

TOWNSHIP OF SILVER SPRING  
Cumberland County, Pennsylvania

ORDINANCE NO. 13 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:

- A. Section 112(C) of the Zoning Ordinance is hereby amended to add the following definitions:

FIREWOOD – The hard, fibrous substance from trees which is used as fuel.

OUTDOOR WOOD-FIRED BOILER OR FURNACE – A wood-fired boiler or furnace that is not located within a building or structure intended for habitation by humans or domestic animals.

UCC – The Pennsylvania State Uniform Construction Code as adopted in its latest version by the Commonwealth of Pennsylvania and amended by technical amendment by Silver Spring Township.

- B. Section 222.2 of the Zoning Ordinance is hereby amended by removing "16. Warehousing and wholesale trade establishments (see Section 343)" from the list of Permitted Uses and substituting "16. (Reserved for Future Use)" in its place.
- C. Section 222.3 of the Zoning Ordinance is hereby amended to add the following as a Conditional Use: "16. Warehousing and wholesale trade establishments (see Section 452)."
- D. Section 301 of the Zoning Ordinance is hereby amended to add the following:

**301.11      Outdoor Wood-Fired Boilers or Furnaces**

Outdoor wood-fired boilers or furnaces are permitted as accessory uses subject to the following conditions and requirements:

1. Obtaining both a zoning permit and a building permit, regardless of the cost of the outdoor wood-fired boiler or furnace, in accordance with the provisions of the UCC, Building, Residential, Fire and Urban Wildlife Interface Codes.
2. Only clean, dry wood or processed wood pellets shall be burned in an outdoor wood-fired boiler or furnace. No pressure treated wood, painted wood, particle board or waste shall be burned.
3. An outdoor wood-fired boiler or furnace is permitted as accessory use in any zoning district.
4. An outdoor wood-fired boiler shall be set back at least 100 feet from the front lot line, but no closer than the front line of any principal structure or dwelling, and at least 100 feet from the side and rear lot lines.
5. An outdoor wood-fired boiler or furnace shall be equipped with a properly functioning spark arrestor.
6. An outdoor wood-fired boiler or furnace shall not be used as a waste incinerator.
7. The use of lighter fluid, gasoline or other similar substances in an outdoor wood-fired boiler or furnace is prohibited.
8. Installation, use, and operation of an outdoor wood-fired boiler or furnace shall comply with all applicable federal, state, county and Township laws, codes, regulations, ordinances and guidelines, as well as the manufacturer's specifications.
9. The location of the chimney of an outdoor wood-fired boiler or furnace shall be located in accordance with applicable electric utility safety requirements.
10. The height of a chimney of an outdoor wood-fired boiler or furnace shall be in accordance with the manufacturer's specifications.
11. The use or operation of an outdoor wood-fired boiler or furnace shall not cause a nuisance.

E. Section 343 of the Zoning Ordinance is hereby repealed and substituted with the following: "Section 343 (Reserved for Future Use)."

- F. Article 4 of the Zoning Ordinance is hereby amended by adding the following new Section:

**SECTION 452 WAREHOUSING AND WHOLESALE TRADE ESTABLISHMENTS**

**452.1.** Within the (I-2) Zone, warehousing and wholesale trade establishments are conditional uses, subject to the following criteria:

**452.2.** The applicant shall provide a detailed description of the proposed use in each of the following topics:

1. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
2. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;
3. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Section 315 of this Ordinance; and,
4. A traffic study prepared by a professional traffic engineer, according to Section 402.05. of the SLDO.

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

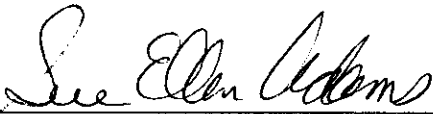
**SECTION 3:** Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 13 of 2009 this 26<sup>th</sup> day of August, 2009 by the Board of Supervisors of the Township of Silver Spring.

ATTEST:

BOARD OF SUPERVISORS  
TOWNSHIP OF SILVER SPRING

  
\_\_\_\_\_  
Township Secretary

  
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Chairman