

**FULTON TOWNSHIP  
NOTICE OF INTENTION TO ADOPT ORDINANCE**

At its regular meeting on Thursday, February 6, 2014, 7:00 p.m., to be held at 777 Nottingham Road, Peach Bottom, PA 17563, the Fulton Township Board of Supervisors intends to consider adoption of a Road Right-of-Way Ordinance. A summary of the Ordinance provisions is that the Ordinance will prohibit all of the following within a Township road cartway or right-of-way thereof: (1) plowing and earth disturbance (except mowing), including within six (6) feet thereof; (2) placing a fence, wall, building, structures, trees and shrubs; (3) depositing field stone or debris; and (4) depositing or allowing excessive runoff of earth, mud, silt, corn fodder, manure or other debris. The Ordinance provides for a \$300.00 civil fine for violations, with each day constituting a separate offense, and also for the Township's recovery of its expenses (including reasonable overhead) arising from restoration of Ordinance violations.

The Ordinance is proposed to be effective five (5) days after adoption.

The public is invited to attend and participate.

George T. Cook  
Fulton Township Solicitor

## ORDINANCE

### An ORDINANCE OF THE SUPERVISORS OF FULTON TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA ESTABLISHING LIMITATIONS ON ACTIVITIES WITHIN TOWNSHIP RIGHTS-OF-WAY

WHEREAS, roads and rights-of-way in the Township have been damaged by the deposit of stone, mud, dirt, silt, corn fodder, manure or other debris and such damage has resulted in dangerous driving conditions created by said deposits. Road maintenance in the Township is made more difficult by the creation of fences, walls or the planting of trees or shrubbery within the Township's rights-of-way, and

WHEREAS, the Township wishes to protect its roads and its rights-of-way by restricting what can be done by the public within the same.

THEREFORE, BE IT ORDAINED AND ENACTED THAT:

- No person shall hereafter plow, cultivate, plant crops or in any way disturb the surface of the land (except in common mowing), within six (6) feet of any Township Road cartway or within the right-of-way, whichever is greater.
- No person shall erect, create or maintain a fence, wall or any building or other structure, nor shall they plant, nurture or maintain trees or shrubbery within the rights-of-way of any Township road.
- No person or persons shall deposit field stone or debris within the rights-of-way of any Township roads.
- No person shall deposit on or allow by runoff excessive deposits of earth, mud, silt, corn fodder, manure and other debris to remain on Township cartways. As used herein the term "excessive" shall mean a deposit that is of a sufficient density or size as to be picked up by tires or wheels of the traveling public.
- Any person who shall violate the provisions of this Ordinance shall, upon proof thereof in a civil enforcement proceeding, pay a civil enforcement penalty of Three Hundred Dollars (\$300.00) for each offense. Each day that the violation continues shall be considered an additional and separate offense.
- In addition to the civil enforcement penalty assessed, each person shall pay the Township's costs and expenses (including reasonable overhead) to repair or reinstate the right-of-way or cartway (and their surfaces or facilities) back to the former condition in which it was prior to the offense.

Effective Date: This ordinance shall become effective five (5) days after its adoption by the Board of Supervisors of Fulton Township.