

President Gerken convened the meeting of Hanover Borough Council on Wednesday Evening, December 23, 2015, 7:00 PM, in the Hanover Municipal Building, 44 Frederick Street, Hanover, Pennsylvania as advertised.

On roll call the following answered as present: Mr. Angel, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Roth and Mrs. Yingling; Solicitor Yingst; Mayor Adams; Manager Ford and Secretary Neiderer. Mr. Reichart was not in attendance.

It was moved by Mr. Funke, seconded by Mrs. Yingling to approve the minutes of Hanover Borough Council from November 24, 2015 and December 16, 2015 as presented. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve the bills, the Report of the Mayor and the Report of the Fire Chief. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve the reports of the following Borough Administrators:

- a.) Borough Manager Report
- b.) Supervisor of Public Works
- c.) Superintendent of Water & Wastewater Treatment
- d.) Supervisor of Water Treatment Plant
- e.) Supervisor of Water Meter Department
- f.) Engineering Department
- g.) Supervisor of Water Distribution Department
- h.) Library Director
- i.) Infiltration & Inflow (I & I) Crew Report

Motion carried.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Deb Sanders was present from 249 Baltimore Street who came before Council approximately two (2) months ago asking for additional lighting in the quadrants of Center Square. Since that time, she noticed that there are actually some street lights there that are burned out, and if those could be replaced, then it would be a big improvement.

Ms. Sanders stated she had one word to say after reading the recent article regarding The new Borough Manager, and that was "Hallelujah!"

President Gerken thanked Ms. Sanders for her comments and concerns this evening.

President Gerken asked for further comments, and there being none, stated that the regular business portion of the meeting would now begin and all public comment will be held to the conclusion of the meeting.

REPORTS OF THE STANDING COMMITTEES

Public Safety Committee – Mrs. Yingling

It was moved by Mrs. Yingling, seconded by Mr. Funke to promote Sergeant Joseph J. Bunty Jr. to the position of Lieutenant of Police with the Hanover Borough Police Department having an effective date of January 3, 2016 under the rules and regulations of the Hanover Borough Civil Service Commission. Motion carried.

Mayor Adams administered the Oath of Office to Lieutenant Bunty; and Council members and staff congratulated him and welcomed him to his new position.

It was moved by Mrs. Yingling, seconded by Mr. Funke to promote Detective Joshua P. Brady to the position of Sergeant with the Hanover Borough Police Department having an effective date of January 3, 2016 under the rules and regulations of the Hanover Borough Civil Service Commission. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Public Safety Committee – Mrs. Yingling

Mayor Adams administered the Oath of Office to Sergeant Brady; and Council members and staff congratulated him and welcomed him to his new position.

Finance & Personnel Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mrs. Yingling to ratify the action of the Borough Officers in making the following investments with People's Bank for a period of 31 days, November 30, 2015 to December 31, 2015 at an interest rate of 0.50%:

<u>Funds</u>	<u>Investments</u>
General Fund	\$4,066,813.41
Bicentennial Fund	\$1,386.59
Sewer Fund	\$1,299,900.00
Guthrie Memorial Library Fund	\$0.00
Regional Wastewater Treatment Fund	\$253,700.00
Market House Fund	\$15,400.00
Liquid Fuels Fund	\$6,800.00
Equipment Fund	\$120,100.00
Local Services Tax Fund	\$291,500.00
Business Privilege Tax Fund	\$397,900.00
Leisure Services Fund	\$44,700.00
Sewer Projects Fund	\$0.00
Library Projects Fund	\$14,200.00
Hanover Recreation Endowment Fund	\$297,100.00
Water Revenue Fund	\$2,100,000.00
Water Projects Fund	\$186,500.00
Market House Reserve Fund	\$5,683.64
Hanover Recreation Reserve Fund	\$12,735.53
Library Endowment Fund	\$1,041,682.83
Library Endowment Additional Investment	\$1,500.04
2010 Water Bonds	\$0.00
2010 Water Bonds - Interest	\$0.00
2013 Water Bonds	\$2,500,000.00
2013 Water Bonds - Interest	\$0.00
2013 Sewer Bonds	\$170,000.00

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Roth

<u>Funds</u>	<u>Investments</u>
2013 Sewer Bonds - Interest	\$0.00
2013 General Bonds	\$155,000.00
2013 General Bonds - Interest	\$0.00
2015 Water Bonds	\$2,250,000.00
2015 Water Bonds - Interest	\$0.00
Total	<u>\$15,232,602.04</u>

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to adopt Ordinance No. 2239 entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 601 ENTITLED “AN ORDINANCE FIXING SALARIES, COMPENSATION, BONDS, AND CERTAIN DUTIES OF BOROUGH OFFICIALS.”** On roll call, the following voted in favor of the motion: Mr. Angel, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Roth and Mrs. Yingling. There were nine (9) votes in favor of and no votes in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to adopt Ordinance No. 2240 entitled **AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR 2016 IN THE BOROUGH OF HANOVER AND FIXING COLLECTION RATES THEREON.** On roll call, the following voted in favor of the motion: Mr. Angel, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Roth and Mrs. Yingling. There were nine (9) votes in favor of and no votes in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve Resolution No. 1115 adopting budgets for fiscal year 2016 for all Hanover Borough accounts general fund budget (*representing a tax increase of 0.08 mills*). Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve Resolution No. 1116 fixing salaries for the position of Chief of the Hanover Borough Police Department effective January 1, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve Resolution No. 1117 fixing salaries for the Fire Commissioner/Chief, Acting Fire Commissioner/Chief, and Deputy Fire Commissioner/Chief effective January 1, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve Resolution No. 1118 fixing pay of special policemen, laborers, and certain supervisory employees effective January 1, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve Resolution No. 1119 fixing salaries for staff personnel in the Recreation Department of The Borough of Hanover effective January 1, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve Resolution No. 1120 fixing salaries for certain salaried personnel and officers of The Borough of Hanover effective January 1, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve Resolution No. 1121 providing a schedule of fees for permits, licenses and services provided by The Borough of Hanover effective January 1, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve Resolution No. 1122 revising the fee schedule for rental of equipment owned and operated by The Borough of Hanover. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mr. Funke to grant tuition reimbursement to Anthony Clouser for courses successful completed toward his degree in Fire Science at Waldorf College in the amount of \$1,485.00. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve the request of Hanover Borough Tax Collector Leroy Wentz to increase the rates for the following fees:

	<u>Current Rate</u>	<u>Proposed Increase</u>
a. Duplicate Tax Bill Charge	\$ 3.00	\$ 5.00
b. Tax Certification Charge	\$ 20.00	\$ 25.00

Motion carried.

Planning & Traffic Committee – Mr. Angel

It was moved by Mr. Angel, seconded by Mr. Roth to approve Ordinance No. 2237 entitled **AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA REPEALING ARTICLE XII-A OF THE BOROUGH OF HANOVER ZONING ORDINANCE REGULATING USE AND DEVELOPMENT OF LANDS IN THE FLOOD PLAIN DISTRICT, AS WELL AS THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE WHICH DEFINE VARIOUS TERMS RELATED TO THE FLOOD PLAIN OR WHICH DELINEATE THE BOUNDARIES THEREOF AND THE LANDS LOCATED THEREIN: SECTION 140-4C, GLOSSARY; SECTION 140-7A AND B; SECTION 140-8 F AND G.** On roll call, the following voted in favor of the motion: Mr. Angel, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Roth and Mrs. Yingling. There were nine (9) votes in favor of and no votes in opposition to the motion. Motion carried.

It was moved by Mr. Angel, seconded by Mr. Roth to approve Ordinance No. 2238 entitled **AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE Borough of Hanover WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.** On roll call, the following voted in favor of the motion: Mr. Angel, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Roth and Mrs. Yingling. There were nine (9) votes in favor of and no votes in opposition to the motion. Motion carried.

It was moved by Mr. Angel, seconded by Mr. Roth to approve Ordinance No. 2241 entitled **AN ORDINANCE OF THE BOROUGH OF HANOVER ACCEPTING THE DEED OF DEDICATION FOR BLOSSOM DRIVE, GRANT DRIVE, SPENCER DRIVE, WASHINGTON AVENUE AND A TWENTY (20) FEET WIDE PUBLIC ALLEY, AS SHOWN ON THE FINAL SUBDIVISION AND LAND DEVELOPMENT PLANS OF CHERRY TREE – PHASE 1 AND 2, DATED MARCH 29, 2006, LAST REVISED MAY 2, 2006 AND RECORDED OCTOBER 10, 2006 IN THE OFFICE OF THE RECORDER OF DEEDS OF YORK COUNTY, PENNSYLVANIA IN PLAN BOOK 1846, PAGE 4231, ET SEQ. AND THEREBY OPENING SAID STREETS AND ALLEY AS PUBLIC RIGHTS-OF-WAY.** On roll call, the following voted in favor of the motion: Mr. Angel, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Roth and Mrs. Yingling. There were nine (9) votes in favor of and no votes in opposition to the motion. Motion carried.

It was moved by Mr. Angel, seconded by Mr. Roth to enter into an agreement with Cherry Tree Development, LLC, Edgewood, Maryland to reimburse the Borough for the roadway snow and salting maintenance from the intersection of Grant and Blossom Drive to the end of Grant Drive as per map marked "Exhibit A," since this portion of the roadway does not meet the PennDOT Liquid Fuel Fund standards for reimbursement. Motion carried.

It was moved by Mr. Angel, seconded by Mr. Roth to enter into a contract with the York County Planning Commission for a Community Development Block Grant for the Hanover Borough/Penn Township Zoning Ordinance Update in the amount of \$20,000.00. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Public Service Committee – Mrs. Griffin

It was moved by Mrs. Griffin, seconded by Mr. Funke to approve the request of Hanover Little League to use the baseball fields at Good Field at a charge of \$250.00; and Mustang Softball to use the softball field at Good Field at a charge of \$250.00 for practices, scrimmages and games from March to November 2016, provided a certificate of insurance is submitted naming The Borough of Hanover as additional insured, and pending field availability and coordination with previously scheduled events as per their letter received December 2015. Motion carried.

MAYOR'S REPORT

Mayor Adams reported his attendance at the Feed a Friend Marathon on December 8th. He thanked all departments for their hard work during 2015 and wished everyone a Merry Christmas and Happy New Year.

VIDEO REPORT

Mr. Tony Thomas described photographs of the Water Filtration Plant construction progress, noting that many of the old equipment and parts were dated back to the 1940's and 1960's and replacement parts were often fabricated in house by staff, since a lot of the parts were no longer manufactured.

OTHER MATTERS

New Business

It was moved by Mrs. Yingling, seconded by Mr. Funke to approve the appointment of the following citizens to their respective Boards or Commissions effective January 1, 2016:

<u>Board or Position</u>	<u>Name</u>	<u>Term</u>
Sewage Enforcement Officer	Douglas Stambaugh	2 years
Alternate Sewage Enforcement Officer	Dean Shultz	2 years
Zoning Hearing Board	Vance Stabley	3 years
Police Pension Fund Committee	Chad Martin, Secretary	
Police Pension Fund Committee	Larry Bream	2 years
Police Pension Fund Committee	John J. Riley	2 years
Police Pension Fund Committee	C. Edward Good	2 years
Area Wage Tax Governing Board	R. Samuel Miller	1 year
Vacancy Board	Philip N. Bowman	2 years

Motion carried.

OTHER MATTERS

Communications

Council President Reminded Council Members that the Council Reorganization meeting is scheduled for Monday, January 4th, 2016 at 7:00 PM in the Hanover Municipal Building. For newly elected and reelected Council Members, please remember to forward your Certificate of Election to Secretary Neiderer prior to the meeting on January 4th; and if you have not already done so, Secretary Neiderer would be available to notarize your Certificate of Residency which also needs to be submitted prior to this meeting. Please plan to dress appropriately for a 2016 Council Member Photo following the meeting.

Mrs. Julie Hollinger, daughter to President and Mrs. Gerken thanked her father for his service and dedication to his office of Hanover Borough Council President throughout the years.

Unfinished Business

Mayor Adams presented Certificates of Appreciation to outgoing Council Members Mrs. Kim Griffin and Mrs. Sylvia Yingling.. He thanked them for their service and dedication to the community.

President Gerken presented bouquets to Mrs. Griffin and Mrs. Yingling, noting Mrs. Griffin also served on the Recreation Board and Health Board and often attended the Library Board of Governors meetings. Mrs. Yingling was Chairman of the Public Safety Committee and served on the Union Negotiation Committee. For the last eighteen (18) months Mrs. Yingling served alongside Mr. Gerken on the Steering Committee for the Merger of the Hanover and Penn Township Fire Departments. President Gerken urged other Council members to fill the now open positions on the Joint Committee to see this important project through to its fruition which should be in the near future.

Mayor Adams read and presented President Gerken with the following proclamation on behalf of Hanover Borough Council:

P R O C L A M A T I O N
"JOHN H. GERKEN"

- WHEREAS,** Mr. John H. Gerken was appointed on May 27, 1997 to serve as Second Ward Hanover Borough Council member to complete the term of Mr. Ira Bitner; and
- WHEREAS,** Mr. John H. Gerken continued to serve on Hanover Borough Council and accepted the nomination to serve as President on January 5, 2004 and has retained this position to date; and
- WHEREAS,** During his eighteen (18+) plus years of service, Mr. Gerken served with three (3) Hanover Borough Managers including Mr. Bruce Rebert, Ms. Barbara Krebs and Mrs. Florence Ford; and three (3) Mayors including Mrs. Maggie Hormel, Mr. Gary Brown and Mr. Ben Adams; and
- WHEREAS,** Throughout his tenure on Hanover Borough Council, Mr. Gerken strived to act in the best interests of the citizens of Hanover Borough with his natural ability to provide leadership with intelligence, honesty and integrity; and
- WHEREAS,** Major renovations occurred at our Water Filtration Plant and Wastewater Treatment Facility that were facilitated under President Gerken's tenure to sustain the needs of the citizens of the Hanover area well into the future.
- NOW, THEREFORE,** be it resolved that Mr. Gerken's term as Hanover Borough President and Second Ward Council member will come to a close as of December 31, 2015, and on behalf of the community, Hanover Borough Council deems it appropriate to thank and congratulate President Gerken on a job well done.
- AND BE IT FURTHER RESOLVED,** that I, Ben J. Adams, Mayor of The Borough of Hanover, York County, Pennsylvania, do hereby charge all citizens of this Borough to honor Mr. John H. Gerken a/k/a "Pickle One" for his many years of dedicated service to this community.

In witness thereof, I hereunto set my hand and cause my seal to be affixed this 23rd day of December, 2015.

Ben J. Adams, Mayor

Mayor Adams then presented President Gerken with a Letter of Recognition from Senator Alloway and a Citation from Representative Kate Klunk.

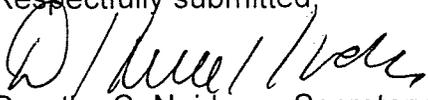
Mayor Adams thanked Mr. Gerken for his knowledge, leadership and expertise and his dedication to the community, and presented him with a trophy entitled "The Mayor's Pick for Outstanding Civic Leadership" in lieu of his award for the annual street rod show trophy.

President Gerken thanked all Hanover Borough staff from the administrative officers to the staff members for their dedication and good service. He challenged the new Council to face the challenges of the next generation.

Adjournment

There being no further comments by Council or the public, it was moved by Mr. Funke, seconded by Mrs. Yingling to adjourn the meeting at 7:40 PM to a closed caucus session regarding legal matters. Motion carried.

Respectfully submitted,


Dorothy C. Neiderer, Secretary

NO. 2239

AN ORDINANCE

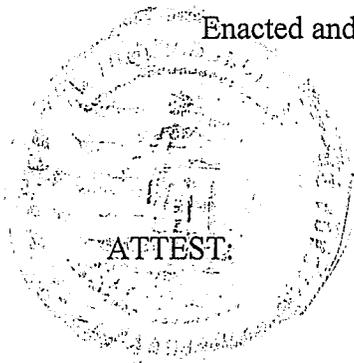
AN ORDINANCE AMENDING ORDINANCE NO. 601
ENTITLED, "AN ORDINANCE FIXING SALARIES,
COMPENSATION, BONDS, AND CERTAIN DUTIES
OF BOROUGH OFFICIALS."

Be it enacted and ordained by The Borough of Hanover, and it is hereby enacted
and ordained by the authority of the same as follows:

SECTION 1: That Section 1, Subsection A, of said Ordinance No. 601 be and the
same is hereby amended to provide and read as follows:

A. MAYOR, No Dollars and No Cents (\$0.00) effective January 1, 2016.

Enacted and ordained this 23rd day of December, A.D., 2015.



THE BOROUGH OF HANOVER

Jonna A. Grogan
Council President

D. Mumma
Borough Secretary

Approved this 23rd day of December, A.D., 2015.



[Signature]
Mayor

NO. 2240

AN ORDINANCE

AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR 2016 IN THE BOROUGH OF HANOVER AND FIXING COLLECTION RATES THEREON.

BE IT ENACTED AND ORDAINED by The Borough of Hanover, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1. That a tax of 5.73 mills be, and the same is hereby levied and assessed for the fiscal year 2016 on each dollar of taxable real property and made taxable by the Commonwealth of Pennsylvania for County rates and levies.

SECTION 2. That the taxes herein levied are available for expenditures in the adopted budget or its supplements for the fiscal year 2016 as the same is set forth in the minutes of Council.

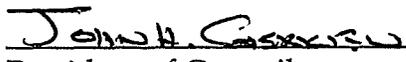
SECTION 3. That the compensation payable to the Tax Collector for the collection of taxes for the fiscal year 2016 is hereby fixed at ninety-five hundredths (0.94%) percent of the amount collected.

SECTION 4. That the proper officers of The Borough of Hanover be and they are hereby authorized and directed to prepare, and issue to the Tax Collector of The Borough of Hanover his warrant for the collection thereof.

Enacted and ordained this 23rd day of December, A.D., 2015.

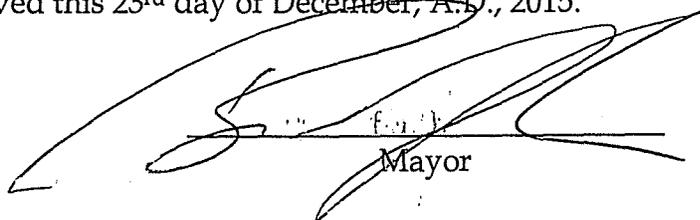
THE BOROUGH OF HANOVER

ATTEST:


President of Council


Borough Secretary

Approved this 23rd day of December, A.D., 2015.


Mayor

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA REPEALING ARTICLE XII-A OF THE BOROUGH OF HANOVER ZONING ORDINANCE REGULATING USE AND DEVELOPMENT OF LANDS IN THE FLOOD PLAIN DISTRICT, AS WELL AS THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE WHICH DEFINE VARIOUS TERMS RELATED TO THE FLOOD PLAIN OR WHICH DELINEATE THE BOUNDARIES THEREOF AND THE LANDS LOCATED THEREIN: SECTION 140-4C, GLOSSARY; SECTION 140-7A AND B; SECTION 140-8 F AND G.

BE IT ENACTED AND ORDAINED by the Borough of Hanover, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

The following Article and Sections of the Borough of Hanover Zoning Ordinance are hereby repealed in light of the enactment of Ordinance 2238, the Borough of Hanover Floodplain Management Ordinance which serves as plenary regulation of stormwater management and the facilities related thereto in the Borough of Hanover:

Article repealed in its entirety:

Article XII-A

Sections repealed in their entirety:

Section 140-7 A and B
Section 140-8 F and G

Section repealed in part:

Section 140-4 c. Glossary - Definitions of Flood, Flood Plain, Flood-Fringe Area, Flood Plain District, and Floodway Area.

ENACTED AND ORDAINED by the Borough Council of the Borough of Hanover this 23rd day of December, 2015.

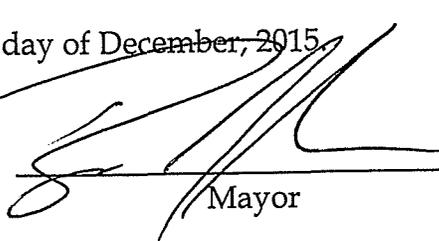
ATTEST:

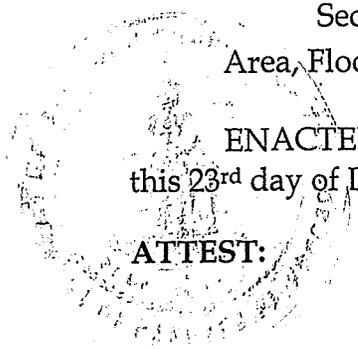
BOROUGH COUNCIL OF
THE BOROUGH OF HANOVER


Secretary

By: JOHN N. GIBSON
President

Approved this 23rd day of December, 2015


Mayor



NO. 2238
AN ORDINANCE

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE *Borough of Hanover* WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

ARTICLE I. STATUTORY AUTHORIZATION

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the *Borough council* of the *Borough of Hanover* does hereby order as follows.

ARTICLE II. GENERAL PROVISIONS

Section 2.01 Intent

The intent of this Ordinance is to:

- A. Promote the general health, welfare, and safety of the community.
- B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health by protecting water supply and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
- E. Comply with federal and state floodplain management requirements.

Section 2.02 Applicability

- A. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the *Borough of Hanover* unless a Permit has been obtained from the Floodplain Administrator.
- B. A Permit shall not be required for minor repairs to existing buildings or structures.

Section 2.03 Abrogation and Greater Restrictions

This ordinance supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

Section 2.04 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for

applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.

- E. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
- F. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the *Borough Council* for whatever action it considers necessary.
- G. The Floodplain Administrator shall maintain in perpetuity all records associated with the requirements of this ordinance including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
- H. The Floodplain Administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program.
- I. The responsibility, authority and means to implement the commitments of the Floodplain Administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the floodplain administrator/manager.
- J. The Floodplain Administrator shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

Section 3.04 Application Procedures and Requirements

- A. Application for such a Permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the *Borough of Hanover*. Such application shall contain the following:
 - 1. Name and address of applicant.
 - 2. Name and address of owner of land on which proposed construction is to occur.
 - 3. Name and address of contractor.
 - 4. Site location including address.
 - 5. Listing of other permits required.
 - 6. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
 - 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
 - 1. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes

4.01) when combined with all other existing and anticipated development, will not cause any increase in the base flood elevation.

- c. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.

Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.

- d. detailed information needed to determine compliance with Section 5.03 F., Storage, and Section 5.04, Development Which May Endanger Human Life, including:
 - i. the amount, location and purpose of any materials or substances referred to in Sections 5.03 F. and 5.04 which are intended to be used, produced, stored or otherwise maintained on site.
 - ii. a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 5.04 during a base flood.
- e. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
- f. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

D. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator.

Section 3.05 Review by County Conservation District

A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the Floodplain Administrator to the County Conservation District for review and comment prior to the issuance of a Permit. The recommendations of the Conservation District shall be considered by the Floodplain Administrator for possible incorporation into the proposed plan.

Section 3.06 Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

Section 3.07 Changes

After the issuance of a Permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be

B. Penalties

Any person who fails to comply with any or all of the requirements or provisions of this Ordinance or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a summary offense and upon conviction shall pay a fine to *Borough of Hanover*, of not less than One Hundred Dollars (\$100.00) nor more than Six Hundred Dollars (\$600.00) plus costs of prosecution. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with this Ordinance shall not excuse the violation or noncompliance or permit it to continue. All such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Ordinance may be declared by the *Borough Council* to be a public nuisance and abatable as such.

Section 3.11 Appeals

- A. Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this Ordinance, may appeal to the *Zoning Hearing Board*. Such appeal must be filed, in writing, within thirty (30) days after the decision, determination or action of the Floodplain Administrator.
- B. Upon receipt of such appeal the *Zoning Hearing Board* shall consider the appeal in accordance with the Municipal Planning Code and any other local ordinance.
- C. Any person aggrieved by any decision of the *Zoning Hearing Board* may seek relief therefrom by appeal to court, as provided by the laws of this State including the Pennsylvania Flood Plain Management Act.

ARTICLE IV. IDENTIFICATION OF FLOODPLAIN AREAS

Section 4.01 Identification

The identified floodplain area shall be:

- A. any areas of the *Borough of Hanover*, classified as Special Flood Hazard Areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated *December 16, 2015* and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and,
- B. any Community Identified Flood Hazard Areas

The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by *The Borough of Hanover* and declared to be a part of this ordinance.

Section 4.02 Description and Special Requirements of Identified Floodplain Areas

The identified floodplain area shall consist of the following specific areas:

- A. The Floodway Area shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.

decision or determination may appeal to the *Borough Council*. The burden of proof shall be on the appellant.

Section 4.05 Jurisdictional Boundary Changes

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in CFR 44 60.3.

ARTICLE V. TECHNICAL PROVISIONS

Section 5.01 General

A. Alteration or Relocation of Watercourse

1. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have first been obtained from the Department of Environmental Protection Regional Office.
2. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
3. In addition, FEMA and the Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.

B. When a community proposes to permit the following encroachments:

- any development that causes a rise in the base flood elevations within the floodway; or
- any development occurring in Zones A1-30 and Zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation; or
- alteration or relocation of a stream (including but not limited to installing culverts and bridges)

The applicant shall (as per 44 CFR Part 65.12):

1. Apply to FEMA for conditional approval of such action prior to permitting the encroachments to occur.
2. Upon receipt of the Administrator's conditional approval of map change and prior to approving the proposed encroachments, a community shall provide evidence to FEMA of the adoption of floodplain management ordinances incorporating the increased base flood elevations and / or revised floodway reflecting the post-project condition.
2. Upon completion of the proposed encroachments, a community shall provide as-built certifications. FEMA will initiate a final map revision upon receipt of such certifications in accordance with 44 CFR Part 67.

C. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the

engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

4. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.

C. Space below the lowest floor

1. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
2. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - b. the bottom of all openings shall be no higher than one (1) foot above grade.
 - c. openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

D. Historic Structures

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

E. Accessory structures

Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

1. the structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
2. floor area shall not exceed 200 square feet.
3. The structure will have a low damage potential.
4. the structure will be located on the site so as to cause the least obstruction to the flow of flood waters.

along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

C. Water and Sanitary Sewer Facilities and Systems

1. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
2. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
3. No part of any on-site waste disposal system shall be located within any identified floodplain area.
4. The design and construction provisions of the UCC and FEMA #348, "Protecting Building Utilities From Flood Damages" and "The International Private Sewage Disposal Code" shall be utilized.

D. Other Utilities

All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

E. Streets

The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

F. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 5.04, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation or floodproofed to the maximum extent possible.

G. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

H. Anchoring

1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

I. Floors, Walls and Ceilings

1. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
2. Plywood used at or below the regulatory flood elevation shall be of a

regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

1. will be used for the production or storage of any of the following dangerous materials or substances; or,
2. will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
3. will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:

- Acetone
- Ammonia
- Benzene
- Calcium carbide
- Carbon disulfide
- Celluloid
- Chlorine
- Hydrochloric acid
- Hydrocyanic acid
- Magnesium
- Nitric acid and oxides of nitrogen
- Petroleum products (gasoline, fuel oil, etc.)
- Phosphorus
- Potassium
- Sodium
- Sulphur and sulphur products
- Pesticides (including insecticides, fungicides, and rodenticides)
- Radioactive substances, insofar as such substances are not otherwise regulated.

Section 5.05 Special Requirements for Subdivisions and Development

All subdivision proposals and development proposals containing at least 10 lots or at least 2 acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision and Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

Section 5.06 Special Requirements for Manufactured Homes

- A. Within any Identified Floodplain Area manufactured homes shall be prohibited. If a variance is obtained in accordance with the criteria in Article VIII, then the following provisions apply:
- B. Where permitted within any Identified Floodplain Area, all manufactured homes, and any improvements thereto, shall be:
 1. placed on a permanent foundation;

ARTICLE VII EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

Section 7.01 Existing Structures

The provisions of this Ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of Section 7.02 shall apply.

Section 7.02 Improvements

The following provisions shall apply whenever any improvement is made to an existing structure located within any Identified Floodplain Area:

- A. No expansion or enlargement of an existing structure shall be allowed within any Identified Floodplain Area that would cause any increase in BFE. In A Area/District(s), BFEs are determined using the methodology in Section 4.02 C.
- B. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of fifty (50) percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.
- C. The above activity shall also address the requirements of the 34 PA Code, as amended and the 2009 IBC and the 2009 IRC.
- D. Within any Floodway Area/District (See Section 4.02 A), no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office
- E. Within any AE Area/District without Floodway (See Section 4.02 B), no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- F. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than fifty (50) percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
- G. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this ordinance.

ARTICLE VIII VARIANCES

Section 8.01 General

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the *Borough of Hanover* may, upon request, grant relief from the strict application of the requirements.

Section 8.02 Variance Procedures and Conditions

Requests for variances shall be considered by the *Borough of Hanover* in accordance with the procedures contained in Section 3.11 and the following:

- A. No variance shall be granted within any Identified Floodplain Area that would cause any increase in BFE. In A Area/District, BFEs are determined using the methodology in Section 4.02 C.
- B. If granted, a variance shall involve only the least modification necessary to provide

resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

5. Basement - any area of the building having its floor below ground level on all sides.
6. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.
7. Development - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
8. Existing manufactured home park or subdivision - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
9. Expansion to an existing manufactured home park or subdivision - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
10. Flood - a temporary inundation of normally dry land areas.
11. Flood Insurance Rate Map (FIRM) - the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
12. Flood Insurance Study (FIS) - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
13. Floodplain area - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
14. Floodproofing - any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
15. Floodway - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
16. Highest Adjacent Grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
17. Historic structures - any structure that is:

23, 2015 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

24. New manufactured home park or subdivision - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
25. Person - an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
26. Post-FIRM Structure - is a structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map (FIRM) dated 12/16/1981, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.
27. Pre-FIRM Structure - is a structure for which construction or substantial improvement occurred on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map (FIRM) dated 12/16/1981, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.
28. Recreational vehicle - a vehicle which is:
 - a. built on a single chassis;
 - b. not more than 400 square feet, measured at the largest horizontal projections;
 - c. designed to be self-propelled or permanently towable by a light-duty truck,
 - d. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
29. Regulatory flood elevation - the base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet.
30. Repetitive loss - flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
31. Special permit - a special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks/ subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.
32. Special flood hazard area (SFHA) - means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.
33. Start of construction - includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be

other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

ARTICLE X. ENACTMENT

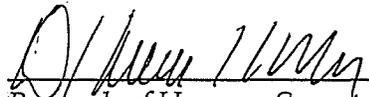
Section 10.01 Adoption

This Ordinance shall be effective on December 23, 2015 and shall remain in force until modified, amended or rescinded by *Borough of Hanover, York, Pennsylvania*.

ENACTED AND ADOPTED by the *Borough Council* this 23rd day of December, 2015.

ATTEST:

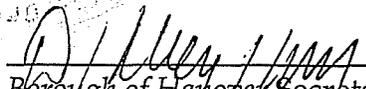
BOROUGH COUNCIL OF THE BOROUGH
OF HANOVER


Borough of Hanover Secretary

By: 
Borough Council President

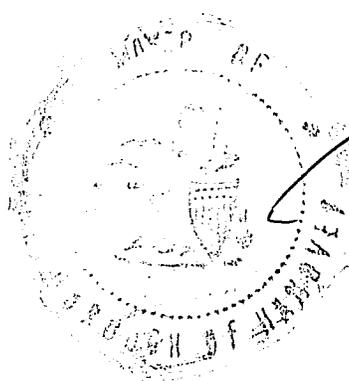
APPROVED, this 23rd day of December, 2015, by the Borough Manager of the *Borough of Hanover*

ATTEST:


Borough of Hanover Secretary


Borough Manager


Mayor



NO. 2241
AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER ACCEPTING THE DEED OF DEDICATION FOR BLOSSOM DRIVE, GRANT DRIVE, SPENCER DRIVE, WASHINGTON AVENUE AND A TWENTY (20) FEET WIDE PUBLIC ALLEY, AS SHOWN ON THE FINAL SUBDIVISION AND LAND DEVELOPMENT PLANS OF CHERRY TREE - PHASE 1 AND 2, DATED MARCH 29, 2006, LAST REVISED MAY 2, 2006 AND RECORDED OCTOBER 10, 2006 IN THE OFFICE OF THE RECORDER OF DEEDS OF YORK COUNTY, PENNSYLVANIA IN PLAN BOOK 1846, PAGE 4231, ET SEQ. AND THEREBY OPENING SAID STREETS AND ALLEY AS PUBLIC RIGHTS-OF-WAY.

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Hanover, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. The Borough Council of the Borough of Hanover hereby accepts the deed of dedication of Cherry Tree Development, LLC for Blossom Drive, Grant Drive, Spencer Drive, Washington Avenue and a twenty (20) feet wide public alley, as shown on the final subdivision and land development plans of Cherry Tree - Phase 1 and 2, dated March 29, 2006, last revised May 2, 2006 and recorded October 10, 2006 in the Office of the Recorder of Deeds of York County, Pennsylvania in Plan Book 1846, PAGE 4231, et seq.

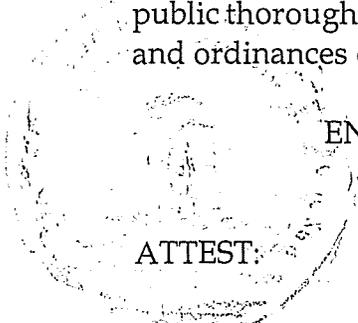
SECTION 2. The length, width, lines, grades, courses, distances, drainage structures and all other improvements of said street shall be as shown on the aforesaid plans of Cherry Tree - Phase 1 and 2 and are incorporated herein by reference.

SECTION 3. From and after the effective date hereof, said streets and alley shall be public thoroughfares, open for travel by the public in accordance with the laws, regulations and ordinances of the Commonwealth of Pennsylvania and the Borough of Hanover.

ENACTED AND ORDAINED the 23rd day of December, 2015.

ATTEST:

THE BOROUGH OF HANOVER



[Signature]

By: *John H. Gorman*
President, Borough Council

Approved the 23rd day of December, 2015.



[Signature]
Mayor