

TOWNSHIP OF SILVER SPRING  
Cumberland County, Pennsylvania

ORDINANCE NO. 3 OF 2009

AN ORDINANCE OF THE TOWNSHIP OF SILVER SPRING,  
CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING,  
MODIFYING AND CHANGING THE SILVER SPRING TOWNSHIP  
ZONING ORDINANCE OF 2008

BE IT ORDAINED by the Board of Supervisors of the Township of Silver Spring, Cumberland County, Pennsylvania, as follows:

SECTION 1: The Silver Spring Township Zoning Ordinance of 2008 (the "Zoning Ordinance") is hereby amended as follows and shall be known as the Silver Spring Township Zoning Ordinance of 2009:

Section 231 of the Silver Spring Township Zoning Ordinance is hereby amended and reenacted to read as follows:

**SECTION 231 FLOODPLAIN ZONE (FP)**

- 231.1. Introduction** - The Township of Silver Spring is cognizant of the recurring flooding and water drainage problems associated with the Conodoguinet Creek, Hogestown Run, Trindle Run, and all of the contributory streams and waterways within the Township related to the above-mentioned creeks. This section is, therefore, designed to alleviate these problems and provide for protection from flooding hazards in the future throughout the Township.
- 231.2. Purpose and Policy** - It is hereby found that the streams, creeks and waterways of the Township are subject to recurring flooding, that such flooding damages and endangers life and public and private property and facilities, that this condition is aggravated by developments and encroachments in the floodplain, and that the most appropriate method of alleviating such condition is through regulation of such developments and encroachments. It is, therefore, determined that the special and paramount public interest in the floodplain justifies the regulation of property located therein as provided in this section, which is in the exercise of the police power of the municipality, for the protection of the persons and property of its inhabitants, and for the preservation of the public health, safety and general welfare.

The intent of this section shall be to protect areas of floodplain subject to and necessary for the containment of flood waters, and to permit and encourage the retention of open space land uses which will be so located and utilized as to constitute a harmonious and appropriate aspect of the continuing physical development of the Township.

Building Permits shall be required before any construction or development is undertaken within any area of the Township.

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 Township, unless a Building Permit has been obtained from the Building Codes Official. Building permits shall be obtained for construction/modifications to existing structures and construction of new structures and all land development projects.

**231.3. Specific Objectives**

1. To combine with present zoning requirements, certain restrictions made necessary for flood-prone areas to promote the general health, welfare and safety of the Township;
2. To prohibit the erection of buildings and structures in areas unfit for human usage by reason of danger from flooding;
3. To minimize danger to public health by protecting the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood-prone areas and promoting safe and sanitary drainage;
4. To permit only those uses, which can be appropriately located in the floodplain as herein defined, and which will not impede the flow or storage of flood waters, or otherwise cause danger to life and property at, above, or below their locations along the floodplains;
5. To provide sufficient drainage courses to carry abnormal flows or storm water in periods of heavy precipitation;
6. To protect adjacent landowners and those both upstream and downstream from damages resulting from development within a floodplain and the consequent obstruction or increase in flow of flood waters;
7. To protect the entire Township from individual uses of land, which may have an effect upon subsequent expenditures for public works and disaster relief, and adversely affect the economic well-being of the Township;
8. To maintain undisturbed the ecological balance between those natural systems elements, including wildlife, vegetation and marine life, dependent upon water courses and water areas;
9. To protect other municipalities within the same watershed from the impact of improper development and the consequent increased potential for flooding;
10. To provide areas for the temporary natural storage of flood waters; and,

11. To require that uses vulnerable to floods, including public facilities, be constructed so as to be protected from flood damage in accordance with Federal and State Floodplain Management Requirements of the (National Flood Insurance Program, P.L. 93-234).

**231.4. Issuance of Building Permit**

1. The Building Codes Office shall issue a Building Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this Section and all other applicable Codes and Ordinances.
2. Prior to the issuance of any zoning permit, the Zoning Officer shall review the application for the permit to determine if all other necessary government permits required by State and Federal Laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any Building permit, the Building Codes Official shall review the history of repairs to the subject building, so that any repetitive loss issues can be addressed before the permit is issued.
4. 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 Township, and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office.

In addition, the Federal Emergency Management Agency and Pennsylvania Department of Community and Economic Development shall be notified by the Township prior to any alteration or relocation of any watercourse.

**231.5. Application Procedures and Requirements**

1. Application for such a Building permit shall be made, in writing, to the Building Codes Official on forms supplied by the Township. Such application shall contain the following:
  - A. Name and address of applicant.
  - B. Name and address of owner of land which proposed construction is to occur.

- C. Name and address of contractor.
  - D. Site location including address.
  - E. Listing of other permits required.
  - F. Brief description of proposed work and estimated cost, including a breakout of the flood-related cost and the market value of the building before the flood damage occurred.
  - G. A plan of the site showing the exact size and location of the proposed construction, as well as any existing buildings or structures.
2. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Building permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Codes Official to determine that:
- A. All such proposals are consistent with the need to minimize flood damage and conform to the requirements of this and all other applicable Codes and Ordinances.
  - B. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
  - C. Adequate drainage is provided so as to reduce exposure to flood hazards.
3. Applicants shall file the following minimum information, plus any other pertinent information, as may be required by the Building Codes Official or Silver Spring Township to make the above determination.
- A. A completed Building Permit Application Form.
  - B. A plan of the entire site, clearly and legibly drawn at a scale of one (1") inch being equal to one hundred (100') feet or less, showing the following:
    - a. North arrow, scale and date;
    - b. Topographic contour lines, if available;
    - c. All property and lot lines, including dimensions and the size of the site expressed in acres or square feet.
    - d. The location of existing and proposed buildings, structures and other improvements, including the location of any existing or proposed subdivision and land development;

- e. The location of all existing streets, drives and other access ways;  
and;
  - f. The location of any existing bodies of water or watercourses,  
identified floodplain areas, and, if available, information pertaining  
to the floodway and the flow of water, including direction and  
velocities.
- C. Plans of all proposed buildings, structures and other improvements, drawn  
at suitable scale showing the following:
- a. The proposed lowest floor elevation of any proposed building based  
upon North American Vertical Datum of 1988;
  - b. The elevation of the one hundred (100) year flood;
  - c. If available, information concerning flood depths, pressures,  
velocities, impact and uplift forces and other factors associated with  
a one hundred (100) year flood; and,
  - d. Detailed information concerning any proposed flood-proofing  
measures.
  - e. Supplemental information as may be necessary as pertaining to the  
UCC (Uniform Construction Code) as referred to in 34 PA Code  
(Chapter 401-405, as amended), and Sec. 1612.5.1, Section 104.7  
and 109.3 of the 2003 IBC and Section R 106.1.3 and R 104.7 of  
the 2003 IRC.
- D. The following data and documentation:
- a. Documentation, certified by a registered professional engineer, to  
show that the cumulative effect of any proposed development  
within a Special Floodplain Area, when combined with all other  
existing and anticipated development, will not increase the  
elevation of the one hundred (100) year flood more than one (1')  
foot at any point.
  - b. 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  
one hundred (100) year 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.

- c. The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development".
- d. 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.

**231.6. Delineation of Lands Within the Floodplain Zone** - For purposes of this Ordinance, areas contained within the Floodplain Zone shall include the following:

- 1. Those areas subject to inundation by the waters of the base flood (100-year flood), as identified in the Flood Insurance Study dated March 3, 1992, and accompanying maps, or the latest revision thereof, including all digital data developed as part of the Flood Insurance Study, as prepared for the Township and issued by the Federal Emergency Management Agency and/or its successors; and,
- 2. For all other streams and/or waterways not depicted upon the Township's Flood Boundary and Floodway Maps, the Floodplain Zone shall be deemed to include:
  - A. An area measuring fifty (50') feet horizontally perpendicular from the top of the bank of the watercourse; or,
  - B. The area inundated by the base flood as determined through qualified hydrologic and hydraulic study. Such study shall be signed, sealed and certified by a registered professional of the Commonwealth of Pennsylvania. Such certification shall acknowledge the accuracy of the study or survey and the qualification of the individual to perform such study or survey. Copies of such studies and surveys shall be submitted by the Zoning Officer to the Township Engineer and the Federal Emergency Management Agency, who shall have thirty (30) days to comment. Any property owner whose property is so studied shall pay all costs of these studies and surveys, except for work done under retainer to, or on behalf of, the Township.

**231.7. Boundary Disputes**

- 1. Should a dispute concerning any boundary of the Floodplain Zone arise, the initial determination of the Zoning Officer may be appealed to the Zoning Hearing Board in accordance with Section 604.6. of this Ordinance. The burden of proof in such an appeal shall be on the applicant and all hearings and procedures shall follow the requirements of Section 603 of this Ordinance;

2. All changes to the boundaries of the Floodplain Zone which affect areas identified in Section 231.6.1. of this Ordinance are subject to the review and approval of the Federal Emergency Management Agency for compliance with the Rules and Regulations of the National Flood Insurance Program.

**231.8. Relationship to Other Sections** - The provisions of this section create an overlay zoning district which is applicable within floodplains in all other zoning districts established by this Zoning Ordinance. To the extent the provisions of this section are applicable and more restrictive, they shall supersede conflicting provisions within all other sections of this Zoning Ordinance and all other ordinances of the Township. However, all other provisions of all other articles of this Zoning Ordinance and all other Ordinances of the Township shall remain in full force.

**231.9. Permitted Uses** - The following uses and no others are permitted in the Floodplain Zone:

1. Cultivation and harvesting crops according to recognized soil conservation practices;
2. Pasture and grazing of livestock (including only one- or two-strand wire fences) according to recognized soil conservation practices, and further provided that such livestock shall not be confined to pastures or other enclosures located entirely within the Floodplain Zone;
3. Outdoor plant nursery or orchard according to recognized soil conservation practices;
4. Wildlife sanctuary, woodland preserve, arboretum and passive recreation or parks, including hiking, bicycle and bridle trails, but including no facilities subject to damage by flooding;
5. Game farms, fish hatchery, or hunting and fishing reserve, for the protection and propagation of wildlife, but permitting no structures;
6. Forestry (see Section 348), lumbering and reforestation according to recognized natural resources conservation practices;
7. Front, side and rear yards and required lot area of lots existing prior to the adoption of this Ordinance, in any district, provided such yards are not to be used for on-site sewage disposal systems;
8. Normal accessory uses (excepting enclosed structures, freestanding satellite dish antennas, fences and above-ground swimming pools) on lots existing prior to the adoption of this Ordinance, permitted under the applicable zoning district;

9. Recreational use, whether open to the public or restricted to private use, such as parks, camps, picnic areas, golf courses, fishing areas, sport or boating clubs, not to include enclosed structures excepting flood-proof toilet facilities, but permitting piers, docks, floats or unenclosed shelters usually found in developed outdoor recreational areas. Any flood-proof toilet facilities provided shall be connected to public water and sewerage systems;
10. Sewage treatment plant, outlet installations for sewage treatment plants and sewage pumping stations with the approval of the Township Authority Engineer, appropriate sewer authorities and the Pennsylvania Department of Environmental Protection, when accompanied by documentation as to the necessity for locating within the boundaries of the Floodplain Zone;
11. Sealed public water supply wells with the approval of the Pennsylvania Department of Environmental Protection;
12. Dams, culverts, bridges, and altered or relocated watercourses with the approval of appropriate authorities with jurisdiction such as the Commonwealth of Pennsylvania, Department of Environmental Protection; and,
13. Sanitary or storm sewers and impoundment basins, with the approval of the Pennsylvania Department of Environmental Protection.

**231.10. Nonconforming Uses and Structures in the Floodplain Zone**

1. Continuation - All uses or structures lawfully existing in the Floodplain Zone on the effective date of this section which are not in conformity with the provisions of this section shall be deemed nonconforming uses or structures. Such nonconforming uses or structures may be continued, maintained, repaired, and flood-proofed, except as prohibited by Sections 231.10.2. and 231.10.4.B., of this Ordinance. However, such nonconforming uses or structures may at any time be improved to comply with existing State or Township health, sanitary, or safety code specifications which are necessary solely to assure safe living conditions;
2. Abandonment - Nonconforming uses or structures which have been discontinued or vacated for twelve (12) consecutive months shall be considered abandoned. Vacation of land or structures or the non-operative status of the use normally carried on by the property shall be evidence of discontinuance. No abandoned use or structure may be reestablished, repaired, or reoccupied. The Supervisors may require the removal of any abandoned nonconforming use or structure upon prior notice to the owner of the property on which an abandoned nonconforming use or structure exists. If the owner has not completely removed the abandoned use or structure within a reasonable amount of time, not to exceed nine months, the Supervisors shall have the authority to cause the removal to be accomplished, the costs of such removal to be paid by the property owner;

3. Expansion and Modification - A nonconforming use or structure may not be expanded or modified in any manner which would increase or aggravate flooding or flood hazards. Nothing shall be done which would otherwise violate any of the provisions of this section. No nonconforming use or structure shall be expanded, enlarged, or altered in any way which increases its nonconformity with respect to height, area, yard, and other requirements established in other sections of this Zoning Ordinance, nor in any way which causes it to occupy more space within the Floodplain Zone that was occupied by it on the effective date of this section;
4. Replacement and Rebuilding:
  - A. A nonconforming use or structure may be replaced, repaired or rebuilt if it is damaged or destroyed by any means, including floods, to the extent of less than fifty percent (50%) of its fair market value at the time of its damage or destruction. In such a case, however, the nonconformity of the new use or structure with respect to requirements as expressed in provisions of this Zoning Ordinance shall not exceed that of the original use or structure which was damaged or destroyed. Nothing shall be done which would otherwise violate any of the provisions of this section;
  - B. A nonconforming use or structure which has been damaged or destroyed by any means, including floods, to the extent of fifty percent (50%) or more of its fair market value at the time of its damage or destruction may not be replaced, restored, repaired, reconstructed, improved, or rebuilt in any way other than in complete conformity and full compliance with Section 231.11.3. and all other sections of this Zoning Ordinance, and all other ordinances of the Township. The Zoning Hearing Board may waive as a special exception, the requirements of this paragraph where it is shown that such requirements could not be met on land owned by the appellant or where such requirements would impose undue hardship to the appellant in the efficient operations of the premises. In such a case, the Zoning Hearing Board shall be authorized to grant only the minimum relief necessary, and the least modification possible of the provisions of this section, while respecting and maintaining the purpose and intent of this section;
  - C. The Zoning Officer shall have the initial responsibility of determining the percent of damage or destruction and the fair market value of the damaged or destroyed use or structure at the time of its damage or destruction, and may call on any experts or authorities he may deem necessary to assist him in arriving at a fair and impartial determination. Appeals of the decision of the Zoning Officer may be made to the Zoning Hearing Board;
5. Historic Structures - The Zoning Hearing Board shall have the right to waive, as a special exception, any of the requirements of Sections 231.10.2. and 231.10.4.B. for any historic structure, as defined herein;

6. Special Requirements for Mobile Homes

- A. If any existing mobile home shall be replaced, reconstructed, or expanded by addition thereto, then the mobile home shall be:
- a. Anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the following:
    - i. Over-the-top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations for units fifty (50') feet or more in length, and one (1) additional tie per side for units less than fifty (50') feet in length;
    - ii. Frame ties shall be provided at each corner of the mobile home, with five (5) additional ties per side at intermediate locations for units fifty (50') feet or more in length, and four (4) additional ties per side for units less than fifty (50') feet in length; and,
    - iii. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds;
  - b. Elevated in accordance with the following requirements:
    - i. The mobile home shall be elevated on a permanent foundation so that its lowest floor is one (1') foot or more above the elevation of the one hundred (100) year flood;
    - ii. Adequate surface drainage is provided;
    - iii. Adequate access for a hauler is provided; and,
  - c. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the Township Supervisors for mobile home parks.

**231.11. Design and Performance Standards**

1. Applicability - The standards included in this section are to be used, together with the provisions of all other sections and all other ordinances in force in the Township by the Zoning Officer and Zoning Hearing Board in their administration of this section;

2. Regulations and Reviews by Other Agencies

- A. Where applicable and where possible, all necessary permits or other written approvals must be obtained from all other agencies before any approvals of special exceptions, variances, or permits may be granted by the Township;
- B. Where necessary permits or written approvals from other agencies cannot be obtained prior to action by the Township, any approval of special exceptions, variances, or permits by the Township shall be conditioned upon receiving such other agencies' permits or written approvals; and,
- C. No regulations of the Commonwealth governing watercourses are amended or repealed by this Ordinance. Prior to any proposed alteration or relocation of any watercourse a permit shall be obtained from the Pennsylvania Department of Environmental Protection, Dams and Encroachment Division, and notification of any such proposal shall be given to all affected adjacent municipalities. Copies of such permit applications and municipal notifications shall be forwarded to the Federal Insurance Administration and to the Pennsylvania Department of Community and Economic Development;

3. Placement and Construction of Authorized Uses and Structures

- A. No use shall be permitted which would cause any rise in the base flood elevation. All uses and structures shall be designed, constructed, and placed so as to offer the minimum obstruction possible to the flow of water, and shall be designed to have a minimum effect upon the flow, velocity, or height of floodwaters. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow, and, so far as is practicable, structures shall be placed approximately on the same flood flow lines as those of nearby structures;
- B. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage, and shall be constructed by methods and practices that minimize flood damage;
- C. All new or replacement drains, water supply facilities, sanitary sewage facilities or other utility improvements shall be designed to preclude infiltration or back-up of sewage or floodwaters into the facilities or structures and discharges from the facilities into floodwater, and to minimize the impedance of flood flows;
- D. Anchoring - All structures, buildings, air ducts, large pipes, and storage tanks within the Floodplain Zone shall be firmly anchored to prevent flotation, movement, or collapse, thus reducing the possibility of the

blockage of bridge openings and other restricted sections of the watercourse;

E. For all permitted nonconforming uses, and uses authorized by the granting of a variance, the following standards shall apply:

a. All new construction and substantial improvements of permanent nonresidential structures shall either (1) have the lowest floor (including basement) elevated to one (1) foot above the base flood elevation, or (2) together with attendant utility and sanitary facilities, be flood-proofed so that below one (1) foot above the base flood elevation, the structure is watertight, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Enclosed space below the lowest floor (including basement) is prohibited. All flood-proofing measures shall be done according to the standards and provisions for flood-proofing classes W-1 or W-2, as contained in *Flood-proofing Regulations* published by the Office of the Chief of Engineers, U.S. Army, published EP 1165 2 314 (June, 1972 and as subsequently amended) where such standards and provisions do not conflict with other provisions of this section. Where reference is made in *Flood-proofing Regulations* to the "RFD" (Regulatory Flood Datum), it shall be interpreted to mean the base flood elevation as defined by this section. The applicant shall submit qualified evidence by a registered professional engineer or a licensed professional architect certifying compliance with this requirement; and,

b. All improvements to existing structures shall have the lowest floor (including basement) elevated to one (1) foot above the base flood elevation. All manufactured homes shall be subject to the above listed regulations as well as those listed in Section 231.10.6. In all cases, enclosed space below the lowest floor (including basement) is prohibited.

**231.12. Standards and Criteria for Special Exceptions and Variances** - In addition to the provisions of this Zoning Ordinance, in hearing and deciding upon special exceptions and/or variances to the provisions of this Section 231, the Zoning Hearing Board shall also determine that the following standards and criteria have been complied with:

1. No special exception or variance shall be granted for any use except those specifically permitted by Section 231.9., nor any use, structure or development within the floodway which would increase the one hundred (100) year flood elevation;

2. In addition to the standards generally applicable to variances, variances shall only be granted upon (1) a showing of good and sufficient cause, (2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with any other applicable laws, ordinances or regulations;
3. Variances shall only be granted upon the determination that the variances are the minimum necessary to afford relief, considering the flood hazard. The applicant must also comply with any other conditions imposed by the Zoning Hearing Board;
4. Whenever a variance is granted, the Board shall notify the applicant in writing that:
  - A. The granting of the variance may result in increased premium rates for flood insurance if construction occurs below the one hundred (100) year flood elevation; and,
  - B. Such variance may increase the risk to life and property;
5. In granting a special exception or variance, the Board shall require that all buildings and structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood; and,
6. A complete record of all variance requests and actions, including justifications for granted variances, shall be maintained by the Board. The Board shall report such decisions in the annual report sent to the Federal Emergency Management Agency;
7. In hearing and deciding upon variances or special exceptions to this section, the burden of proof shall be on the applicant. The Zoning Hearing Board may require the applicant to submit such plans, specifications, and other information as it may deem necessary to assist in arriving at a fair and impartial determination. In addition to that information required by Sections 231.12. and 701 of this Ordinance, such required information may include, but is not limited to, the following:
  - A. Plans drawn to scale showing the nature, location, dimensions, and elevations of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the channel;
  - B. A typical valley cross-section showing the channel of the watercourse, elevations of land areas adjoining each side of the channel, cross-sectional

areas to be occupied by the proposed development, and high water information;

- C. A plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply facilities, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information;
- D. A profile showing the slope of the bottom of the channel of flow line of the watercourse; and,
- E. Specifications for building construction and materials, flood-proofing, filling, dredging, grading, channel improvement, storage of materials, water supply facilities and sanitary facilities.

**231.13. Municipal Liability** - The lawful granting of a permit or making of any administrative decision under this section shall not constitute a representation, guarantee, or warranty of any kind by Silver Spring Township, or by any official, agent, or employee thereof, of the practicability or safety of any structure, use, or other plan proposed with respect to damage from flood or otherwise, and shall create no liability upon, or a cause of action against, such public body, official, agent, or employee for any flood damage that may result pursuant thereto or as a result of reliance on this section. There is also no assurance that lands not included in the Floodplain Zone are now or ever will be free from flooding or flood damage.

SECTION 2: In all other respects, the Zoning Ordinance shall remain as heretofore enacted, ordained, and amended.


SECTION 3: Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

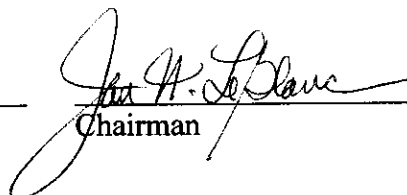
SECTION 4: This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 3 of 2009 this 11<sup>th</sup> day of February, 2009 by the Board of Supervisors of the Township of Silver Spring.

ATTEST:

BOARD OF SUPERVISORS  
TOWNSHIP OF SILVER SPRING

  
Township Secretary

  
Chairman