

**Ordinance No: \_\_\_\_ of \_\_\_\_\_**

An ordinance of the Board of Supervisors of Kiskiminetas Township, Armstrong County, PA, amending the Zoning Ordinance of Kiskiminetas Township to set forth requirements for Commercial Solar Energy Systems.

Whereas Kiskiminetas Township seeks to promote the general health, safety, and welfare of the community by adopting and implementing an amendment to the zoning ordinance providing for access to and use of commercial solar energy systems.

Now, therefore be it enacted and ordained by the Board of Supervisors of Kiskiminetas Township, Armstrong County, Commonwealth of Pennsylvania, and it is enacted and ordained as follows:

**Section #1 Short Title**

This will be known and referred to as the “Kiskiminetas Township Commercial Solar Energy System (CSES) Ordinance.”

**Section #2: Definitions:**

**ACCESSORY SOLAR ENERGY SYSTEM (ASES)** - An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

**AGRIVOLTAICS:** The co-development of the same area of land for both solar photovoltaic power and "Normal Farming Operations"

**APPLICANT:** is the Landowner or Developer having filed an application for development of a Solar Electric Energy Facility under this Ordinance, and includes their heirs, successors, and assigns.

**BEGINNING OF OPERATING PERIOD** shall mean the following conditions have been met:

- (1) Physical construction of the Commercial Solar Energy System is completed, and
- (2) The Commercial Solar Energy System has been connected to the utility grid by PJM or another suitable regional transmission organization and is available to produce and transfer power to the grid, and
- (3) The Commercial Solar Energy System has commenced daily and regular operations and is receiving payment for electricity being sold to a third-party power purchaser. Daily and regular operations shall exclude any testing period and shall generally mean that the PSES meets the requirements herein for longer than one week (7 days) continuously or more than 30 days in aggregate.

(4) In the event that some but not all of the proposed solar panels meet the criteria expressed above, the Development Fee as defined in section 3, subsection E herein shall be paid on those CSES meeting the criteria on a prorated basis.

**BUFFER:** A strip of land between two land uses and not occupied by any structure, parking area, storage area, active recreation area, or any other improvement, excepting pedestrian ways. Utility, stormwater management facilities (excepting exposed retention or detention basins), access drives, and driveways may cross the buffer so long as located approximately perpendicular to the buffer. The buffer may be located within a required setback as hereinafter defined. Existing and ultimate street rights-of-way may not be included within a buffer.

**COMMERCIAL SOLAR ENERGY SYSTEM (CSES):** An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily sold for off-site use. Commercial Solar Energy Systems consist of one (1) or more freestanding ground or roof mounted solar collector devices, solar related equipment, and other accessory structures and buildings including: light reflectors, concentrators, and heat exchangers; substations; electrical infrastructure; transmission lines and other appurtenant structures. Also meaning a Large-Scale Solar Electric Energy Facility, whose main purpose is to generate and supply electricity and consists of one or more Solar Electric Systems and other accessory structures and buildings, including substations, electrical, infrastructure, transmission lines and other appurtenant structures and facilities.

**COMMUNITY SOLAR FACILITY, ACCESSORY USE:** An alternative energy system primarily used by existing or proposed developments of (i) one or more multi-dwelling units or residential developments or (ii) two or more non-residential uses and sited on either the lot improved with the principal use or on a lot within or adjacent to the development.

**FACILITY OWNER:** means any and all person(s), company(ies), developer(s), corporation(s), or entity(ies) having an equity interest in the Commercial Solar Energy System, including heirs, successors, and assigns.

**GLARE:** The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**FINANCIAL SECURITY:** A form of security including a cash deposit, surety bond, irrevocable letter of credit, cashier's check, or escrow account from a federal or Commonwealth chartered lending institution in the amount of 110% of the total proposed decommissioning costs and in a form satisfactory to the Supervisors and the Solicitor, which is to be reviewed and updated every 5 years by a professional engineer registered in the Commonwealth of Pa at the developer/owner's expense.

**OPERATOR:** means the person(s) or entity(ies) responsible for the day-to-day operation and maintenance of the Solar Electric Energy Facility.

**PUBLIC UTILITY BUILDING:** a structure used by a public utility to maintain its office or to house equipment used in connection to the public utility.

PUBLIC UTILITY-STRUCTURE: any plant, equipment, or property used or to be used for or in connection with a “public utility,” including electrical transmission and antenna towers, electrical power structures and water towers used by municipalities, townships, special service districts, county, or state governments.

PUBLIC UTILITY- enterprise that provides certain classes of service to the public, including common carrier, telephone and telegraph, power, heat, and light and community facilities for water, sanitation, and similar services.

SOLAR ARRAY - A grouping of multiple solar modules with the purpose of harvesting solar energy.

SOLAR CELL - The smallest basic solar electric device which generates electricity when exposed to light.

SETBACK – The required horizontal distance between the closest part of a structure (excluding roof overhangs) or use and:

1. in the case of a front setback, (i) the existing or ultimate right-of-way line, whichever is greater, of the street adjacent to the interior lot, (ii) the existing or ultimate rights-of-way line, whichever is greater, of each street adjacent to a corner or reverse frontage lot; or (iii) the front lot line of the landlocked lot or flag lot. The front setback shall extend the full width of the lot.

2. in the case of a side setback, (i) the side lot line of the interior, landlocked or flag lot; or (ii) the side lot line of the corner lot, which side lot line is not opposite the street of address. The side setback shall extend the full depth of the lot.

3. in the case of a rear setback, (i) the rear lot line of the interior, landlocked or flag lot or (ii) the rear lot line of the corner lot, which rear lot line is opposite the street of address. The rear setback shall extend the full width of the lot.

Provided that, in the event a lot extends into a second municipality a required setback is measured from the Kiskiminetas Township municipal boundary line.

SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR ELECTRIC SYSTEM: means the components and subsystems that, in combination, convert solar energy into electric energy suitable for use. The term includes but is not limited to photovoltaic and concentrated solar power systems.

SOLAR ENERGY: Radiant energy (direct, diffuse, and/or reflective) received from the sun.

SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.

SOLAR PANEL: That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convey solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and foundations or other structures used for or intended to be used for collection of solar energy.

### **Section #3: Administrative**

Before a CSES may be constructed, a permit for such a facility must be obtained from Kiskiminetas Township.

A land Development plan and permit application must be submitted to Kiskiminetas Township together with a permit fee.

A. Permit Application shall include the following information:

1. Identification of the property where the CSES is to be located.
2. Present use of the tract of land for which the use is requested.
3. Present use of adjoining tracts.
4. Name of the owner of the property where the CSES will be located.
5. Name, address, and contact information for the applicant.
6. Name, address and contact information of persons responsible for the construction.
7. Name, address, and contact information of the operator of the CSES.
8. Drawings showing the location of the CSES on the property, including property lines and roadways.
9. An estimate of the total development cost.

B. The land development plan shall include:

1. Title block containing the name of the developer or landowner, date scale, north arrow and the name and profession of the preparer of the plan.
2. Tract boundaries showing bearings and distances.
3. Existing buildings, sewers, water wells, culverts, transmission lines, and fire hydrants on or adjacent to the site.
4. Existing contours at vertical intervals of five (5) feet or less and the datum to which the elevations refer.
5. Proposed plan of any landscaping of the tract showing all paved and planted areas, screens or fences and erosion control measures.
6. Plans for any proposed use of all buildings or structures and the proposed use of all buildings or structures and open or unenclosed area of the tract. In cases where little site improvement or development is required or proposed for a CSES, the Supervisors may waive the requirement for submitting certain information that they deem unnecessary for their review of the application.

C. Criteria for CSES

The Supervisors shall, in making decisions on applications for a CSES, consider the following general criteria, in addition to the special criteria established elsewhere in this ordinance:

- 1) Whether the use developed will adversely affect the health, safety, and welfare of its residents.
- 2) Whether the use will create undue nuisance or serious hazard to property owners.
- 3) Whether adequate and appropriate facilities and services will be provided to ensure the proper operation of the CSES.
- 4) The economic, noise, glare, or odor effects of the CSES on adjoining properties and properties generally in Kiskiminetas Township.
- 5) Whether satisfactory provision and arrangement has been made concerning the following:
  - a) Ingress and egress to the property and structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, control and access in case of fire or other emergence.
  - b) Loading areas
  - c) Utilities, with reference to location, availability, and compatibility.
  - d) Screening and buffering with reference to type, dimensions, and character.
  - e) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in Kiskiminetas Township.
  - f) Required yards and open spaces.

D. The application shall also include sufficient information to show that the facility will meet all regulatory requirements.

E. Fees:

1. A non-refundable Application Fee of \$ [REDACTED] shall be submitted with the land development plan and application. In addition, the applicant shall be responsible for payment of any review fees incurred by Kiskiminetas Township in obtaining technical review of any portion of the application submitted which are in excess of the application fee collected.
2. A Development Fee, payable annually of \$50,000 (fifty thousand dollars) per one proposed megawatt (nameplate capacity, in alternating current) for CSES installed in Kiskiminetas Township. The Development Fee is payable on the 60<sup>th</sup> day following the beginning of operations permit period and annually thereafter, prorated for any partial year.

F. Review of Applications:

Kiskiminetas Township will review the application submitted and reject the same if it is incomplete in any substantial respect. In such a case, the application fee shall be retained as compensation for the time spent on review. If the application is determined to be complete. Kiskiminetas Township Secretary shall place the matter on the agenda for action by the supervisors at a public meeting. Supervisors will have 180 days to review and will be set at the next public meeting.

G. Issuance of Approval:

The Supervisors of Kiskiminetas Township , with the assistance of such consultants as they deem appropriate shall make a determination at a public meeting as to whether the land development plan application submitted meets the criteria and regulations set forth in this and other ordinances of the Township as well as being in the best interests of the Township and its residents and approve or reject the application based upon that determination, and those outlined above, in a public vote of Supervisors conducted during a public meeting.

The owner of the real property upon which the CSES shall be erected, the developer, as well as the applicant, shall be responsible for compliance with the ordinance.

The ordinance shall be administered by a person appointed by the Board of Supervisors who shall be referred to as the enforcement officer.

**Section #4 Commercial Solar Energy System (CSES)**

A. Regulations applicable to all CSES:

1. CSES shall be permitted as a CONDITIONAL USE in INDUSTRIAL ZONING only.
2. The CSES layout, design, installation and on-going maintenance shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL) the American Society for Testing and Materials (ASTM) Institute of Electrical and Electronics Engineers (ETL) or other similar certifying organizations and shall comply with the PA Uniform Construction Code (UCC) as enforced by Kiskiminetas Township; and with all other applicable fire and life safety requirements. The manufacturer specifications for all components of the system shall be submitted as part of the application including *MSDS SHEETS*
3. CSES installers must certify they are listed as a certified installer to Kiskiminetas Township zoning officer on PA Department of Environmental Protection (DEP) approved solar installer list, or that they meet the criteria to be a DEP-approved installer by meeting or exceeding one of the following requirements:
  - a) Is certified by the North American Board of Certified Energy Practitioners (NABCEP)
  - b) Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.
4. CSES installers must show proof of being bonded and insured.
5. All on-site transmission and plumbing lines inside of the fence line of the CSES shall be placed underground or out of sight from public streets and neighboring properties.
6. The developer of the CSES shall provide Kiskiminetas Township zoning officer with written confirmation that the public utility company to which the CSES will

be connected has been informed of the developer's intent to install a grid-connected system and such connection has been approved.

7. No portion of the CSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be permitted on any equipment of the CSES provided they comply with all existing sign regulations.
8. All CSES shall be placed such that concentrated solar radiation, or glare does not project onto adjacent structures or roadways or adjoining property owners. Glare Study is required with the site plan.
9. A noise study, conducted by an independent noise study expert, and paid for by the applicant, shall be included in the application. Noise from the operation of the CSES shall not exceed 50dba, as measured at the property line of the nearest property that is not participating (by means of a lease, easement, solar easement, or other agreement) in the development of and/or operation of the CSES.
10. The CSES owner and/or operator shall provide Kiskiminetas Township, Kiskiminetas Township Fire Department, and Kiskiminetas Township Emergency Coordinator, the name and a phone number of the individual responsible to act as the contact for public inquiries and complaints throughout the life of the project. This information is to be updated yearly.
11. By accepting a permit issued by Kiskiminetas Township for the CSES, the applicant shall be deemed to have acknowledged and agreed that the issuance of said permit for a CSES shall not, and does not, create in the property owner, its, his, her, or their successors and assigns in title or, create in the property itself: (a) the right to remain free of shadows and/or obstructions to solar energy caused by the development of adjoining property or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property, and that any such rights would need to be acquired by means if a solar easement.
12. Solar easements:
  - a) Where a subdivision or land development involves the use of CSES, solar easements may be provided. Said easements shall be in writing and shall be subject to the same conveyance and instrument recording requirements as other easements.
  - b) Any such easement shall be appurtenant; shall be run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include, but not be limited:
    1. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed.

2. Restrictions on the placement of vegetation, structures and other objects which may impair or obstruct the passage of sunlight through the easement.
  3. Enumerate terms and conditions, if any, under which the easement may be revisited or terminated.
  4. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.
  5. Owner information, deed book volume and page number or document number, along with the parcel identification number.
- c) If required, a CSES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate agreement(s) with adjacent property owners(s).
- B. Commercial Solar Energy System (CSES) Site requirements:
1. Setbacks:
    - a) No CSES facilities and/or solar-related equipment shall be located within three hundred (300) feet of a property line or the right of way of a public roadway. This shall not preclude the location of driveways or fencing, which shall be a minimum of seventy-five (75) feet from property lines. If the CSES occupies two or more adjacent properties, setbacks between properties shall be waived along the shared property boundaries so the CSES may be installed continuously and make the most efficient use of the project area.
    - b) No CSES facilities and/or solar-related equipment shall be located within three hundred (300) feet of any residential building or non-participatory structure.
  2. Height:
    - a) No CSES facilities and/or solar related equipment shall exceed a height of ten (10) feet.
  3. CSES shall be screened and buffered in accordance with the following standards:
    - a) Screening shall be required between CSES facilities and/or solar related equipment adjoining properties on which residential buildings are located. This screening will consist of the following: eight (8) feet high opaque decorative fencing, and a double staggered row of evergreen trees at least six (6) feet high planted and spaced to create a continuous visual buffer at least thirty (30) feet in width. In the event existing vegetation or landforms providing the screening are disturbed or diseased, new alike plantings shall be provided which accomplish the same. The effectiveness of screening shall be maintained as the plant materials mature.
    - b) Earthen berms should be used around inverters, substations, and other equipment where feasible.

- c) Use of herbicides to control ground cover growth is prohibited.
  - d) CSES owners shall use low maintenance and/or low growing native perennial vegetation of surfaces under the system as a best management practice for stormwater management and as identified by the Pennsylvania Department of Conservation and Natural Resources.
4. Unless specific permission is obtained from the holder of an easement or right-of-way, CSES facilities and/or solar related equipment shall not be placed with any legal easement or right-of-way location where solar would impede the operation of the facilities occupying the easement or right-of-way or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.
5. Stormwater Management:
- a) Stormwater runoff from a CSES shall be managed in accordance with the requirements of the Kiskiminetas Township stormwater management ordinance, DEP guidelines and Armstrong County Conservation Requirements.
6. Security:
- a) All CSES shall be completely enclosed by fencing that consists of a minimum eight (8) feet high opaque decorative fencing with a locking gate.
  - b) A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence on the surrounding CSES informing individuals of potential voltage hazards.
7. Access:
- a) At a minimum, a thirty-five (35) feet wide access road must be provided from a State or Township roadway into the site. The CSES developer shall obtain a permit from the appropriate jurisdiction for the construction of the access road.
  - b) At a minimum, twenty (20) feet wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles.
8. Lighting:
- The CSES shall not be artificially lit except to the extent required for safety, or applicable federal, state, or local regulations. Any lighting shall be dark sky-protective lighting through the use of motion-activated and/or downward-pointing lights around equipment as needed. Any lighting shall not interfere with other adjoining properties or uses.
- 6) Noise:
- a) Inverters, transformers, and battery storage shall be placed near the middle of the array to the extent possible to reduce noise disturbance to neighboring properties.

- b) Noise levels must stay compliant with levels from completed noise study.

### **Section #5 Emergency Management Plan**

- A. An emergency management plan shall be prepared for the purpose of informing Kiskiminetas Township, county emergency management agency and neighboring fire departments of hazardous conditions that might be encountered in responding to an emergency or disaster and providing information about handling such situations as well as people to contact in such events and provide and facilitate training for local emergency personnel prior to construction.
- B. The emergency management plan will be updated yearly and provided to Kiskiminetas Township, the Kiskiminetas Township Fire Department and Kiskiminetas Township Police Departments and the Kiskiminetas Township Emergency Coordinator.
- C. The owner and/or operator of the CSES shall meet with emergency response organizations and/or the Kiskiminetas Township Emergency Coordinator as requested to address safety issues and concerns.

### **Section#6-Decommissioning or Removal of CSES**

- A. Provision for the decommissioning or removal of an abandoned CSES shall be made in accordance with the following standards:
  - 1. An affidavit, or similar evidence, signed by the property owner and the CSES facility owner affirming a lease agreement with a decommissioning clause and a successor and assigns clause. The decommissioning clause must provide for the dismantling and removal of the CSES, including all solar related equipment or appurtenance related thereto, including but not limited to buildings, electrical components, electrical transmission lines, roads, and other associated facilities from the property. The successors and assigns clause must bind those successors and assigns to the lease agreement.
  - 2. The CSES owner is required to notify Kiskiminetas Township immediately upon cessation or abandonment of the operation. The CSES shall be presumed to be discontinued or abandoned if no electricity is generated by the system for a period of twelve (12) consecutive months and the owner has not initiated remedial actions to return the CSES to a generating site.
  - 3. The CSES owner shall then have twelve (12) months in which to dismantle and remove the CSES including all solar-related equipment or appurtenance related thereto, including but not limited to buildings, electrical components, electrical transmission lines, roads, and other associated facilities in accordance with agreements with landowners and good industry practice.
  - 4. If the CSES owner fails to dismantle and/or remove the CSES within the twelve (12) months of cessation or abandonment, Kiskiminetas Township may complete the decommissioning at the CSES owner's expense.

5. To the extent possible the materials shall be re-sold or salvaged. Materials that cannot be resold or salvaged shall be disposed of at a facility authorized to dispose of such materials by federal or state law.
6. Any soil exposed as a result of the removal of the CSES must be stabilized in accordance with applicable erosion and sediment control standards.
7. The CSES site area shall be restored to its pre-existing condition, suitable for its prior use, except the landowner may authorize in writing any buffer landscaping or access roads installed to remain.
8. At the time of issuance of the site development plan and permit application for construction of CSES, the owner shall provide financial security in the form and amount acceptable to the Kiskiminetas Township Supervisors and in favor of the township, to secure its obligations under this section.
  - a) The CSES developer shall, at the time of the development plan and permit application, provide Kiskiminetas Township with an estimate of the cost of performing the decommissioning activities required herein. The CSES project owner shall provide financial security of one hundred ten percent (110%) of the estimated cost of decommissioning. The estimate may include an estimated salvage and resale value, discounted by ten (10%.) The decommissioning activities minus ninety percent (90%) credit of salvage and resale value equals the decommissioning cost estimate.
  - b) On every fifth (5<sup>th</sup>) anniversary of the date of providing the decommissioning financial security the CSES owner shall provide an updated decommissioning cost estimate, utilizing the formula set forth above with adjustments for inflations and cost of value changes. If the decommissioning security amount increases, the CSES owner shall remit the increased financial security to Kiskiminetas Township within thirty (30) days of the approval of the updated decommissioning security estimate by Kiskiminetas Township. If the decommissioning security amount decreases by greater than ten percent (10%) the owner will receive a credit, which shall be set against the development fee payment. Credit is defined as the amount of payments related to the project or CSES located in the Township paid by the owner.
  - c) Decommissioning security estimates shall be subject to review and approval by Kiskiminetas Township and the CSES developer/owner shall be responsible for administration, legal, and engineering costs incurred by the township for such review.
  - d) The decommissioning security may be in the form of cash deposit, surety bond, cashier's check, or escrow account from a federal or Commonwealth chartered lending institution in the amount of one hundred ten percent (110%) of the total proposed decommission cost estimate and, in a form, satisfactory to Kiskiminetas Township Supervisors and the solicitor.

- e) Prior to final approval of the development plans for a CSES, the CSES developer shall enter into a decommissioning agreement with Kiskiminetas Township outlining the responsibility of the parties under this agreement as to the decommissioning of the CSES.
9. During the operation of the facility, a new engineer's estimate of cost for decommissioning shall be submitted every five (5) years to Kiskiminetas Township. Upon approval of the estimated costs by the Township's engineer, a revised surety shall be provided to the Township in the amount of one hundred ten percent (110%) of the new estimate.

### **Section #7 Approval Required**

No CSES shall be constructed, operated, or maintained within Kiskiminetas Township without a land development plan and permit application approval for the same. The plan shall include all the solar-related equipment expected to be constructed within eighteen (18) months from the date of application.

### **Section #8: Enforcement**

- A. Upon the receipt of credible information suggesting that the CSES is being constructed, maintained, or used in a manner in violation of this ordinance or any other applicable governmental regulations, the enforcement officer shall make an investigation. If it is determined that there is a violation of this ordinance, the owner and/or operator shall be given written notice of the violation and given a reasonable time to correct the violation. The written notice shall be given either by person service or registered or certified mail to the last known address. Such written notice shall be required to enforce the remedies set forth in this ordinance. However, Kiskiminetas Township shall still be entitled to give verbal notice for defective systems as authorized above. If corrective action has not been completed within 90 days of receipt of notice, the Township may revoke the permit.
- B. Upon failure of such an applicant to comply as directed in said notice, the enforcement officer, other municipal officers, or solicitor may appear on behalf of Kiskiminetas Township and initiate legal proceedings to enforce the provisions of this ordinance before a district magistrate or other court of law.
- C. Any owner or operator of a CSES who or which violates or permits to be violated the provisions of this ordinance shall, upon being found liable therefore in a criminal enforcement proceedings brought by Kiskiminetas Township before a court of law, pay a fine of not less than ten thousand (\$10,000) dollars, plus all court costs, including reasonable attorney's fees incurred by the township as a result thereof.

### **Section #9 Severability**

The provisions of this ordinance are declared to be severable, and if any provision of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect the ordinance as a whole or any other part or part thereof. If any provisions of this ordinance shall conflict with or be inconsistent with other provisions of the zoning ordinance, the provisions of this ordinance shall control.

**Section #10 Effective Date**

This ordinance shall take effect at the date of adoption by the Board of Supervisors of Kiskiminetas Township, set forth below.

Obtained, adopted, and enacted, by the Board of Supervisors of Kiskiminetas Township, Armstrong County, Pennsylvania this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chairperson  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

DRAFT