LOWER ALLEN TOWNSHIP

ORDINANCE 2007-08

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA AMENDING, MODIFYING AND CHANGING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, 1997, BY AMENDING CHAPTER 133, LIGHTING SERVICE ASSESSMENTS.

BE IT ENACTED AND ORDAINED by the Board of Commissioners ("Board") of Lower Allen Township ("Township") Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the same as follows:

SECTION I

Chapter 133, Lighting Service Assessments, of the Code of the Township of Lower Allen, 1997, shall be amended at Section 133-1, "**Request for lighting services,**" by deleting Subsection 133-1 and by adding the following new Subsection 133-1:

133-1 Request for lighting services. Developers or residents of residential developments may request, by way of a subdivision plan or formal petition, that the Township furnish street lighting service, pursuant to the First Class Township Code.

SECTION II

Chapter 133, Lighting Service Assessments of the Code of the Township of Lower Allen, 1997, shall be amended by deleting the current subsection 133-2, "**Annual assessment by street frontage,**" and by adding a new Subsection 133-2 as follows:

133-2 Annual assessment by street frontage: The Board Commissioners shall annually assess or cause to be assessed the cost of such lighting service by an equal assessment on all properties situated wholly or in part within 300 feet of any street light, such distance to be measured along the center line of the street, in proportion to the number of feet the same fronts on a street or highway or the portion thereof, so lighted by the lighting service requested.

SECTION III

Chapter 133, Lighting Service Assessments of the Code of the Township of Lower Allen, 1997, shall be amended at Subsection 133-4 by deleting the word shall and replacing it with the word may.

SECTION IV

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and not as new enactments. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall it affect any such suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION V

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION VI

This Ordinance shall take effect at the earliest date allowed by law.

ENACTED AND ORDAINED into an Ordinance this 25th day of June, 2007.

Attest:
(Corporate Seal)

Danna S Lutes
~~(Assistant)~~ Secretary

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP

John T. Fitzgerald
~~(Vice)~~President