

CENTRE TOWNSHIP
PERRY COUNTY, PENNSYLVANIA
ORDINANCE NO. _____

AN ORDINANCE SETTING FORTH PROVISIONS AND STANDARDS REGULATING DATA CENTERS AND DATA CENTER ACCESSORY FACILITIES WITHIN THE TOWNSHIP OF CENTRE, PERRY COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED IN THE SECOND CLASS TOWNSHIP CODE AND ESTABLISHING THE PROCEDURES TO BE FOLLOWED BY THE CENTRE TOWNSHIP BOARD OF SUPERVISORS IN THE APPLICATION AND ADMINISTRATION OF SAID PROVISIONS AND STANDARDS AND PROVIDING PENALTIES AND REMEDIES FOR THE VIOLATION THEREOF.

BE IT HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of Township of Centre, Perry County, as follows:

Adopted at a Public Meeting Held on

_____, 2026

CENTRE TOWNSHIP
MUNICIPAL DIRECTORY

Board of Supervisors

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Jason Kelly – Vice Chair
Rick Burkholder

Township Secretary

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**ARTICLE I - SHORT TITLE, PURPOSE, AUTHORITY, APPLICABILITY,
COMPATIBILITY AND INTERPRETATION**

SECTION 101. SHORT TITLE

This Ordinance shall be known and may be cited as the “Centre Township Data Center Ordinance”

SECTION 102. PURPOSE

The purpose of this Ordinance is to provide reasonable regulations for data center facilities and accessories within the Township that will protect the welfare, safety and character and integrity of agricultural, residential, rural, environmental, natural and historic resources in the Township; to minimize adverse visual impacts of data center facilities through careful siting and landscaping to avoid potential harmful impacts on adjacent properties from data center projects; and to provide for the safe and proper removal of certain data center facility components that are abandoned or fail to meet the requirements set forth in these regulations.

SECTION 103: ADOPTION AUTHORITY

The Board of Supervisors of Centre Township, Perry County, Pennsylvania, by authority of the Pennsylvania Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as reenacted and amended, and any other applicable laws of the Commonwealth of Pennsylvania, for the purpose of protecting the public health, safety, and welfare of Township residents, that the following ordinance is hereby adopted following Ordinance governing Data Center development within the limits of Centre Township

The Board of Supervisors shall administer and enforce this Ordinance and does hereby designate the Centre Township Planning Commission as an agency of the Board of Supervisors:

1. With which applicants may hold all pre-application consultations relating to their plans.
2. Which provides recommendations to the Board of Supervisors concerning data center plans, subdivision plans, land development plans and waivers.

SECTION 104: APPLICABILITY.

This Ordinance shall apply to all Data Center development plans submitted after the effective date of this Ordinance, and to all Data Center development plans submitted before the effective date of this Ordinance that no longer have protection from the effect of changes in governing ordinances.

SECTION 105. SEVERABILITY.

If any sentence, clause, 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, sections, or parts hereof. It is hereby declared as the intent of the Centre Township, Perry County, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 106. COMPATIBILITY WITH OTHER REQUIREMENTS

Approvals issued and actions taken under this Ordinance do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation, or ordinance.

SECTION 107. ERRONEOUS PERMIT

Any permit or authorization issued or approved based on false, misleading or erroneous information provided by an applicant is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such permit or other authorization is unlawful. No action may be taken by a board, agency or employee of the Municipality purporting to validate such a violation.

ARTICLE II. DEFINITIONS:

SECTION 201. GENERAL

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this section.

SECTION 202. GENERAL TERMS

Unless otherwise expressly stated, the succeeding shall, for the purposes of this Ordinance, be interpreted in the following manner:

- A. Words used in the present tense also imply the future tense.
- B. Words used in the singular imply the plural, and vice versa.
- C. Words of masculine gender include feminine gender, and vice versa.
- D. The words and abbreviation “includes,” “including,” “shall include,” “such as,” and “e.g.” are not limited to the specific example(s) given but are intended to extend the words’s or words’ meaning(s) to all other instances of like kind and character.
- E. The words “person”, “applicant”, or “developer” include, a partnership, corporation, or other legal entity, as well as an individual.
- F. The words “shall”, “required”, or “must” are mandatory; the words “may” and “should” are permissive.
- G. If a word is not defined in this Ordinance but is defined in the Township Subdivision and Land Development Ordinance or Stormwater Ordinance, the definition in that Chapter shall apply.

SECTION 203. SPECIFIC TERMS

Data Center: A building or group of buildings or a dedicated space within a building, which are occupied primarily by computer systems and associated components, and/or telecommunications and related equipment where digital information is processed, transferred and/or stored, primarily to and from offsite locations. The Data Center does not include computers or telecommunications related equipment that is secondary and customarily incidental to an otherwise permitted use on the property, such as servers associated with an office building. The Data Center shall also include artificial intelligence, cryptocurrency mining, blockchain transaction processing, payment processing, and server farms. A Data Center may include Data Center Accessory facilities or structures.

Conventional Energy System - Any energy system, including supply elements, furnaces, burners, tanks, boilers, related controls, and energy-distribution components, which uses source(s) of energy other than solar energy. These sources include, but are not limited to, gas, oil, coal, and nuclear materials but exclude windmills.

Data Center Accessory: Ancillary buildings, facilities or structures secondary and incidental to a Data Center, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The Accessory shall not include energy generation systems used or intended to be used to supply power to the Data Center during normal operations.

Electric Substation - An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public.

Environmentally Sensitive Receptor: Schools, preschools, child care or daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, community centers, places of worship, playgrounds, parks (excluding trails), campgrounds, prisons, dormitories, and any residence where such residence is not located on a parcel with an existing industrial, commercial, or unpermitted structure.

Independent Energy Generation System - A facility that generates electric power for the purpose of transmission of such electricity to other users located on the same site or not located at the site where the electricity is generated.

Landscape Buffer - A strip of land, outside of a street right-of-way, and usually along the perimeter of the lot, designed, constructed, and maintained to separate uses or activities on a lot from other uses or activities through the use of trees, shrubs, hedges, perennials and ground cover.

Screening - The use of plant materials, fencing, walls and/or earthen berms, or combinations thereof, to aid in the concealment of such features as parking areas and vehicles within them, and to provide for privacy between two or more different land uses or activities; a visual and/or sound buffer or other barrier.

Transformer Substation - An electric substation containing an assemblage of equipment for the purposes other than generation or utilization, through which electric energy in bulk is passed for the purpose of switching and modifying its characteristics to meet the needs of the general public.

ARTICLE III – Data Centers and Data Center Accessory Buildings and Structures

301. Data Centers Plan Processing:

1. Submitted Plans shall be processed in accordance with Subdivision and Land Development Plan Procedures.
2. The design, construction, and inspection standards set forth in the Township Subdivision and Land Development Ordinance, as amended, are hereby incorporated by reference and shall apply to all regulated activities under this Ordinance.

302. Area, Density and Dimensional Standards. The dimensional standards of Data Centers and Data Center Accessory shall be in accordance with this section:

1. A minimum Lot Area of twenty-five (25) acres shall be required
2. A minimum Lot Width of three hundred (300) feet at the setback is required.
3. A maximum coverage of twenty percent (20%) shall be permitted.
4. Setbacks:
 - a. All principal buildings and accessory structures must be set back at least five hundred (500) feet from all property lines.
 - b. All principal buildings and accessory structures must be set back at least eight hundred (800) feet from a residential building, and/or any Environmentally Sensitive Receptor.
 - c. Staging areas and loading/unloading areas on the subject property shall be located no closer than one thousand (1000) feet from a residential building, and/or any Environmentally Sensitive Receptor.
5. The maximum building height for a Data Center and Data Center Accessory shall be thirty-five (35) feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers.

303. Landscape Buffers and Landscape Screens.

1. The Landscape Buffer shall comply with the following requirements:
 - d. A one hundred (100) foot landscape buffer shall be retained as green space or landscape strip for the entire perimeter, except as required below, of the development.
 - e. A five hundred (500) foot landscape buffer shall be retained as green space or landscape strip between Data Centers and/or Data Center Accessory and any adjoining residential building and environmentally sensitive receptors.
 - f. The Landscape Buffer may be part of the minimum setback distance
2. The Landscape Screen shall comply with the following requirements:
 - a. A Landscape Screen shall be provided between Data Centers and/or Data Center Accessory and any adjoining residential building, environmentally sensitive receptors and public roadway.

- b. The landscape screen shall be at least fifty (50) feet in width and may be part of the minimum setback distance. The landscape screen shall be placed in the Landscape Buffer where it provides optimal screening.
- c. Landscape Screening plantings shall consist of native species planted as follows:
 - (1) One (1) large evergreen tree per 25 linear feet of buffer. The size of large evergreen trees shall be a minimum of eight (8) feet in height at the time of planting.
 - (2) One (1) deciduous canopy (shade) tree per 75 linear feet of buffer. Size of canopy (shade) trees shall be a minimum of 2½ inch caliper at the time of planting.
 - (3) One ornamental/flowering tree per 50 linear feet of buffer. The size of ornamental/flowering trees shall be a minimum of eight (8) feet in height for multi-stemmed varieties, or 2-inch caliper at the time of planting for single-stemmed varieties.
 - (4) Five (5) shrubs per 25 linear feet of buffer. Size of shrubs shall be fully branched and minimum of three feet in height at the time of planting. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% being evergreen.
- 3. Foundation Plantings. Main entrance features must incorporate foundation plantings that are native to the region, consisting of a mix of evergreen and deciduous shrubs, grasses, sedges, or rushes, and/or herbaceous perennials, ferns, or vines for a minimum of fifty (50) percent of the length of the Façade. These foundation plantings are in addition to any required plantings and landscape treatments.
- 4. Stormwater management facilities may be located within the landscape buffer but not within the required landscape screen.
- 5. In the event that existing vegetation is adequate to meet the intent of the required landscape buffer to screen the Data Center and Data Center Accessory from adjoining residential building, environmentally sensitive receptors, and public roadways, the Board of Supervisors, upon recommendation by the Township Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required landscape buffer.
- 6. Landscape plans shall contain a note: Owner shall maintain screening and buffer vegetation in the required Landscape Screen and replace dead or non-compliant vegetation to comply with the screening requirements and this Plan.

304. Equipment Screening and Fencing

- 1. Screening for mechanical equipment shall be acoustical screening, whether or not the mechanical equipment is located on the roof of any structure. All rooftop equipment that produces sound (*e.g.*, HVAC, cooling towers, generators, and the like) shall be fully screened from view and the screening shall be placed to shield the direction of emitted sound.
- 2. To provide visual screening and reduce noise levels, ground-mounted and roof-mounted equipment used for cooling, ventilating, or otherwise operating the facility, including power generation or other power supply equipment, that is located within

1000 feet of a public roadway, or the lot line of any residential building or environmentally sensitive receptor must be fully enclosed, except where not mechanically feasible based on the manufacturer's specifications. If it is not mechanically feasible to fully enclose the equipment, it must be fully screened from view using one or more of the following means:

- a. The landscape buffer required by Landscape Buffer subsection 303 above.
 - b. By existing vegetation that will remain on the property.
 - c. By the principal Data Center building or an accessory building
 - d. A berm averaging a minimum of five (5) feet in height above the adjacent average ground level with a maximum side slope of 3:1, provided that the berm shall be covered by a well-maintained all season natural ground cover and any required screening plantings shall be arranged on the outside and top of the berm.
 - e. A visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building.
3. Fencing of the property is permitted, provided that fencing along public and private roadways is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device.
- a. An applicant shall not be required to comply with this requirement if fencing is fully screened from view by one or more of the means identified in subparagraph 304.1 above.
 - b. All fencing shall incorporate wildlife-friendly design features, including but not limited to adequate ground clearance and avoidance of continuous solid barriers. Compliance shall be demonstrated as part of the applicable permit or land development submission and shall be subject to approval by the Board of Supervisors.

305. Building Placement and Orientation

1. Any Data Center and Data Center Accessory building façade that faces a road or existing residential building must incorporate at least two of the following design elements every 150 horizontal feet:
 - a. A change in building material, pattern, texture, or color;
 - b. A change in building height;
 - c. Building step-backs or recesses having a minimum depth of five (5) feet;
2. Proposed façades should be consistent with exterior office building designs, having the appearance of a building accommodating office personnel as opposed to a structure the purpose of which is the warehousing or storing of computers, data and related storage systems. External building materials shall be of colors that are low-reflective, subtle, or earth tone. Glare producing, fluorescent and metallic colors shall be prohibited as exterior wall colors.

3. Minimize visual impacts of the bulk of the building when examined on a line-of-sight basis from adjacent public streets and environmentally sensitive receptor areas.

306. Parking

1. Provide parking area for one parking space per 200 square feet of floor area. A minimum of one (1) parking space per employee on the largest shift, plus an additional three (3) visitor spaces shall be provided with rigid pavement. The remaining area may be left in a permeable condition for future parking area.

307. Lighting

1. All outdoor lighting including wall mounted fixtures shall be placed or shielded to prevent direct illumination, glare, or trespass light on adjacent properties and rights-of-ways. Any existing luminaries in place on the effective date of this Ordinance that is replaced or relocated must comply. Replacement is defined as replacing any portion of the luminaire other than the lamp.
2. Design Standard
 - a. Lighting levels must be zero at property limits or street a private right-of-way.
 - b. Lighting levels shall be consistent with requirements of Illuminating Engineering Societies (IES) lighting handbook, 10th edition.
 - c. Site lighting shall be equipped with motion sensors so that lights turn off or dim at least 50% after sundown when no motion is detected for 10 minutes.
 - d. Lights, including LED or other alternatives, shall be warm white, (3000K or less) designed to reduce impact on wildlife.
3. Lighting plans shall include a note: All outdoor lighting, including wall mounted fixtures, shall be placed or shielded to prevent direct illumination glare, or trespass light on adjacent properties and right-of-way.

308. Outdoor Storage and Waste Disposal:

1. No materials or wastes shall be stored outside or deposited upon the site in such form or manner that they may be transferred off site by natural causes or forces.
2. Any outdoor storage of materials, fuels or wastes shall be contained for runoff, spills or leaks to prevent any illicit discharge.
3. All materials or wastes which might cause fumes or dust or which constitute a fire hazard shall be stored outside in closed containers
4. Any outdoor storage of materials or wastes shall be screened and within a fenced area.

309. Noise and Vibration

1. The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by a Data Center and/or Data Center Accessory during normal operations shall be limited to a maximum daytime (7:00

a.m. to 5:00 p.m. Monday-Friday) decibel level of 57 dBA and a maximum nighttime and weekend (5:00 p.m. to 7:00 a.m. Monday-Friday and all-day Saturday and Sunday) decibel level of 47 dBA as measured from the property line of the use. Such sound study shall be conducted using Sound Level Meters described in ANSI S1.4-2104 and generally accepted methodology. The sound study shall evaluate both low-frequency and high-frequency ranges to ensure comprehensive assessment of potential noise impacts on surrounding properties. A sound study shall be conducted at the following phases:

- a. A preliminary study shall be conducted as part of the land development process. The preliminary sound study shall include recommended sound reducing materials or systems as needed to meet the aforesaid sound limits.
 - b. An interim sound study shall be conducted during the building permit approval process based upon the proposed user or users of the Data Center and Data Center Accessory depicted on the building plans. Any sound reducing materials or systems recommended by interim sound study shall be incorporated into the construction plans for the use.
 - c. An as-built sound study shall be conducted six months after issuance of the certificate of occupancy and prior to the final escrow release for any land development phase.
 - d. An as-built sound study may also be required thereafter by the Township if it is determined that there is a violation of the aforesaid noise limits.
2. Maximum decibel levels listed for generators shall apply during times of power outage. The sound studies shall evaluate, and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.
 3. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory, or associated equipment will be perceptible to the human sense of feeling beyond the property line.

310. Water and Sewer

1. In addition to compliance with SALDO Section 615, the applicant shall comply with the following requirements:
2. If the Data Center or Accessory Facilities are to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:
 - a. The projected water demands of the Data Center;
 - b. The source of water to be used;

- c. A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);
 - d. The long-term safe yield of the water source, including drought-scenario (1-, 5-, and 10-year return intervals) modeling and climate-adjusted safe-yield projections.
 - e. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means and rate;
 - f. A geologic map of the area with a radius of at least one mile from the boundaries of the proposed site;
 - g. The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;
 - h. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;
 - i. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table. The analysis shall include both direct and indirect impacts.
 - j. A Post-Commissioning Follow-Up Testing Plan shall be provided for follow-up testing of a representative sample of existing and proposed wells within one thousand (1,000) feet of the property boundary, commencing after facility commissioning. The plan shall include testing methodology, monitoring frequency, criteria for determining unacceptable impacts, and recommended remediation measures for any wells determined to be adversely affected beyond the impact threshold identified in subsection (i).
 - k. A statement of the professional qualifications of the individual(s) preparing the Water Feasibility Study, accompanied by original signatures and professional seals, where applicable.
3. The applicant shall provide proof of review and approval from the Susquehanna River Basin Commission for projects proposing:
 - a. Water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within the Susquehanna River Basin; or
 - b. Any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.
 4. Any water supply well or geothermal well shall be setback from any Data Center property line by a minimum of 500 feet.
 5. Water Conservation efforts such as reuse, recycling, or alternative cooling for the facility shall be utilized in the facility.
 6. The applicant shall demonstrate compliance with SALDO Section 614 and that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes.

7. Any wastewater storage or treatment or underground components shall follow Accessory setback requirements.

311. Environmental and Community Impact Analysis

1. Prior to the commencement of any Planning Commission Meeting, the applicant shall provide an environmental and community impact analysis. The community impact analysis shall include:
 - a. A narrative description of the nature of the on-site activities and operations, including the market area served by the facility, the hours of operation of the facility, the total number of employees on each shift, the times, frequencies, and types of vehicle trips generated, the types of materials stored and the duration period of storage of materials.
 - b. A site plan of the property indicating the location of proposed improvements, flood plains, wetlands, waters of the Commonwealth and cultural and historic resources on the property and within five hundred (500) feet of the boundaries of the property.
 - c. An evaluation of the potential impacts of the proposed use, both positive and negative, upon:
 - (1) Emergency management and fire protection,
 - (2) Water supply,
 - (3) Sewage disposal,
 - (4) Solid waste disposal,
 - (5) Electrical capacity and alternatives,
 - (6) Broadband connectivity and capacity,
 - (7) School facilities and school district budget, and
 - (8) Municipal revenues and expenses.
 - d. An Environmental Impact Assessment.
2. The Environmental and Community Impact Analysis shall be prepared by a professional planner and other qualified individuals and shall consider all aspects of this ordinance.
 - a. Analysis shall include feedback, if provided, from each of the affected entities listed in (c.) above.
 - b. Analysis shall include a resume for the individual(s) that prepared the report, detailing relevant experience.

312. Environmental Impact Assessment

1. An Environmental Impact Assessment shall be performed. Such assessment shall include a description of the proposed Data Center, including location, relationship to other projects or proposals, with adequate data and detail for the Township to assess the environmental impact. The assessment shall also include a comprehensive description of the existing environment and probable future effects of the proposal. The description shall focus on the elements of the environment most likely to be

affected as well as potential regional effects and ecological interrelationships. At a minimum, the assessment shall include an analysis of the items listed below regarding the impact of the proposed use and the mitigation of any such impacts. The assessment shall also include a detailed examination of public resources most likely impacted by the development plan and include the following focus areas:

- a. Air pollution impacts emissions from vehicle, generator and equipment operations. The applicant shall identify all stationery and mobile sources of fine particulate matter (PM_{2.5}), volatile organic compounds, and nitrogen oxides at the site. The applicant shall specify best management practices for preventing and reducing the concentration of air-polluting emissions at the site.
- b. The potential for public nuisance to residents resulting from operations including noise, glare, light, and visual obstacles, exists.
- c. Stormwater. A statement or depiction of how stormwater management shall be achieved. (This may be, but is not required to be, the full stormwater management plan that will eventually be required pursuant to the applicable provisions of the Township's stormwater management and land development ordinances).
- d. Consistency with the municipal and county comprehensive plan. The applicant shall submit an assessment report of the impact of the proposed Data Center on the goals of the respective plans. Where the proposed use conflicts with the comprehensive plan, the assessment report shall identify mitigation measures that may be undertaken to offset any degradation, diminution, or depletion of public natural resources.
- e. Additional considerations. The following shall also be addressed:
 - (1) Alternative analysis. A description of alternatives to the impacts.
 - (2) Adverse impacts. A statement of any adverse impacts that cannot be avoided.
 - (3) Mitigation steps. A listing of steps/structural controls proposed to minimize damage to the site before and after construction.
- f. Critical impact areas. Plans should include any area, condition, or feature that is environmentally sensitive or that, if disturbed during construction, would have an adverse impact on the environment.
 - (1) Critical impact areas include, but are not limited to, floodplains, riparian buffers, streams, wetlands, slopes greater than fifteen percent (15%), highly acid or highly erodible soils, hydric soils, hydrologic soil groups, areas of high-water table, and mature stands of native vegetation and aquifer recharge and discharge areas.
 - (2) A statement of impact upon critical areas and of adverse impacts that cannot be avoided.
 - (3) Environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction.

- g. Evidence that the disposal of materials will be accomplished in a manner that complies with local, state and federal regulations.
2. The assessment shall be prepared by a professional engineer, ecologist, environmental planner, or other qualified individual with experience in similar assessments.
 - a. The assessment shall include a resume for the individual(s) that prepared the report, detailing relevant experience.

313. Electrical Service and Power Supply

1. Power Lines and Data Center Electric Utility Substations
 - a. Data Center Electric Utility Substations must include year-round opaque landscaping or a screen wall a minimum of 10 feet in height to minimize visual impact.
 - b. Electric Utility Substations on the same property as the Data Center they serve must be located on the side or rear of a Data Center Principal Building so they are screened from public view and must not be located in a required front yard. On-site substations do not require a buffer or screening between the Data Center Principal Building and the substation.
 - c. Burying power lines serving the property is strongly encouraged. On-site power lines of 34.5 kV and below must be buried.
 - d. The Data Center Electric Utility Substation shall be subject to applicable setback requirements. Setbacks shall be measured from the edge of the compound containing the substation to the property boundary of the lot it occupies.
2. Electrical Grid Impact and Capacity Certification
 - a. Any application for a Data Center that proposes connecting to the electric grid shall include written documentation from the applicable electric service provider confirming:
 - (1) that sufficient electrical capacity is available to support the proposed Data Center at full build-out; and
 - (2) that the electric service provider has agreed to provide such service.
 - b. The Capacity Certification documentation shall identify the anticipated electrical load of the Data Center, including peak demand; the distribution or transmission upgrades, if any, required to serve the facility; and the expected schedule for providing service.
 - c. The applicant shall submit a statement identifying any known or reasonably foreseeable impacts to electric rates; service quality, or power availability for other users that are directly attributable to the Data Center project, including any impacts disclosed by the electric service provider.
 - d. Any identified impacts shall be mitigated to the satisfaction of the Reviewing Authority. Mitigation may include, but is not limited to:
 - (1) infrastructure upgrades,
 - (2) financial contributions,

- (3) load-management strategies,
 - (4) on-site generation or storage systems,
 - (5) operational modifications necessary to avoid adverse effects on other ratepayers or users of the electric grid.
3. Independent energy generation systems shall be considered for the site with a feasibility report provided to the Township.
 - a. Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems but excluding Accessory Solar Energy Systems, shall meet the requirements in this Ordinance, regardless of whether such system is on the same property as the Data Center structure.
 4. Roof-mounted or ground mounted over parking lot solar energy systems are strongly encouraged and shall be considered an accessory to the Data Center. Facilities shall be designed to be solar ready.
 5. Back-up Generators:
 - a. Generators shall have sound attenuation enclosures to achieve noise reductions so as not to exceed 67 dBA during operation as measured from the property line of the Data Center.
 - b. Testing/running generators to ensure they are in good operating order shall only be done on weekdays between 9:00 a.m. and 3:00 p.m.
 - c. Generators shall be screened and within a secure area.
 - d. Fuel Use and Storage: The storage of explosive materials, the bulk storage of flammable or combustible liquids and the bulk storage of liquefied petroleum gas must comply with all local, state and federal distance and other safety requirements applicable to the type of storage.
 - e. Fuel storage shall be double walled offering secondary containment and leak detection.
 - f. Confirmation that Spill Prevention, Control, and Countermeasure (SPCC) plans, if required, are in place and accepted, prior to occupancy.
 6. Air Quality:
 - a. The proposed facility shall comply with all applicable federal and state air, waste quality, environmental and regulatory permits and requirements including but not limited to the permits and approvals listed below.
 - b. The applicant shall be required to submit qualified expert evidence of the methods that will be used to assure that the proposed use will not contribute materially to air pollution and will comply with all applicable Federal Environmental Protection Agency air quality standards.
 - c. Test data must be furnished by the applicant addressing Particulate Matter 2.5 (total weight of particles in the air that are less than 2.5 microns in size) levels taken within 30 days of application by a certified independent air-testing firm during peak use periods of the day.

- d. Facilities not in compliance with the National Ambient Air Quality Standard (NAASQS) for PM 2.5, as established by the EPA and as amended by EPA regulations from time to time, will furnish the Board of Supervisors a plan within 60 days for reducing PM 2.5 emissions to acceptable levels.
 - e. Upon approval of that plan, the facility will have 90 days to provide evidence that satisfactory PM 2.5 levels have been reached, or it will be found in violation of this chapter. Upon start of operation, owners must provide PM 2.5 data on a quarterly basis as sampled by a certified independent air-testing firm during peak use periods of the day at locations every 200 feet around the perimeter of the facility and at a distance of 75 feet from the pollutant generator source.
 - f. Confirmation that Air Quality permits, if required, are in place and accepted, prior to occupancy.
7. Condition of Approval. - No Data Center shall be approved unless the Board of Supervisors determines that adequate electrical service will be available and that identified impacts have been appropriately mitigated. Failure to comply with approved mitigation measures shall constitute a violation of this Ordinance and may result in suspension or revocation of approvals or permits.

314. Emergency Management

1. The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:
 - a. Be reviewed and accepted by the local fire department and emergency management services as part of the land development process;
 - b. Include detailed procedures for fire suppression, containment, ventilation, and evacuation;
 - c. Include an evaluation of the adequacy of the local fire department equipment;
 - d. Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;
 - e. Ensure that all first responders receive adequate training specific to the installed system;
 - f. Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.
2. Any Data Center proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, 2026 Edition, and must include fire suppression systems designed specifically for battery storage.
3. No Data Center shall be approved unless the applicant demonstrates that local fire department has adequate equipment specific to this facility and training on procedures for fire suppression, containment, ventilation, and evacuation that are sufficiently protective of public health, safety and welfare.

4. Each Data Center operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.

315. Decommissioning/Removal

1. Data Centers are recognized as a distinct industrial construction that warrants special consideration due to their limited operational lifespans and the potential for residual materials or infrastructure that may require specialized removal or remediation at the end of use. Given the rapid evolution of data storage and processing technologies, applicants shall submit decommissioning plans for removal of obsolete equipment and site restoration at the end of the facility's operational life. Plan shall address dismantling and removal of all equipment and appurtenances related thereto, including but not limited to special cabling and electrical components, electronic equipment, special cooling equipment, special power generation, batteries and other associated facilities from the property to a condition where the building and property may be reused for another purpose. These provisions are intended to ensure compatibility with surrounding land uses, maintain long-term land use flexibility, and promote the orderly reuse or redevelopment of the property.
2. Prior to issuance of a certificate of occupancy for a Data Center , the owner shall provide financial security, in the form and amount of a bond, irrevocable letter of credit, or other financial security acceptable to the Township, to secure the expense of decommissioning, dismantling, removing and disposal of the Data Center specific components and equipment, in the amount of 110% of the estimated decommissioning cost minus the salvageable value of the Data Center. The Township reserves the right to review every five (5) years, an engineer's new estimate of probable cost of decommissioning shall be submitted for approval in the same manner as the initial submission and the bond, letter of credit, or other financial security acceptable to the Township. This financial security shall be adjusted upward or downward as necessary. The owner of the Data Center shall pay for all fees associated with the review and approval of each such decommissioning cost estimated by the Township Engineer.
3. The owner of the Data Center shall have twelve (12) months from the cessation or abandonment of the operation of the Data Center in which to implement the decommissioning plan. If the owner of the Data Center fails to dismantle and remove components within the established timeframes, the Township may complete the dismantling and removal at the expense of the owner of the Data Center and/or the owner(s) of the lot(s), regardless of whether such expense exceeds the financial security provided in accordance with Subsection 315.2 above. For work performed by the Township and/or at the Township's expense for the dismantling and/or removal in excess of the financial security, the Township may place one or more liens against the lot(s) occupied by any component of the Data Center as permitted by the laws of the Commonwealth of Pennsylvania and each lot shall be jointly and severally liable for the same to the extent allowed by the laws of the Commonwealth of Pennsylvania. The Township may authorize one twelve (12) month extension of such time for just cause shown by the owner of the Data Center.
4. The owner of the Data Center is required to notify the Township immediately upon

cessation or abandonment of the operation of the Data Center. If the Data Center does not operate for six (6) months continuously (exclusive of initial construction), operations shall be deemed to have ceased. If the owner of the Data Center notifies the Township with a written plan to bring the system back into operation, the Township may toll this six (6) month period and shall notify the Data Center owner of its decision within forty-five (45) business days of receipt of the Data Center owner's notice.

ARTICLE IV - RESERVED

ARTICLE V - ADMINISTRATION

SECTION 501. GENERAL

This article outlines the procedures for enforcement and amendment of this Ordinance, as well as procedures for challenges and appeals of decisions rendered under this Ordinance.

SECTION 502. AMENDMENT

Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of an Ordinance in Pennsylvania Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as reenacted and amended, and any other applicable laws of the Commonwealth of Pennsylvania.

SECTION 503. WAIVERS

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare.

1. The Centre Township Board of Supervisors may permit the modification of the provisions of this Section, including but not limited to provisions related to screening, required reports, the height of the system, and minimum yard dimensions. Granting a modification shall not have the effect of making null and void the intent and purpose of the Ordinance. Any modification of the requirements of this Section shall be subject to the following standards:
 - a. The design and improvement shall be in harmony with the purpose and intent of this Section, and other governing municipal regulations.
 - b. The design and improvement shall not have an adverse impact on the surrounding neighbors.
 - c. The proposed modification shall not result in any danger to the public health, safety or welfare.
 - d. The Applicant shall demonstrate that the proposed modification will allow equal or better results and represents the minimum modification necessary.
 - e. The Applicant shall demonstrate to the satisfaction of the Centre Township Board of Supervisors that with respect to each request for a modification that literal compliance with the provisions of this Ordinance is unreasonableness; causes undue hardship because of unique or unusual conditions pertaining to the subject property but meets the purpose and intent of the Ordinance; and is unnecessary because an alternate standard can be demonstrated to provide equal or better results.
2. If the Centre Township Board of Supervisors determines that the Applicant has met his burden, it may grant a modification of the requirements of this Section. In granting modifications, the governing body may impose such conditions as will, in its judgment, secure the objectives and purpose of this Section.

SECTION 504. FEES AND CHARGES

1. The Township may impose fees and charges to recover all costs incurred in the administration of this Ordinance. All fees and charges shall be adopted by resolution or ordinance. These fees shall include, but not be limited to, an application fee; fees for the review of the plans, studies, financial security and associated documentation by the Township Engineer, Township Solicitor or other professional consultant; fees for the inspection of improvements installed in connection with development authorized by a plan; and fees for the acceptance of dedication of improvements.
2. The Applicant shall pay land development and inspection fees, as set by resolution when seeking approval of a Data Center:
3. The Applicant shall reimburse the Municipality for any actual fees or costs incurred arising out of or related to the Application (collectively the "Costs"). The Costs shall include, but not be limited to, engineering, building code official, and legal fees.

SECTION 505. VIOLATIONS

Any person, partnership or corporation, or the members of such partnership or the officers of such corporation, who or which, being the owner or agent of the owner of any lot, tract or parcel of land, shall not:

1. Lay out, construct, open and/or dedicate any street, sanitary sewer, storm sewer, water main or other improvement for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon; or
2. Sell, transfer or agree or enter into an agreement to sell or transfer any land in a subdivision or land development, whether by reference to or by use of a plan of such subdivision or land development or otherwise; or
3. Erect any building or buildings which constitute a land development thereon; or
4. Commence site grading or construction of improvements prior to recording of a Final Plan, unless such grading or construction is for the sole purpose of installing improvements as prescribed in SALDO Section 503 unless and until a Final Plan has been prepared in full compliance with the provisions of this Ordinance and has been recorded as provided herein, or who or which in any other way is in violation of or violates any of the provisions of this Ordinance, shall be subject to the penalties and remedies set forth in Section 506 herein.
5. Unless and until a Final Plan has been prepared in full compliance with the provisions of this Ordinance and has been recorded as provided herein, or who as which in any other way is in violation of or violates any of the provisions of this Ordinance, shall be subject to the penalties and remedies set forth in Section 506.

SECTION 506. PENALTIES AND REMEDY FOR VIOLATIONS

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building,

structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. The authority to deny such a permit or approval shall apply to any of the following:
 - a. The owner of record at the time of such violation.
 - b. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - c. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - d. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - e. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.
3. Jurisdiction – District justices shall have initial jurisdiction in proceedings brought under this Ordinance.
4. Enforcement Remedies – Any person, partnership or corporation who or which has violated the provisions of this ordinance, upon being found liable thereof in a civil enforcement proceeding commenced by the Township must pay a judgment as provided for in the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, re-enacted and amended by Act 170 of 1988, as amended, and the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, re-enacted and amended July 10, 1947, P.L. 1481, No. 567, and as subsequently amended, plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

- a. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
 - b. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.
5. No person shall proceed with any site grading or construction of improvements prior to recordation of a Final Plan, unless such grading or construction is for the sole purpose of installing the public improvements as prescribed in compliance with condition of approval.
 6. No deeds shall be executed or recorded for lots, nor shall the construction of any structure be initiated, before the Board of Supervisors has approved the Final Plan and such Plan is recorded with the office of the Perry County Recorder of Deeds.

SECTION 507. RECORDS

The Township shall keep an accurate, public record of its findings, decisions, and recommendations relevant to all applications filed with it for review or approval.

SECTION 508. VALIDITY

Should any section, subsection or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the Ordinance as a whole, or of any other part thereof.

SECTION 509. CONFLICTS

Whenever there is a difference between the standards specified herein and those included in other applicable regulations, the more stringent requirement shall apply.

SECTION 510. REPEALS

All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 511. ERRONEOUS APPROVALS

An approval issued in violation of the provisions of the Ordinance, is void without the necessity of any proceedings for revocation. Any work undertaken pursuant to such an approval is unlawful. No action may be taken by a board, agency, or employee of the Township purporting to validate such a violation.

SECTION 512. ADOPTION AND EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its approval as provided by law.

DULY ORDAINED AND ENACTED the ___ day of _____, 20___, by the Board of Supervisors of the Township of Centre, Perry County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF CENTRE
Perry County, Pennsylvania**

By: _____
Chairman

Attest: _____
Secretary

[Township Seal]

CERTIFICATE

I, the undersigned, Secretary of the Township of Centre, Perry County, Pennsylvania (the “Township”), certify that: the foregoing is a true and correct copy of any Ordinance of the Board of Supervisors of the Township (“the Board”), which duly was enacted by affirmative vote of a majority of the members of the Board at a meeting held on _____ 20___; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township this ___ day of _____ 20___.

Secretary

(SEAL