

HALFMOON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2022- 02

AN ORDINANCE OF HALFMOON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 207 OF THE HALFMOON TOWNSHIP CODE (THE “CODE”) TO ABOLISH THE STORMSTOWN STREETLIGHTING DISTRICT LEVY AND PROVIDE FOR THE TOWNSHIP TO ASSUME RESPONSIBILITY FOR PAYMENT OF ALL STREETLIGHTING COSTS IN THE STORMSTOWN STREETLIGHTING DISTRICT USING MONIES FROM THE TOWNSHIP GENERAL FUND

**WHEREAS**, the Second-Class Township Code, 53 P.S. 65101, *et seq.*, at Section 67002 authorizes the Board of Supervisors to provide streetlights and make regulations therefor within the Township or within any district of the Township established by the Board of Supervisors for that purpose; and

**WHEREAS**, Section 67003(a) of the Second-Class Township Code authorizes the Township to pay for the cost of public lighting from the general fund regardless of whether the installation of the lighting was initiated by action of the Board of Supervisors or by petition; and

**WHEREAS**, Chapter 207 of the Halfmoon Township Code establishes the Stormstown Streetlighting District and provides regulations for the funding thereof; and

**WHEREAS**, the Halfmoon Township Board of Supervisors have determined it to be in the best interests of the residents of Halfmoon Township to amend certain provisions of Chapter 207 of the Halfmoon Township Code to abolish the Stormstown Streetlighting District Levy and provide for the Township to assume responsibility for payment of all streetlighting costs therein using monies from the Township’s General Fund.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of Halfmoon Township, Centre County, Pennsylvania, and it is enacted and ordained as follows:

**SECTION 1.** Chapter 207, Section 207-2 of the Halfmoon Township Code, entitled “Authority and Purpose” is hereby amended to read as follows:

This article is adopted pursuant to the authority of Sections 67001-67003 of the Second-Class Township Code, 53 P.S. § 67001-67003. The purpose of this article is to provide lighting to the Stormstown Streetlighting District.

**SECTION 2.** Chapter 207, Section 207-3 of the Halfmoon Township Code, entitled “Background” is hereby amended to read as follows:

- A. On April 9, 1990, a petition was presented to the Board of Supervisors of Halfmoon Township by residents and landowners requesting the Township to provide streetlights on a portion of State Route 550 in Stormstown between Centre County Tax Map Parcels 17-1-5A (17-001-,005A,0000-) on the west and 17-1-17 (17-001-,017A,0000-) on the east. The petition was signed by landowners owning more than 70% of the front footage along said portion of Route 550 to be illuminated.
  
- B. The petition was accepted, and on August 13, 1990, the Board of Supervisors adopted Resolution No. 1990-31 authorizing the Board of Supervisors to enter into an agreement with West Penn Company for the provision of streetlights in Stormstown. Certain poles were subsequently designated, and on August 31, 1990, an agreement was executed by West Penn Power Company providing for 11 mercury vapor standard units to be erected. The lighting was installed and billing by West Penn Power Company for costs commenced September 14, 1990.

**SECTION 3.** Chapter 207, Section 207-4 of the Halfmoon Township Code, entitled “Streetlighting district established” is amended to read as follows:

The streetlighting district previously established pursuant to Section 67002 of the Second-Class Township Code, as amended, 53 P.S. § 67002, is known as the “Stormstown Streetlighting District.” Said streetlighting district consists of the Centre County Tax Map Parcels located within the Village of Stormstown between tax parcel 17-001-,005A,0000- on the east side of the Village and tax parcel 17-001-,017A,0000- on the west side of the Village.

**SECTION 4.** Chapter 207, Section 207-5 of the Halfmoon Township Code, entitled “Assessment for cost of streetlighting” is hereby repealed in its entirety and shall read as follows:

§ 207-5 Streetlighting Cost

- A. The Township shall assume the payment for all streetlighting costs in the Stormstown Streetlighting District through the General Fund.

**SECTION 5.** Chapter 207, Section 207-6 of the Halfmoon Township Code, entitled “Adjustments” is hereby repealed in its entirety.

**SECTION 6.** Chapter 207, Section 207-7 of the Halfmoon Township Code, entitled “Collection” is hereby repealed in its entirety.

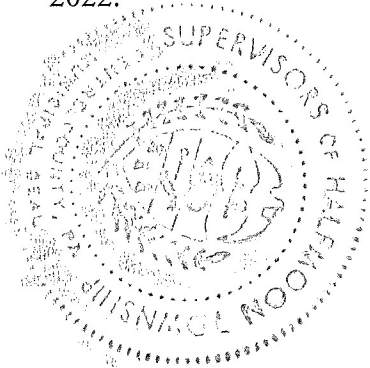
**SECTION 7. Repealer.** All provisions of previous ordinances of the Code, which are contrary to this Ordinance, are expressly repealed.

**SECTION 8. Savings Clause.** In all other respects, the Code shall remain as previously enacted and ordained.

**SECTION 9. Severability.** If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

**SECTION 10. Effective Date.** This Ordinance shall take effect immediately.

**ENACTED, ORDAINED and APPROVED** this 8<sup>th</sup> day of December, 2022.



**HALFMOON TOWNSHIP  
BOARD OF SUPERVISORS**

Ronald B. Servello  
Ronald B. Servello, Vice-Chairman

ATTEST:

Ana Smith  
Township Secretary