

ORDINANCE NO. 11

TOWNSHIP PERMIT FOR THE OPERATION OF A QUARRY AND/OR MINING OPERATION

AN ORDINANCE OF APOLACON TOWNSHIP, SUSQUEHANNA COUNTY, PENNSYLVANIA, PROVIDING THAT ALL QUARRY AND/OR MINING OPERATIONS WHICH INVOLVE THE EXCAVATION OF 1,000 TONS OF MATERIAL PER YEAR OBTAIN A PERMIT FROM APOLACON TOWNSHIP.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Apolacon Township, Susquehanna County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, as follows:

**SECTION ONE.** All quarry and/or mining operations which involve the excavation of 1,000 tons of material per year are required to obtain a permit from Apolacon Township.

The following criteria must be met for issuance of a permit:

**CONDITION ONE.** A permit issued by the State of Pennsylvania for a quarry or the mining of materials prior to any materials being removed and that Apolacon Township is in receipt of said permit.

**CONDITION TWO.** A complete description of the operation projected over the next 10 years.

**CONDITION THREE.** A copy of all materials submitted to the State of Pennsylvania Bureau of Land Use and Mining.

**CONDITION FOUR.** A completed study and statement of impact to public roads used for the conveyance of materials from the quarry and/or mining operations conducted by a certified engineering firm licensed to perform such analysis of road usage. Report is to provide in detail the amount of usage in terms of trips to and from the quarry and/or mining operation per day, and gross weight of each vehicle used to

carry materials over the public roads with effects of this usage on the road system. Additionally, traffic patterns and a complete study of cause and effect to vehicular traffic on roads that will be effected throughout the working period of the quarry or mining operations.

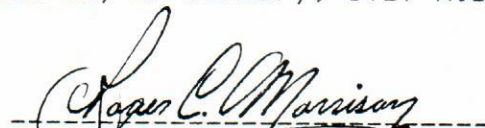

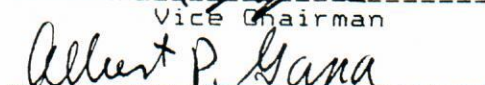
**SECTION TWO.** Any person, firm, or corporation which shall violate any of the provisions of this ordinance shall be subject, upon conviction, to pay a fine of three hundred dollars (\$300.00) and cost of prosecution, and in default of the payment of such fine and costs to imprisonment for thirty (30) days for each occurrence. An occurrence is defined as each day that the facility is in violation of this ordinance.

**SECTION FIVE.** If any sentence, clause or section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not been included herein.

**ENACTED AND ORDAINED** this 21st day of January, 1987 A.D.

ATTEST:

  
Secretary/Treasurer

  
Chairman  
  
Vice Chairman  
  
Supervisor