

**ORDINANCE 2023-07**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO AUTHORIZE, ESTABLISH, IMPLEMENT AND ENFORCE A STANDARDIZED SYSTEM OF PROPERTY ADDRESS NUMBERING FOR EMERGENCY SERVICES AND THE ENFORCEMENT THEREOF.**

**Whereas**, an addressing system of uniform address numbering and posting of address signage increases the health, safety and welfare of the public by improving the ability of various emergency service providers to locate and respond to emergencies;

**Whereas**, the Commonwealth of Pennsylvania, has developed and is implementing a Next Generation 911 (NG911) statewide system which requires a standardized system of address numbering and road sign posting;

**Whereas**, enactment of such a statewide system of address numbering and road sign posting by all municipalities in the state will serve the interest of the health, safety and welfare of the public;

**Whereas**, The First Class Township Code Section 2080.1 in 53 P.S. §57080.1, authorizes the Board of Commissioners to enact ordinances to name various streets;

**Whereas**, The Lower Allen Township Code in Section 73-5 authorizes the Board of Commissioners to provide for the numbering of buildings for address purposes; and

**Whereas**, the Township of Lower Allen, Cumberland County, Pennsylvania desires to enact the following ordinance in accordance with the statewide uniform address numbering and sign posting system.

**NOW, THEREFORE**, be it enacted, and it is hereby enacted as follows:

**DEFINITIONS**

As used in this Ordinance, the following terms shall have the following definitions:

**a. Address:** Any building, structure, property, or location which can be accessed by a Public Road or a Private Road and to which Emergency Services may, at any time, need to locate and travel to for the provision of emergency services.

**b. Next Gen911:** a uniform addressing system of buildings or structures and of road centerlines which are established, maintained to enhance the automatic location information system utilized for Emergency Services.

**c. Emergency Services:** All personnel, vehicles and equipment by police or other law enforcement agencies, fire or rescue departments, ambulances, or other medical provider services.

**d. Mobile Home Park:** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more manufactured (mobile) home lots for the placement thereon of manufactured (mobile) homes.

**e. Owners:** All persons or entities which has an ownership interest in real estate on which an Address is situate, including, but not limited to, a fee simple interest, fractional interest, easement, right-of-way or any other ownership interest which allows such persons or entities to have any right of control over or provides any duty to maintain or preserve a Private Road on said real estate.

**f. Private Road:** A road which is not a Public Road which leads to any Address to which Emergency Services may be needed. This term shall include, but not be limited to, all private drives, roadways or easements used for vehicle access to multiple properties.

**g. Public Road:** A road owned or maintained by the Commonwealth of Pennsylvania or by Lower Allen Township.

**h. Public Safety System:** The Cumberland County 911 Public Safety System operated by the Cumberland County Department of Emergency Services designed to improve the health, safety and welfare of Cumberland County and its citizens.

**i. Road Name:** A name designated by a Board of Commissioners for any Public Road or for any Private Road.

**j. Road Name Sign:** A sign which identifies to the public the Road Name designated by the Board of Commissioners for any Public Road or for any Private Road.

**k. Street Numbers:** A number assigned to a building or structure in accordance with the Next Gen911 Public Safety System with reference to an adjacent road or street on which the building or structure is situated. For specific sections of roadways with an existing addressing system that is approved by Lower Allen Township staff and Cumberland County staff. The "Street Number" shall be the retained Street Number in the existing addressing system that was established in conjunction with the Next Gen911 Addressing Project.

**Section 1. Street Number Regulations.** The owners or tenants of all buildings or structures to which Street Numbers have been assigned shall always prominently display the Street Number in accordance with the following standards:

- A. Except for such Addresses identified below, each Address to which a Street Number has been assigned shall have a Street Number visibly displayed upon the building or structure. The provisions of this section shall not apply to Addresses which are located a distance greater than 200 feet from the nearest edge of the cartway of the public or private roadway or upon which signage cannot be attached which would be readable from the nearest public or private roadway by reason of natural or manmade obstructions. In all such cases, the owner shall provide posted Street Number signage at least 20 feet and not more than 30 feet from the nearest edge of the cartway of the public or private roadway. The signage shall have affixed thereon the Street Number which has been assigned to the building.
- B. The assigned Street Numbers shall be either affixed directly to the building or post or displayed on a sign affixed to the building or post. The Street Number shall be displayed in such a manner that the numbers will contrast in color with the background and will be observed and readable from the nearest public or private roadway. All numbers shall be in standard Arabic numerals, not less than four (4) inches in height and not less than one half-inch in width. It is recommended that the numbers be reflective for greater nighttime visibility.
- C. If, for any reason, the Street Number of a particular Address is not readily identifiable by posted signage along the roadway whether due to the proximity of multiple buildings with different Street Numbers or for any other reason, in such cases, the Street Number shall also be affixed to the building or structure as well as posted by the road. Similarly, if a single building has multiple Street Numbers or apartment numbers such as professional buildings or apartments, a building directory shall be posted at the main entrance of the building.

**Section 2. Private Road Name Signs.** The owner of all Private Roads shall, in addition to the other requirements set forth in this ordinance, install a Road Name Sign (if not installed by the Township) which identifies the Private Road as the private road name adopted by the Board of Commissioners of the municipality in which the Private Road is situate. Said Road Name Sign shall be placed at the entrance where the Private Road intersects with the public roadway in a manner which does not create an obstruction to visibility of motorists. The Road Name Sign shall meet the Pennsylvania Department of Transportation ("PennDOT") regulations for size, placement and shall be green with white reflective letters.

**Section 3. Mobile Home Parks.** The owner of a Mobile Home Park, in addition to the other requirements set forth in this ordinance, shall provide house numbers that are consistent with the

street address on each unit's mailbox.

**Section 4. Prohibited Activity.** It shall be unlawful to cover, conceal, obstruct, destroy, remove, deface, or vandalize any Street Number or Road Name Sign, installed or displayed pursuant to and in accordance with the requirements of this ordinance.

**Section 5. Enforcement.** Upon determination that the owner of an Address has not complied with the Street Numbering or Road Name Signage regulations of this Ordinance, the Board of Commissioners, or their designated representative, may pursue any of the following enforcement remedies:

- A. The Board of Commissioners or designee may provide written notice to the owners of the Address which has not been numbered or located on a Private Road which has not been named and posted in accordance with these regulations of the violation and of the need to comply with this Ordinance within forty-five (45) days.
- B. In the event that any person should persist for longer than forty-five (45) days in refusing to comply with these regulations despite notice to do so, Township staff may issue a written Order directing the owners of the Address in violation of this Ordinance to comply with the applicable requirements of this Ordinance. Any person who is aggrieved by any such Order issued pursuant to this Ordinance may appeal to the Board of Commissioners by filing a written notice of appeal to the office of the Board of Commissioners within ten (10) days of the date of the subject Order.
- C. In the event the owners of the Address in violation of this Ordinance fail to comply with the Order within ten (10) days or fail to appeal within ten (10) days, the Township may then provide the signage, as necessary, in order to bring the Address into compliance. The Township may recover the cost of materials and labor for the purchase and installation of signage from the Address owners including reasonable administrative fees, interest or other charges allowed by law. In the event the owners of the subject Address should fail to pay the loss of such installation as determined and approved then Township staff may institute proceedings at law to collect the full cost together with all penalties, interest, reasonable attorney fees, and other charges against the owners thereof and collect same as a municipal lien or may take any other action to collect these sums as may be permitted by law.

**Section 6. Penalty for Violation.** Any person who shall be found to have engaged in the prohibited unlawful conduct as set for in Section 3 of this Ordinance or who shall willfully fail to comply with any order to comply with the Street Numbering regulations or Road Name regulations as set forth in Section 4 of this Ordinance, shall be guilty of a summary offense and shall upon conviction be sentenced to pay a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Township in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day that such violation exists shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. In addition to or in lieu of enforcement under this section, the Township may enforce this chapter in equity in the Court of Common Pleas of Cumberland County.

**Section 7. Implementation.** The proper officers of the Board of Commissioners are hereby authorized to take necessary and proper action to establish, implement and enforce the standardized system of Address Street Numbering and Road Name sign placement as provided for in the Ordinance and to otherwise comply with the requirements of the automatic location information needs of the Next Gen 911 System.

**Section 8. Appointment of Agent, Addressing Authority and Designated Representative**

The Board of Commissioners of the Lower Allen Township hereby appoint the Lower Allen Department of Community and Economic Development staff as its agent, addressing authority and designated representative in connection with the naming authority and naming procedures for private roads; the establishment, maintenance and assignment of

road centerline data; assignment of address numbering direction; assignment of road ranges and the assignment of address increments. This will allow the County to better implement the next generation addressing standards (NG 911) uniformly across the County. The Board of Commissioners shall retain road naming authority for all public roads which it maintains and shall retain the enforcement authority for any signage of house numbers and the enforcement authority for private road name signs once assigned.

The Board of Commissioners grants all authority necessary for the implementation and enforcement of this Ordinance.

**Section 9. Effective Date.** The provisions of this Ordinance shall become effective January 1, 2024.

**Section 10. Severability.** Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, and of any Code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of the final enactment hereof.

**Section 11. Repealer.** All ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

ENACTED AND ORDAINED into an Ordinance this 11<sup>th</sup> day of December 2023.

ATTEST  
(Seal)

  
Secretary

BOARD OF COMMISSIONERS  
LOWER ALLEN TOWNSHIP

  
(Vice) President