity, in the following circumstances:
  - a. the written advice was in response to a specific written request of the taxpayer; and
  - b. the taxpayer reasonably relied upon the written advice; and
  - c. the portion of the penalty or addition to tax or excess interest did not result from a failure by the taxpayer to provide adequate or accurate information.Taxpayer should not rely on advice given which is not in writing and in response to a specific written request.

**F. Installment Agreements.** In order to facilitate collection, the Township, at its discretion, may enter into written agreements with any taxpayer under which the taxpayer is allowed to satisfy a tax liability in installment payments. The Township, at its election, may modify or terminate any installment agreement where:

1. the taxpayer has provided inaccurate or incomplete information;
2. the Township believes that collection of the tax under the agreement is in jeopardy;
3. the Township finds that the financial condition of the taxpayer has significantly changed and has given 30 days notice of the finding and reasons for the finding to the taxpayer;
4. the taxpayer fails to pay any installment at the time due under the agreement;

required to pay pursuant to Section 806.1 of the Act known as the Fiscal Code.

2. *Exceptions.* No interest shall be allowed if an overpayment is refunded or applied against any other tax, interest or penalty due to the Township within 75 days after the last date prescribed for filing the report of the tax liability, or within 75 days after the date the return or report of the liability due is filed, whichever is later.
  3. *Overpayments of interest or penalty.* Overpayments of interest or penalty shall not bear any interest.
  4. *Acceptance of Refund Check.* Tender of a refund check by the Township shall be deemed to be acceptance of the check by the taxpayer for purposes of this section. The taxpayer's acceptance of the Township's check shall not prejudice any right of the taxpayer to claim any additional overpayment and interest thereon. "Date of overpayment" and "date of resolution" shall be defined in accordance with Pennsylvania Act 50-1998.
- C. **Taxpayer Complaints.** All taxpayer complaints shall be directed to the Township Manager at the Township Manager's Office.

**SECTION IV. Administrative and Judicial Procedures by Which a Taxpayer May Appeal or Seek Review of Any Adverse Decision of the Township.**

- A. **Petitions.** A taxpayer may file a petition for review of assessment determination, or refund, with the Township Board of Commissioners' Review Board.
1. A petition is timely filed if the letter transmitting the petition is postmarked by the United States Postal Service on or before the final day on which the petition is required to be filed.
  2. A petition for refund must be filed within three years after the due date for filing the report or return, as extended, or within one year after actual payment of the tax, whichever is later. If no report or return is required, the petition shall be filed within three years after the due date for payment of the tax or within one year after actual payment, whichever is later.
  3. A petition for reassessment of a tax shall be filed within 90 days of the date of the assessment notice or notice of underpayment.

- B. The Township, its designee, or the Township Solicitor has the power to file a criminal summary offense citation in the District Court having jurisdiction, for violation of any Township Tax ordinance. The tax ordinances provide for fines.
- C. In all legal actions, the Township has the power to demand costs and attorneys fees from the taxpayer.

SECTION VI. The Form of Petition for appeal described in the Haverford Township Local Taxpayers Bill of Rights will be as prescribed by the Manager/Secretary of the Board of the Commissioners of Haverford Township.

SECTION VII. Any provision contained in the Mercantile License Tax Ordinance, Realty Transfer Tax Ordinance, Business Privilege Tax Ordinance, or in the Regulations enforcing these ordinances, which is inconsistent with the provisions of the Haverford Township Local Taxpayers Bill of Rights is hereby repealed.

SECTION VIII. The Provisions of the Haverford Township Local Taxpayers Bill of Rights and of this ordinance, shall take effect January 1, 1999.

SECTION IX. REPEALER.

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

ADOPTED this 8th day of February, A.D. 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary



ORDINANCE NO. 2312  
~~ORDINANCE NO. P2-99~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" ADOPTED JUNE 30, 1986, BY AMENDING CHAPTER 175, VEHICLES AND TRAFFIC.

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

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

- a) On Crescent Hill Drive, east side, from Greenbriar Lane in a northerly direction to the end of Crescent Hill Drive.

SECTION 2. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the said section or zone, giving notice of the regulation aforesaid.

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

ADOPTED this 8<sup>th</sup> day of February, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2313  
~~ORDINANCE NO. P4-99~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" ADOPTED JUNE 30, 1986, BY AMENDING CHAPTER 175, VEHICLES AND TRAFFIC.

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

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

- a) Skatium parking lot, one (1) space, in designated handicapped parking zones.

SECTION 2. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the said section or zone, giving notice of the regulation aforesaid.

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

ADOPTED this 8<sup>th</sup> day of March, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

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

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

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

a) At 15 Vernon Road, one (1) space in front of residential property.

SECTION 2. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish a "PARKING OF ALL VEHICLES PROHIBITED AT ALL TIMES" zone on the following roadway:

a) On Lancaster Avenue, east side, from Lee Avenue to a point 325 feet in a southerly direction.

SECTION 3. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY 6:00 P.M. to 6:00 A.M. DAILY" zone restriction on the following roadway:

a) On Hirst Terrace, both sides, 2400 and 2500 blocks.

SECTION 4. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY 6:00 P.M. to 6:00 A.M. DAILY" zone restriction on the following roadway:

a) On East Hillcrest Avenue, both sides, from Darby Road to Huntingdon Lane.

SECTION 5. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY 8:00 A.M. to 6:00 P.M. (EXCEPT SUNDAY)" zone restriction on the following roadway:

a) On Treaty Road, west side, from No. 6 Treaty Road to a point 280 feet in a northerly direction.

SECTION 6. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY 8:00 A.M. to 6:00 P.M. (EXCEPT SUNDAY)" zone restriction on the following roadway:

a) On Treaty Road, east side, from No. 17 Treaty Road to a point 220 feet in a northerly direction.

SECTION 7. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete "STICKER PARKING ONLY 8:00 A.M. to 6:00 A.M., VALID PERMIT EXEMPT" zone restriction on the following roadway:

a) On Treaty Road, both sides, unit block from Upper Darby boundary line to Pilgrim Lane.

SECTION 8. That Section 175-29A, Schedule XVIII (175-93) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete " PARKING PROHIBITED DURING CERTAIN HOURS, 8:00 A.M. to 6:00 A.M.(EXCEPT SUNDAYS) zone restriction on the following roadway:

a) On Treaty Road, east side, from No. 17 to a point 220 feet north thereof.

SECTION 9. That Section 175-29A, Schedule XVIII (175-93) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete " PARKING PROHIBITED DURING CERTAIN HOURS, 8:00 A.M. to 6:00 A.M. (EXCEPT SUNDAYS) zone restriction on the following roadway:

a) On Treaty Road, west side, from No. 6 to a point 280 feet north thereof.

SECTION 10. That Section 175-28, Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING OF COMMERCIAL VEHICLES PROHIBITED AT ALL TIMES" zone restriction on the following roadway:

a) On Woodbine Road, west side, from West Chester Pike to Manoa Road.

SECTION 11. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the designated sections or zones giving notice of the regulations aforesaid.

SECTION 12. Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

ADOPTED this 12th day of April, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

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

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

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

- a) On Claremont Boulevard from West Chester Pike to Glendale Road.

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

- a) At 336 Francis Drive, one (1) space in front of residential dwelling.

SECTION 3. That Section 175-31, Schedule XX (175-95) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "SPECIAL PURPOSE PARKING ZONES, HANDICAPPED PARKING ONLY" zone restriction on the following roadway:

- a) At 12 Mercer Avenue, one (1) space in front of residential dwelling.

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

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

ADOPTED this 10<sup>th</sup> day of May, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2316  
~~ORDINANCE NO. P7-99~~

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

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

SECTION 1. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete "STICKER PARKING ONLY 6:00 P.M. to 6:00 A.M. Daily" zone restriction on the following roadway:

- a) On Hirst Terrace, both sides, 2400 and 2500 blocks.

SECTION 2. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY 12 midnight to 6:00 A.M. Daily" zone restriction on the following roadway:

- a) At Hirst Terrace, both sides, 2400 block.

SECTION 3. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete "STICKER PARKING ONLY 6:00 P.M. to 6:00 A.M. Daily" zone restriction on the following roadway:

- a) At East Hillcrest Avenue, both sides, from Darby Road to Huntingdon Lane.

SECTION 4. That Sections 175-34B and 175-37.1, Schedule XXIV (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY 12 midnight to 6:00 A.M. Daily" zone restriction on the following roadway:

- a) At East Hillcrest Avenue, both sides, from Darby Road to Huntingdon Lane.

SECTION 5. That Section 175-27, Schedule XVI, (175-91) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING OF ALL VEHICLES PROHIBITED AT ALL TIMES" zone restriction on the following roadway:

- a) At Brookline Boulevard, north side, from fire hydrant located in front of 40 Brookline Boulevard to a point 63 feet in an easterly direction.

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

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

ADOPTED this 14<sup>th</sup> day of June, A.D. 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2317  
~~ORDINANCE NO. P8-99~~

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

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

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

- a) At West Chester Pike, north side, from Shelbourne Road for a distance of 102 feet east thereof.

SECTION 2. That Section 175-27, Schedule XVI, (175-91) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING OF ALL VEHICLES PROHIBITED AT ALL TIMES" restriction on the following roadway:

- a) At Columbus Avenue, south side, from Euclid Avenue to West Chester Pike.

SECTION 3. That the following new section shall be added:

- a) Paragraph 175-11a (Prohibited turns at non-intersections)

Pursuant to Section 3111 of the Vehicle Code of Pennsylvania, no person shall make a turn of the kind designated (left, right and/or all) at any of the non-intersections as described in the attached schedule.

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

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

ADOPTED this 12<sup>th</sup> day of July, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary



ORDINANCE NO. 2318

~~ORDINANCE NO. P9-99~~

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

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

SECTION 1. That Section 175-29B, Schedule XVIII (175-93) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete "PARKING OF COMMERCIAL VEHICLES PROHIBITED from 10:00 P.M. to 6:00 A.M." restriction on the following roadway:

- a) Marthart Avenue between Darby Road and Winton Avenue.

SECTION 2. That Section 175-29B, Schedule XVIII (175-93B) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING OF COMMERCIAL VEHICLES PROHIBITED from 6:00 P.M. to 6:00 A.M." restriction on the following roadway:

- a) On East Marthart Avenue, both sides, from Darby Road to Winton Avenue.

SECTION 3. Upon effective date of this ordinance, the Highway Department shall install appropriate signs in the designated sections or zones giving notice of the regulations aforesaid.

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

ADOPTED this 9<sup>th</sup> day of August A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2319  
~~ORDINANCE NO. P10-99~~

**AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD", ADOPTED JUNE 30, 1986, BY PROVIDING REGULATIONS GOVERNING THE USE OF PUBLIC RIGHTS OF WAY BY TELECOMMUNICATIONS PROVIDERS AND INCLUDING, PUBLIC RIGHTS OF WAY MANAGEMENT, GENERAL PROVISIONS, DEFINITIONS, FRANCHISE OR LICENSE REQUIREMENTS, PROHIBITIONS, ADMINISTRATION AND ENFORCEMENT.**

**BE IT ENACTED AND ORDAINED** by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that Ordinance No. 1960, is hereby amended by the addition of the following:

**Section 1. General provisions.**

- A. The Board of Commissioners hereby finds and declares that the public rights-of-way within the Township of Haverford:
- (1) are used and useful for the travel of persons and the transport of goods and other tangibles in the business and social life of the community by all citizens;
  - (2) can be partially occupied by utilities and other public service entities for facilities used in the delivery, conveyance, and transmission of utility and public services rendered for profit, to the enhancement of the health, welfare, and general economic well-being of the Township of Haverford and its citizens; and
  - (3) are physically limited so that property management by the Township of Haverford is necessary to maximize the efficiency and to minimize the costs to the taxpayers of the foregoing uses, to prevent foreclosure of future uses through premature exhaustion of available right-of-way capacity, and to minimize the inconvenience to the public from such facilities' construction, emplacement, relocation and maintenance in the right-of-way.
- B. This ordinance is adopted pursuant to the Township of Haverford's powers including but not limited to those under Article IX of the Pennsylvania Constitution, the Haverford Home Rule Charter as adopted on April 27, 1976, 53 Pa. C.S. §2961, *et seq.*, 53 P.S. §56557 and Section 253 of the Communications Act of 1934, as amended, 47 U.S.C. § 253.

**Section 2. Definitions.**

- A. Communications Facility means that part of a tangible facility that occupies the public right-of-way and is used to provide cable services, OVS services or one or more telecommunications services or to transmit telecommunications signals. The term telecommunications facility includes radio transmitting towers, other supporting structures, and associated facilities used to transmit telecommunications signals.

- B. Communications Services means the transmission for hire by optical fiber, coaxial cable, or any other bounded, tangible means, whether or not the transmission medium is owned by the provider itself, of information in electronic or optical form, including, but not limited to, voice, video or data. Communications service includes telephone service but does not include over-the-air broadcasts to the public at large Licensed by the Federal Communications Commission.
- C. Facilities are tangible, bounded devices over through which communications are transmitted or which control or process transmissions of communications.
- D. Person includes any individual, corporation, partnership, association, joint stock company, trust, governmental entity, or any other legal entity, but not the Township of Haverford.
- E. Public Rights-of-Way means the surface and space above, on, and below any public highway, avenue, street, lane, alley, boulevard, concourse, driveway, bridge, tunnel, park, parkway, waterway, dock, bulkhead, wharf, pier, public easement, right-of-way or any other public ground or water within or in which the Township of Haverford now or hereafter holds any property interest which, consistent with the purpose of constructing, operating, and maintaining a communications facility. No reference herein, or in any license agreement, to a public right-of-way shall be deemed to be a representation or warranty by the Township of Haverford that its interest or other right to control the use of such property is sufficient to permit its use for such purposes, and a licensee shall be deemed to acquire only those rights of user as are properly in the Township of Haverford and the Township of Haverford may have the undisputed right and power to give.
- F. Work Permit is an authorization issued by the Township of Haverford to enter upon the public rights-of-way to erect, construct, or emplace communications facilities. Work permits are permits issued by the Director of Public Works.

### **Section 3. Franchise or License Required**

- A. No person shall install, erect, hang, lay, bury, draw, emplace, construct, or reconstruct any communications facility upon, across, beneath, or over any public right-of-way in this Township of Haverford without first entering into a franchise agreement, license agreement or lease with the Township of Haverford. The Township of Haverford may grant one or more franchises or licenses in accordance with this Ordinance.
- B. The provisions of this Ordinance apply to communications systems and communications providers existing on the effective date of this ordinance and thereafter. A person must obtain a franchise or license, subject to the provisions of this Ordinance, for any portion of a communications system that occupies a portion of the public rights-of-way and for the provision of communications services over a communications system located, in whole or in part, within the public right-of-way.

**Section 4.** Prohibitions

- A. No person shall install, erect, hang, lay, bury, draw, emplace, construct, or reconstruct any communications facility upon, across, beneath, or over any public right-of-way in the Township of Haverford without first obtaining a work permit therefor from the Township of Haverford.
- B. No person shall enter upon, across, beneath, or over any public right-of-way in the Township of Haverford to relocate or otherwise displace any communications facility that is located upon, across, beneath, or over any public right-of-way without first obtaining a work permit therefor from the Township of Haverford.
- C. No person shall maintain or operate a communications facility upon, across, beneath, or over any public right-of-way in this Township of Haverford without paying to the Township of Haverford an annual fee as prescribed in this ordinance.

**Section 5.** Administration

- A. The Township Manager or his or her designee shall --
  - (1) issue all work permits and inspect the work under each; and
  - (2) determine and collect annual fees for all cable, OVS or telecommunications services providers occupying public rights-of-way; and
  - (3) issue licenses to all providers of communications services in accordance with the terms and procedures specified in this ordinance ; and
  - (4) negotiate all franchise and license agreements in accordance with the terms and procedures specified in this ordinance; and
  - (5) collect and audit all annual per-lineal-foot fees owed by communications services providers under this ordinance; and
  - (6) collect and audit all franchise and license fees owed under this ordinance; and
  - (7) publish from time to time a schedule of application and hearing fees, which shall be designed to recover the Township of Haverford's costs in processing applications for franchises, licenses and permits hereunder and may provide specially for hearing fees in those cases where hearings are required.
- B. The Township Manager shall be responsible for the continuing enforcement of all terms and conditions of permits, licenses, leases, and other such instruments authorizing the use or employment of public rights-of-way of the Township of Haverford for communications facilities and services.

## **Section 6. Enforcement**

A. **Civil Infraction.** Any person, firm or corporation violating any prohibition of this Ordinance shall, upon summary conviction before any District Justice of the Peace, pay a fine not exceeding \$1,000 and costs of prosecution; and in default of one payment of the fine and costs, the violator may be sentenced to the county jail for a term of not more than 30 days. Each and every day in which any person, firm or corporation shall be in violation of this Article shall constitute a separate offense..

B. **Forfeiture of facilities.** Any communications facility constructed, maintained, or operated upon, across, beneath, or over any public right-of-way in this Township of Haverford in violation of this ordinance, including default as timely payment of annual fees or any franchise or licensee fee due hereunder, is hereby declared to be subject to forfeiture; and the Township of Haverford may seize, disable, remove, or destroy such facility upon thirty days' advance notice in writing to the owner or operator thereof; provided, however, that where the safety of any person or property lawfully within the right-of-way is endangered thereby, only such notice as is practicable under the circumstances need be given.

C. **Injunctive relief.** In addition to the foregoing remedies, the Township of Haverford may seek an injunction to mitigate or terminate the violation, or employ any other remedy available at law or equity.

D. **Reduction of term.** Where, after notice and after a hearing, if timely requested by a franchisee or licensee, the Township Manager finds that the franchise or license is being operated in substantial violation of its terms or this ordinance, the Township Manager may make an appropriate reduction in the remaining term of the franchise or license after a hearing, at which the franchisee or licensee shall have the burden of proof. Such a hearing shall not be required before the Township Manager 's action if the franchisee or licensee waives the hearing in writing.

E. **No Waiver.** The failure of the Township of Haverford to insist on timely performance or compliance by any person holding a franchise or license or work permit shall not constitute a waiver of the Township of Haverford's right to later insist on timely performance or compliance by that person or any other person holding such a franchise, permit or license.

## **Section 7. Severability**

Should any section, sentence, word or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole.

**Section 3. Repealer**

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

ADOPTED this 12th day of October, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" CHAPTER 175, VEHICLES AND TRAFFIC.

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

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

- a) 603 Dayton Road, one space in front of residential dwelling.

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

- a) On Wood Lane, north side, from Bellemead Avenue to a point 40 feet west thereof.

SECTION 3. That Section 175-31, Schedule XX, (175-95) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "SPECIAL PURPOSE PARKING ZONES, HANDICAPPED PARKING ONLY" restriction on the following roadway:

- a) 716 Georges Lane, one space in front of residential dwelling.

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

- a) 718 Georges Lane, one space in front of residential dwelling.

SECTION 5. That Section 175-30, Schedule XIX, (175-27) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete "PARKING TIME LIMITED, ONE HOUR PARKING, MONDAY THROUGH SATURDAY, FROM 12 NOON TO 12 MIDNIGHT" restriction on the following roadway:

- a) Dayton Road in its entirety.

SECTION 6. That Section 175-30, Schedule XIX, (175-27) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to delete "PARKING TIME LIMITED, ONE HOUR PARKING, MONDAY THROUGH SATURDAY, FROM 12 NOON TO 12 MIDNIGHT" restriction on the following roadway:

- a) Dayton road, west side, from a point approximately 225 feet north of Penn Street to Lancaster Road.

SECTION 7. That Section 175-34B and 175-37.1, Schedule XXIV, (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY ALL HOURS/DAYS restriction on the following roadway:

- a) Dayton Road, east side, in its entirety.

SECTION 8. That Section 175-34B and 175-37.1, Schedule XXIV, (175-99) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "STICKER PARKING ONLY ALL HOURS/DAYS restriction on the following roadway:

- a) Dayton Road, west side, from a point 225 feet from Penn Street to Old Lancaster Road.

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

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

ADOPTED this 12<sup>th</sup> day of October, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary



ORDINANCE NO. 2321  
~~ORDINANCE NO. P13-99~~

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

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

SECTION 1. Pursuant to Section 707, paragraph A. of the Home Rule Charter, the Township hereby authorizes a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., for certain land areas at the Township Public Works site off of Hilltop Road, subject to the approval of the Township Manager of the final lease document.

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

ADOPTED this 8<sup>th</sup> day of November, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2322  
~~ORDINANCE NO. P14-99~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" CHAPTER 175, VEHICLES AND TRAFFIC.

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

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

- a) At 652 Dayton Road, one space in front of residential dwelling.

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

- a) At 713 Georges Lane, one space in front of residential dwelling.

SECTION 3. That Section 175-31, Schedule XX, (175-95) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "SPECIAL PURPOSE PARKING ZONES, HANDICAPPED PARKING ONLY" restriction on the following roadway:

- a) At 2469 Wynnefield Drive, one space in front of residential dwelling.

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

- a) On Leedom Avenue, both sides, from Campbell Avenue to Marthart Avenue.

SECTION 5. That Section 175-28, Schedule XVII (175-92) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING OF COMMERCIAL VEHICLES PROHIBITED AT ALL TIMES" restriction on the following roadway:

- a) On Leedom Avenue, west side, from Campbell Avenue to Turnbull Avenue.

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

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

ADOPTED this 8<sup>th</sup> day of November, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

ORDINANCE NO. 2323  
~~ORDINANCE NO. P15-99~~

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

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

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

- a. At 530 Wales Road, one space in front of residential dwelling.

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

- a. At Willow Avenue, one space on side of residential dwelling at 2437 Chestnut Street, at the gate.

SECTION 3. That Section 175-31, Schedule XX, (175-95) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "SPECIAL PURPOSE PARKING ZONES, HANDICAPPED PARKING ONLY" restriction on the following roadway:

- a. At Willow Avenue, one space on side of residential dwelling at 2500 East County Line Road, at the gate.

SECTION 4.. That Section 175-29A, Schedule XVIII, (175-93) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING PROHIBITED DURING CERTAIN HOURS, 8:00 A.M. to 4:00 P.M. (SCHOOL DAYS)" restriction on the following roadway:

- a. On Allston Road, east side from Strathmore Road to Kathmere Road.

SECTION 5. That Section 175-29A, Schedule XVIII, (175-93) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING PROHIBITED DURING CERTAIN HOURS, 8:00 A.M. to 4:00 P.M. (SCHOOL DAYS)" restriction on the following roadway:

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

SECTION 6. That Section 175-28, Schedule XVII, (175-92) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to establish "PARKING OF COMMERCIAL VEHICLE PROHIBITED AT ALL TIMES" restriction on the following roadway:

- a. On Grasslyn Avenue, west side, from West Eagle Road beginning at a point 200 feet north of West Eagle Road to West Hillcrest Ave.

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

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

ADOPTED this 13<sup>th</sup> day of December, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY:                   FRED C. MORAN  
                          President  
                          Board of Commissioners

Attest: Thomas J. Bannar  
          Township Manager/Secretary

Ordinance No. 2324

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

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

SECTION 1. The total amount of the annual sewer rental or charge for the year 2000 to be required is hereby determined to be \$3,298,000 pursuant to and as part of the Budget Adoption procedures of the Home Rule Charter.

SECTION 2. The Board of Commissioners does hereby determine Two Dollars and forty cents (\$2.40) per one thousand (1000) gallons of water used by properties connected with the sewage of the Township as the amount of money to be charged to each property connected to the Township Sewer System for the sewer rental or charge for the year 2000.

SECTION 3. The sewer rent or charge for the year 2000 for each property within the Township of Haverford using the sewer system and facilities of the Township shall be charged at the rate of \$0.00240 per gallon for water consumed or used by said property.

SECTION 4. A two percent (2%) discount shall be allowed if the bill is paid on or before sixty (60) days from the date of the bills. The face amount of all final bills shall be payable on or before one hundred and twenty (120) days from the date of the bills if discount period is disregarded. All sewer rental charges shall be a lien against the property serviced by the sewer facilities of the Township until said sewer rental charges are paid. Failure on the part of the Township to remit a bill due to administrative error or federal postal delivery problems does not exonerate the property owner from paying the sewer rental fee and penalties imposed. It shall be the duty of the Director of Finance to certify to the Township Manager/Secretary the date that all bills are mailed. If said bills are not paid on or before one hundred and twenty (120) days from the date of the bill, a penalty of ten percent (10%) shall be added. It shall be the duty of the Director of Finance during or after the twelfth month following the month in which bills were mailed to certify the unpaid bills to the Township Solicitor, who shall proceed to collect such delinquent sewer rental together with penalties and costs accrued thereon in addition to attorneys' fees pursuant to Act 1, Commonwealth of Pennsylvania, February 2, 1996 either by action at laws, or by filing a lien or liens for the same in the office of Judicial Support of the Court of Common Pleas of Delaware County, Pennsylvania and such liens, together with penalty and costs accrued thereon in addition to attorneys' fee shall be filed and collected in accordance with law. All sewer rentals not paid prior to the date on which penalty shall be added as herein provided shall be deemed to be delinquent.

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

ADOPTED this 20<sup>th</sup> day of December, A.D., 1999.

TOWNSHIP OF HAVERFORD

BY: FRED C. MORAN  
President  
Board of Commissioner

Attest: Thomas J. Bannar  
Township Manager/Secretary

CITY, BOROUGH, FIRST CLASS TOWNSHIP OR HOME RULE MUNICIPALITY

TAX LEVY ORDINANCE

ORDINANCE NO. 2325

AN ORDINANCE OF THE ~~CITY OF~~ ~~BOROUGH OF~~ TOWNSHIP OF HAVERFORD OF Home Rule Municipality

County of DELAWARE, Commonwealth of Pennsylvania, fixing the tax rate for the year ~~19~~ 2000.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted

by the ~~City Council of the City of~~ ~~Borough Council of the Borough of~~ Board of Township Commissioners of the Township of HAVERFORD ~~Governing Body of~~ Home Rule Municipality

County of DELAWARE, Commonwealth of Pennsylvania:

That a tax be and the same is hereby levied on all ~~real property~~ ~~and occupations~~ real property within the ~~occupations~~

TOWNSHIP OF HAVERFORD subject to taxation for the fiscal year ~~19~~ 2000 as follows:  
City, Borough, Township, Home Rule Municipality

Tax rate for general purposes, the sum of . . . . . 3802 mills  
on each dollar of assessed valuation, or the sum of . . . . . 38.02 cents  
on each one hundred dollars of assessed valuation.

For debt purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of . . . . . \_\_\_\_\_ mills  
on each dollar of assessed valuation, or the sum of . . . . . \_\_\_\_\_ cents  
on each one hundred dollars of assessed valuation.

For \_\_\_\_\_ purposes, the sum of \_\_\_\_\_ mills  
 on each dollar of assessed valuation, or the sum of \_\_\_\_\_ cents  
 on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mills on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	3.802 Mills	38.02 Cents
Tax Rate for Debt Purposes	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
Tax Rate for _____	_____ Mills	_____ Cents
<b>TOTAL</b>	<b>3.802 Mills</b>	<b>38.02 Cents</b>

That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

Adopted the 20th day of DECEMBER, A.D. 1999.

~~City Mayor~~  
~~President of City Council~~  
~~President of Borough Council~~  
 Elected Executive

~~President of City Council~~  
~~President of Borough Council~~  
 President of the Board of Township Commissioners  
~~President of the Board of Township Commissioners~~  
~~President of the Board of Township Commissioners~~

**CERTIFICATION**

To the Secretary of Community and Economic Development  
 Commonwealth of Pennsylvania  
 Harrisburg, Pennsylvania

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 2325  
 enacted by the TOWNSHIP OF HAVERFORD on the  
20th day of DECEMBER, A.D. 1999  
 City Council, Borough Council, Board of Township Commissioners, Governing Body

Secretary/Clerk  
 Thomas J. Bannar

(SEAL)





ORDINANCE NO. 2327  
~~ORDINANCE NO. P17-99~~

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, KNOWN AS "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," ADOPTED JUNE 30, 1986, BY FURTHER AMENDING CHAPTER 182 (ZONING), SECTION 602.C(7), PROVIDING FOR AN INCREASE IN THE HEIGHT OF BUILDINGS LOCATED IN AN INS INSTITUTIONAL DISTRICT TO A MAXIMUM OF SIXTY (60) FEET AND FIVE STORIES IF ADDITIONAL BUILDING SETBACKS ARE PROVIDED.

BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of Haverford, County of Delaware, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that Ordinance No. 1960, Chapter 182, is hereby amended as follows:

ARTICLE 1            AMENDMENTS

Ordinance No. 1960, Chapter 182, Section 602.C, Area and Bulk Regulations applicable to INS Institutional Districts, sub-paragraph (7), relating to building height is hereby amended to read as follows:

- (7) Height: Thirty-five (35) feet maximum or three (3) stories, provided, however, the height of a building may be increased to a maximum height of sixty (60) feet or five (5) stories by providing two (2) feet of additional front, rear, and side yard setbacks for each one (1) additional foot of height of the building above thirty-five (35) feet.

ARTICLE 2.           SEVERABILITY

Should any section, sentence, or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, such decisions shall not affect the validity of this Ordinance as a whole.

ARTICLE 3.           REPEALER

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

ADOPTED this 10th day of January, A.D., 2000.

TOWNSHIP OF HAVERFORD

By:    KENNETH B. RICHARDSON  
         President  
         Board of Commissioners

Attest: Thomas J. Bannar  
         Township Manager/Secretary

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD" CHAPTER 175, VEHICLES AND TRAFFIC.

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

SECTION 1. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same hereby amended and supplemented so as to rescind "PARKING OF ALL VEHICLES PROHIBITED AT ALL TIMES" zone restriction on the following roadway:

a) Old Lancaster Avenue, south side, from Dayton Road to a point 40 feet east thereof.

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

a) Old Lancaster Avenue, south side, from Dayton Road to a point 30 feet west thereof.

SECTION 3. That Section 175-27, Schedule XVI (175-91) of Ordinance No. 1960 be and the same hereby amended and supplemented so as to rescind "PARKING OF ALL VEHICLES PROHIBITED AT ALL TIMES" zone restriction on the following roadway:

a) Old Lancaster Avenue, south side, 600 block.

SECTION 4. That Section 175-94, Schedule XIX (175-30) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to rescind "PARKING TIME LIMITED" zone restriction on the following roadway:

a) Old Lancaster road, south side 12:00 noon to 12:00 midnight Monday through Saturday, 1 hour, from Dayton Road to a point 200 feet west thereof.

SECTION 5. That Section 175-99, Schedule XXIV (175-34B and 175-37.1) of Ordinance No. 1960 be and the same is hereby amended and supplemented so as to rescind "STICKER PARKING ONLY" zone restriction on the following roadway:

a) Old Lancaster Road, both sides all hours/days, from County Line Road to Dayton Road.

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

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

ADOPTED this 10<sup>th</sup> day of January, A.D., 2000.

TOWNSHIP OF HAVERFORD

BY: KENNETH B. RICHARDSON

President

Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary

AN ORDINANCE OF THE TOWNSHIP OF HAVERFORD, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, FURTHER AMENDING AND SUPPLEMENTING ORDINANCE NO. 1960, ADOPTED JUNE 30, 1986, AND KNOWN AS THE "GENERAL LAWS OF THE TOWNSHIP OF HAVERFORD," AMENDING REGULATIONS REGARDING THE REMOVAL AND IMPOUNDING OF DISABLED OR ILLEGALLY PARKED VEHICLES.

§ 175-62. Definitions.

The following words and phrases, which are not defined in § 102 of the Vehicle Code of the Commonwealth of Pennsylvania, shall have the meanings respectively ascribed to them in this section for purposes of this Article.

**DISABLED MOTOR VEHICLE** [Amended 5-9-1994 by Ord. No. 2203] -- A disabled motor vehicle shall be a vehicle which meets one or more of the following conditions:

- A. A vehicle which is unable to operate or move under its own power for any reason.
- B. Any sharp or protruding metal, broken or missing glass or rusted cavities.
- C. A vehicle suspended from a lift, supported by jacks or propped up by another object which is not part of the said disabled vehicle.
- D. A vehicle which has flat or missing tires for a period of more than 72 consecutive hours.
- E. A vehicle which has any missing parts or which would allow for the harborage of vermin.
- F. A vehicle which does not bear a current registration or inspection sticker.

**DUTY TOWER** -- A person engaged in the business or performing the services of operating a vehicle wrecker, tow truck, car carrier or other vehicle whereby disabled, wrecked or abandoned vehicles are towed or otherwise removed from the place where they are disabled, wrecked or abandoned, which "duty tower" shall have been appointed by the Haverford Township Board of Commissioners for the aforesaid services. [Added 5-9-1994 by Ord. No. 2203]

**EMERGENCY SITUATION** -- One which is caused by accident, casualty or other unexpected circumstances which renders a motor vehicle inoperative or immobile, provided that no such emergency situation shall be deemed to exist for a period of more than 12 consecutive hours after said accident, casualty or other unexpected circumstances.

**FLATBED WRECKER** -- A flatbed vehicle equipped with a roll body and which is designed for and capable of lifting and transporting passenger and commercial vehicles. [Added 5-9-1994 by Ord. No. 2203]

**HEAVY-DUTY WRECKER** -- A vehicle with a minimum twenty-five-ton capacity, designed for and capable of lifting and transporting passenger and commercial vehicles. [Added 5-9-1994 by Ord. No. 2203]

**LEASED** -- A vehicle leased for a fixed period of greater than 18 months and for a fixed flat rate to a duty tow contractor. The lessor must be a business, company or corporation whose usual and customary business is that of leasing motor vehicles. [Added 5-9-1994 by Ord. No. 2203]

**LIGHT-DUTY WRECKER** -- A vehicle designed for and capable of lifting and transporting passenger vehicles or motorcycles, including wheel lift or sling/recover wreckers. [Added 5-9-1994 by Ord. No. 2203]

**TOWNSHIP -- The Township of Haverford, Delaware County, Pennsylvania. [Added 5-9-1994 by Ord. No. 2203]**

**§ 175-63. Disabled vehicles.**

A. It shall be unlawful for the owner of any motor vehicle to allow, or for any person to park a disabled motor vehicle or permit a disabled motor vehicle to stand, whether attended or unattended, upon any public highway within the Township of Haverford for a period of more than 48 consecutive hours. It shall also be unlawful for the owner of any motor vehicle to allow or for any person to repair, fix or service a disabled motor vehicle upon any public highway within the Township of Haverford except in an emergency situation.

B. Any motor vehicle found upon the public highways of the Township of Haverford in violation of any provision of this section may be removed and impounded. Prior to being removed and impounded, the Township of Haverford Police Department shall ascertain the name and address of the owner of such vehicle and forward to such owner, by regular mail, notification that such vehicle may be removed and impounded if such vehicle is not moved by the owner, or someone acting on his behalf, within 48 hours.

**§ 175-64. Removal and impoundment of illegally parked vehicles. [Amended 5-9-1994 by Ord. No. 2203]**

The Chief of Police of the township is hereby authorized to remove and impound or to order the removal and impounding of any vehicle parked on any of the streets, highways or public property in the township in violation of any provision of the law or of any ordinance of the township; provided, however, that no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Article.

**§ 175-65. Licensing applications, standards and duties of approved duty towers. [Amended 10-14-1975 by Ord. No. 1619; 3-21-1977 by Ord. No. 1661; 5-30-1978 by Ord. No. 1706; 12-27-1988 by Ord. No. 2034; 2-25-1991 by Ord. No. 2107; 5-9-1994 by Ord. No. 2203]**

A. License required. No person shall be called by the township or its Police Department as a tower for the purpose of removal of disabled, wrecked or abandoned vehicles unless that person is granted a duty tow license by the Board of Commissioners of Haverford Township.

**B. License application.**

(1) Applications for a duty tow license shall be made to the Township Manager upon a form available from his office, which form shall require the following information:

(a) The name, address and telephone number of the business for which the license is sought.

(b) The name, home and business addresses and telephone number of all the owner(s) or, in the case of a corporation, stockholder(s) of the business for which the license is sought, together with a designation of the business organization (i.e., sole proprietorship, partnership, corporation, etc.).

(c) A list of tow trucks, vehicle wreckers, car carriers or other vehicles available for service to Haverford Township. A description of each vehicle (make, model, type, year and vehicle identification number), copies of current registrations and insurance cards, the name and address of the owner/lessee of each vehicle or piece of equipment and the location where regularly parked or stored shall be included.

(d) A certificate of insurance providing a minimum of \$500,000 automobile liability and garage liability or other proof acceptable to the township that the applicant has obtained the liability insurance required for the issuance of a duty tow license.

(2) Applications shall be completed and signed by the owner(s) of the business for which a

duty tow license is sought, or, in the case of a corporation, the president of the corporation.

(3) Applicants must execute an agreement to indemnify the township for any and all losses or expenses incurred by virtue of any acts performed in the course of service.

(4) Applications for duty tow licenses must be accompanied by a fee of \$100 to offset the cost of investigation and processing of licenses.

(5) The applications shall be reviewed by the Police and Code Enforcement Departments within 20 days of receipt of the completed application and application fee. Incomplete applications shall be promptly returned to the applicant. A report shall be filed with the Township Manager for recommendation to the Board of Commissioners by each department responding to applications.

(6) Applicants for duty tow licenses must possess a current and valid salvor's license from the Commonwealth of Pennsylvania and have a minimum five years' experience as a tower.

(7) Vehicles required.

(a) The following vehicles shall be owned or leased exclusively by the applicant and available on call for service at the request of the township or its Police Department:

[1] Two wheel-lift trucks;

[2] One sling/recovery truck; and

[3] One flatbed truck.

(b) All of the aforesaid required vehicles shall bear a sign indicating the name and telephone number of the applicant's towing business and must be made available for inspection by the township.

(c) Applicants must show proof that access to heavy-duty equipment, including a heavy-duty wrecker, is available to applicant on a twenty-four-hour basis. The duty tower will make all necessary arrangements for all heavy duty towing requests and the appropriate fee.

(8) The applicant's place of business shall be located within the township boundaries in order that the response time to a call for duty tow service is immediate.

(9) After consideration of the Township Manager's recommendations, the Board of Commissioners shall appoint two duty towers by January 31 of each year to serve for a period of one year. Secondary towers shall be placed on standby to substitute services for a primary tower who is unable, for any reason, to fulfill duty tow services. The two primary towers shall have on-call status in alternate months.

(10) Each duty tower shall pay a license fee as fixed by resolution of the Board of Commissioners. Upon payment of the license fee, the Police Department shall issue a license to appointed duty towers. Such licenses shall be effective for a period of one year from the date of issuance.

C. Specific duties of duty tow licensees shall be as follows:

(1) All licensees shall keep and maintain all of the vehicles listed on its application in a safe and operable condition which shall pass the Motor Vehicle Inspection Standards of the Commonwealth of Pennsylvania, and shall have said vehicles immediately available to answer calls for service by the Police Department during the duty tow shift assigned to the license.

(2) All licensees shall respond within 15 minutes from their receipt of the Police Department's call requesting service to the arrival of the licensees towing vehicle at the location of the disabled, wrecked or abandoned vehicle, except during adverse roadway conditions.

(3) If any licensee cannot respond to the service call from the Police Department with the appropriate towing vehicle or within the required response time, the licensee shall so advise the police dispatcher. If a licensee's vehicle is delayed while in transit to the requested location, the

vehicle operator shall advise the police dispatcher of the delay and of his present location, whereupon a determination shall be made by the appropriate police official as to whether the secondary duty tower shall be called.

(4) Any licensee who performs duty towing services as an independent contractor to the Township of Haverford shall not exceed the maximum rates established in this chapter.

(5) All licensees shall be responsible for removing vehicular parts and debris from the highway. No liquid cleanup is required of the licensee.

(6) All licensees shall comply with all rules and regulations established by the Township Manager or Police Department.

(7) Duty tow licensees must secure a towed vehicle in a designated impound yard with windows closed and doors locked whenever possible. The vehicle's key must be deposited with a copy of the invoice for services in the impound yard office.

(8) An invoice for each tow service must be completed by the licensee, which invoice shall include the following information:

(a) The incident number.

(b) The date and location.

(c) Whether a police release is required.

(d) The make, model, vehicle identification number and license plate number.

(e) Indication of status (i.e., wrecked, stolen, abandoned, disabled or impounded).

(9) A tag supplied by the township shall be completed and affixed to any towed vehicle. The bottom portion shall be given to the police officer requesting the tow. If the vehicle is abandoned, the bottom portion of the tag will be returned to the Police Department within five business days.

(10) Towed vehicles requiring police investigation may be towed to specific locations by direction of police officials. Upon completion of investigative matters towed vehicles will be returned to the impound yard, without additional charges to the Township, for release after vehicle owner has paid the appropriate charges.

§ 175-66. License applications, standards and duties of impound yard operators. [Amended 5-9-1994 by Ord. No. 2203]

A. License application.

(1) Applications for impound yard operators shall be made to the Township Manager upon a form available from his office, which form shall require the following information:

(a) The name, address and telephone number of the business for which an impound yard license is sought.

(b) The name, home and business addresses and telephone number of all the owner(s) or, in the case of a corporation, stockholder(s) of the business for which the towing license is sought, together with a description of the type of business organization (i.e., sole proprietorship, partnership, corporation, etc.).

(c) The address and description of the premises upon which any disabled, wrecked or abandoned vehicle will be towed to and/or stored, including the size of the area on the premises available for storage of vehicles, the approximate number of vehicles which may be stored in the area, whether the area is fenced, height of fencing and a description of security precautions or protection methods for vehicles stored in said area.

(d) A certificate of insurance or other proof acceptable to the township that the applicant has obtained \$300,000 of garage keeper's liability and garage liability insurance required for the issuance of an impound yard operator's license.



- (2) Application for an impound yard operator's license shall be completed and signed by the owner(s) of the business for which the license is sought, or, in the case of a corporation, the president of the corporation.
  - (3) Applicants must execute an agreement to indemnify the township for any and all losses or expenses incurred by virtue of any acts performed in the course of service.
  - (4) Applications must be accompanied by an application fee of \$100 to offset the cost of investigating and processing the application.
  - (5) The application shall be reviewed by the Police and Code Enforcement Offices within 20 days of the receipt of the application and fee. Incomplete applications shall be promptly returned to the applicant. A written report shall be forwarded to the Township Manager from each of the departments reviewing the applications.
  - (6) Impound yard licenses shall be issued for a period of one year, with a maximum of two yards being selected for service.
  - (7) A fenced-in storage yard or other secure facility containing not less than 7,500 square feet shall be located on the premises from which the applicant's business is conducted, and such yard or storage area shall be authorized by the appropriate zoning, use and occupancy and other municipal permits. Said storage yard shall be well lit at night, segregated from employee or customer parking and screened from adjacent residential uses by a planted buffer screen. Applicants shall permit the inspection of the storage yard by the township.
  - (8) Applicants place of business shall be located within the township boundaries.
  - (9) The Board of Commissioners shall appoint two impound facilities by January 31 of each year. After appointment by the Board, appointees shall pay a license fee as fixed by resolution of the Board of Commissioners. The impound yard license shall be effective for a one-year period from the date of its issuance. Appointed yards shall serve as township impound yards according to a schedule established by the Township.
- B. Specific duties of impound yard operators shall include the following:
- (1) Operators shall obtain and keep current a certificate of salvage for all abandoned vehicles and the proper disposal of the vehicles, and a current, valid salvor's license and salvor's bond as required by the State Department of Motor Vehicles.
  - (2) Impound yard operators must notify the Police Department if its secured storage yard is full so that wrecked vehicles may be directed to an alternate facility.
  - (3) Impound yard operators shall comply with all rules and regulations established by the Township Manager for such facilities.
  - (4) Impound yard operators shall not exceed maximum storage fees as provided by this chapter.
  - (5) Operators shall permit the owners of vehicles towed to have access to their vehicles while in storage in order to inspect the vehicle or remove any personal property from the vehicle which is not physically attached to the vehicle.
  - (6) Operators shall maintain a log of all vehicles stored at the property, listing the date of arrival, make, model, year, vehicle identification number and plate number.
  - (7) Operators shall permit access to the storage facility and operators records to township police and licensed duty towers.
  - (8) Within five business days of the disposal of a towed vehicle, operators shall return to the Police Department the township-supplied tag with the disposition of the vehicle noted on the reverse of the tag.

§ 175-67. Towing and storage charges. [Amended 3-14-1983 by Ord. No. 1866; 2-25-1991 by Ord. No. 2107; 2-12-1996 by Ord. No. 2238]

The charges for the removal and towing of motor vehicles pursuant to this Article shall not exceed \$75 for each vehicle, and the charges for the storage and impounding of such motor vehicles shall not exceed \$30 for every twenty-four-hour period or fraction thereof. An interim stop at a police facility shall not justify an additional tow charge. Such charges shall be paid by the owners of such motor vehicles or by the person who is found to have caused the violation of this Article.

§ 175-68. Notification of removal and impounding.

Within 12 hours from the time of removal of any vehicle under authority granted by this Article, notice of the fact that such vehicle has been impounded shall be sent by the Chief of Police of the township to the owner of record of such vehicle. Such notice shall designate the place from which such vehicle was removed, the reason for its removal and impounding and the pound in which it shall have been impounded.

§ 175-69. Payment of charges; protests.

A. The payment of any towing and impounding charges authorized by this Article shall, unless such payment shall have been made under protest, be final and conclusive and shall constitute a waiver of any right to recover the money so paid.

B. In the event that any towing and impounding charges so imposed shall be paid under protest, the offender shall be entitled to a hearing before a Magistrate or court of record having jurisdiction, in which case such defendant shall be proceeded against and shall receive such notice as is provided in the Vehicle Code in other cases of summary offenses, and shall have the same rights as to appeal and waiver of hearing.

§ 175-70. Revocation of license. [Amended 5-9-1994 by Ord. No. 2203]

A. Any duty tower or impound yard operator who violates any provision of the license requirements, or procures a license by providing a false statement, omission of material fact or by fraudulent conduct, shall be subject to license revocation. Such revocation shall continue, without rebate of either the application fee or license fee, until such time as the Township Manager determines that the licensee is in full compliance with the terms and conditions required herein.

B. Any duty tow or impound yard license shall be revoked without reinstatement, upon finding by the Township Manager of any of any of the following grounds:

(1) The licensee no longer meets the standards for issuance of such license.

(2) The licensee's application is found to be defective in any way or contains misinformation or omissions of fact.

(3) Failure of the licensee to comply with any of the terms of this chapter when, in the sole discretion of the Township Manager, such failure is willful and intentional or when such failure or the reckless conduct of the licensee or its operator jeopardizes the personal safety of a police officer or any other individual.

§ 175-71. Liability of owner or operator for fine or penalty.

The payment of towing and storage charges authorized by this Article shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of any law or ordinance on account of which such vehicle was removed and impounded.

§ 175-72. Restrictions upon removal of vehicles.

No vehicle shall be removed under the authority of this Article if, at the time of the intended removal thereof, the owner or person for the time being in charge of such vehicle is present and

expresses a willingness and intention to remove such vehicle immediately.

§ 175-72.1. Towing of township-owned vehicles. [Added 5-30-1978 by Ord. No. 1706]

Each and every official tower of disabled vehicles for the Township of Haverford shall enter into a contract with the township, which provides for the towing of vehicles owned by the township at no expense to the Township of Haverford.

175-72.2 Township related towing.

The tower shall be responsible for Township related towing which includes but not be limited to towing relating to a township construction project, township special event, special police investigation that may yield non-payment by vehicle owner.

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

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

ADOPTED this 10th day of January, A.D., 2000.

TOWNSHIP OF HAVERFORD

BY: KENNETH B. RICHARDSON  
President  
Board of Commissioners

Attest: Thomas J. Bannar  
Township Manager/Secretary