

**FRANKLIN TOWNSHIP
YORK COUNTY, PENNSYLVANIA
ORDINANCE NO. 2026-2**

**AN ORDINANCE AMENDING THE FRANKLIN TOWNSHIP ZONING
ORDINANCE (ORDINANCE NO. 2006-1, AS AMENDED) TO DEFINE
AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS AND
DATA CENTER ACCESSORY USES.**

I, Bret P. Shaffer, hereby appear and attest that the attached document is a true and correct copy of the above-captioned, proposed ordinance of Franklin Township.

Dated: 5/21/26



Bret P. Shaffer, Esquire
Franklin Township Solicitor

**FRANKLIN TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

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AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS AND
DATA CENTER ACCESSORY USES.**

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601, *et seq.*, authorizes the Franklin Township to enact, amend and repeal zoning ordinances within the Township of Franklin, York County; and

WHEREAS, the Board of Supervisors deems it to be in the best interest and general welfare of the residents of the Township of Franklin, York County, to update and amend provisions of the Franklin Township Zoning Ordinance to provide for Data Centers and Data Center Accessory Uses; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Township of Franklin, York County, as follows:

SECTION 1: The following terms and definitions are hereby added to the Definitions at Subsection 111.C of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1, as amended) (hereafter “Zoning Ordinance”), which shall be placed where alphabetically appropriate amongst the other definitions:

Data Center: A building or group of buildings, or a dedicated space within a building, occupied primarily by computer systems and associated components (including any telecommunications and related equipment) and where digital information is stored, processed, and transferred, with such transfers being primarily to and from offsite locations. This use 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. This use shall also include centers for artificial intelligence, cryptocurrency mining, blockchain transaction processing, payment processing, and server farms. A Data Center may include Data Center Accessory Uses.

Data Center Accessory Use: Uses 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 Uses are located on the same tract or assemblage of adjacent parcels

developed as a unified development with a Data Center. The use shall not include energy generation systems used or intended to be used to supply power to the Data Center during normal operations.

Landscape Buffer - A strip of land, in addition to the minimum setback distance, 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.

SECTION 2: Data Centers and Data Center Accessory Uses shall be Conditional Uses in the Industrial Zone (I). Subsection 200.C of the Zoning Ordinance currently lists Conditional Uses in the Industrial Zone (I) as subparts 200.C.1 through 200.C.22. A new subpart 200.C.23 is hereby added. The text at each of the respective current subparts 200.C.7 through 200.C.22 is hereby moved, respectively, to subparts 200.C.8 through 200.C.23. Subpart 200.C.7 shall now state in its entirety, “Data Centers and Data Center Accessory Uses (419A).”

SECTION 3: A new Section 419A is hereby added to the Zoning Ordinance following Section 419. The new Section 419A shall state in its entirety as follows:

419A. Data Centers and Data Center Accessory Uses

- A. Subject to Sections 601 and 603, Data Centers shall be permitted by **CONDITIONAL USE** in the Industrial Zone when approved in compliance with the procedures, standards, and criteria contained in this section.
- B. **Dimensional Standards.** The dimensional standards of Data Centers and Data Center Accessory Uses shall be in accordance with this section:
 - 1. Data Center buildings up to and including 75,000 square feet shall have a minimum lot area of ten (10) acres, a minimum Lot Width of 230 feet at the setback and a maximum lot coverage of 75% shall be permitted.
 - a. Setbacks:
 - (1) All principal buildings and accessory structures must be set back at least fifty (50) feet from all property lines.
 - (2) All principal buildings and accessory structures must be set back at least two hundred (200) feet from a open space zone, residential use, and/or any Environmentally Sensitive Receptor.
 - (3) Staging areas and loading/unloading areas on the subject property shall be located no closer than three hundred (300) feet from a open space zone, residential use, and/or any Environmentally Sensitive Receptor.
 - 2. Data Center buildings over 75,000 square feet shall have a minimum lot area of twenty-five (25) acres a minimum Lot Width of two hundred thirty (230) feet at the setback and a maximum lot coverage of seventy-five percent (75%) shall be permitted.

- a. Setbacks:
 - (1) All principal buildings and accessory structures must be set back at least one hundred (100) feet from all property lines.
 - (2) All principal buildings and accessory structures must be set back at least three hundred (300) feet from an open space zone, residential use, and/or any Environmentally Sensitive Receptor.
 - (3) Staging areas and loading/unloading areas on the subject property shall be located no closer than four hundred (400) feet from a open space zone, residential use, and/or any Environmentally Sensitive Receptor.
- 3. The maximum building height for a Data Center and Data Center Accessory Uses shall be fifty (50) feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers.

C. Landscape Buffers and Landscape Screens.

- 1. The Landscape Buffer shall comply with the following requirements:
 - a. A fifty (50) foot Landscape Buffer shall be retained as green space or Landscape Strip for the entire perimeter, except as required below, of the development.
 - b. A two hundred (200) foot Landscape Buffer shall be retained as green space or Landscape Strip between Data Centers and/or Data Center Accessory Uses and any adjoining open space zone, residential use and Environmentally Sensitive Receptors.
 - c. 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 uses and any adjoining open space zone, residential use, Environmentally Sensitive Receptor and public roadway.
 - b. The Landscape Screen shall be at least forty (40) 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 twenty-five (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 seventy-five (75) linear feet of buffer. Size of canopy (shade) trees shall be a minimum of two and one half (2½) inch caliper at the time of planting.
 - (3) One ornamental/flowering tree per fifty (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 two (2) inch caliper at the time of planting for single-stemmed varieties.
 - (4) Five (5) shrubs per twenty-five (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 fifty percent (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 Uses from adjoining open space zone, residential use, 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. The Landscaping Plan 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.

D. 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 five hundred (500) feet of a public roadway, or the lot line of any open space zone, residential use 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 (C) 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. 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 2 above.

E. Building Placement and Orientation

1. Any Data Center and Data Center Accessory Use building façade that faces a road or existing residential use must incorporate at least two of the following design elements every one hundred fifty (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. 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.

F. 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 permeable condition for future parking area.

G. Lighting

1. All outdoor lighting including wall mounted fixtures shall be placed or shielded to prevent direct illumination, glare, or light trespass on adjacent properties and rights-of-ways. Any existing luminaires 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. All lighting plans shall include a note that states: 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.

H. 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 Uses 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 Conditional Use 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 Uses 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 (6) 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 for cause including but not limited to new construction or renovation.
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 Uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line.

I. Water and Sewer

1. Other than onsite water reuse and recycling, Data Centers and Data Center Accessory Uses must be served exclusively by a public water supply and public wastewater treatment. (Note: See Ordinance No. 3-1999 designating Dillsburg Area Authority as the exclusive agent to provide public water and sewer service, or any successor or amending ordinance.)
2. Water Conservation efforts such as reuse, recycling, or alternative cooling for the facility shall be utilized in the facility.
3. The applicant shall supply a water resources study that includes:
 - a. The projected water demands of the Data Center;
 - b. 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);
 - c. A description of the amount or portion of water that will be recycled, reused or discharged and by what means and rate;
4. The applicant shall demonstrate that there will be adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes.

J. Environmental and Community Impact Analysis

1. Prior to the commencement of the Conditional Use hearing, the applicant shall provide an Environmental and Community Impact Analysis. The Environmental and Community Impact Analysis shall include:
 - a. A narrative description of the nature of the on-site activities and operations, including 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.

K. Environmental Impact Assessment

1. An Environmental Impact Assessment shall be performed. Such assessment shall include a description of the proposed use, including location, relationship to other projects or proposals, with adequate data and detail for the Township to assess the environmental impact. The assessment shall 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. The assessment shall include a detailed examination of public resources most likely to be impacted by the development and include the following focus areas:
 - a. Air pollution impacts due to emissions from vehicle, generator and equipment operations. The applicant shall identify all stationery and mobile sources of fine particulate matter (PM2.5), 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.
 - 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 use 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 acidic 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, including design considerations..
 - 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.

L. Electrical Service and Power Supply

- 1. Power Lines and Data Center Electric Utility Substations
 - a. Electric utility substations must include year-round opaque landscaping or a screen wall with a minimum height of ten (10) feet in order 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 structure 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 structure 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 zoning district 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 Board of Supervisors. 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, or
 - (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 as though such system is the principal use on the property, regardless of whether such system is on the same property as the Data Center principal structure.
- 4. Roof-mounted or ground mounted over parking lot solar energy systems are strongly encouraged. Facilities shall be designed to be solar ready.
- 5. Back-up Generators:
 - a. Back-up 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 use.

- b. Testing/running back-up 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. Back-up Generators shall be screened and within a secure area.
 - d. Fuel storage shall be double walled offering secondary containment and leak detection.
 - e. Confirmation that Spill Prevention, Control, and Countermeasure (SPCC) plans and Air Quality permits, if required, are in place and accepted, prior to occupancy.
6. 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.

M. 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 use 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 will have 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.

N. Decommissioning/Removal

- 1. Data Centers are recognized as a distinct use 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 a decommissioning plan for removal of obsolete equipment and site restoration at the end of the facility's operational life. Such 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 once every five (5) years an engineer's new estimate of probable cost of decommissioning, which shall be submitted for approval in the same manner as the initial submission. The bond, letter of credit, or other financial security acceptable to the Township shall be increased or decreased, as appropriate, upon a finding by the Board of Supervisors that the new estimate appropriately addresses the probable cost of decommissioning. The owner of the Data Center shall pay for all fees associated with the review and approval of each such decommissioning cost estimate 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 N.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 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.

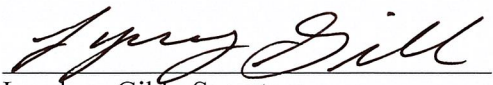
SECTION 4: Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Franklin Township, York 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 5. Repealer. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance. Notwithstanding the foregoing statement, no substantive text of any ordinance or part thereof shall be repealed simply by virtue of this Ordinance’s renumbering of the sections, subsections, or subparts of the Zoning Ordinance; rather, the substantive provisions previously adopted shall be read as having always been numbered as they now are by this amending Ordinance.

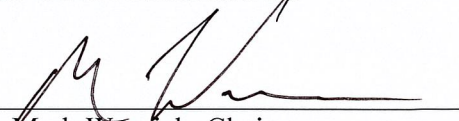
SECTION 6. Effective Date. This Ordinance shall take effect five (5) days after its adoption.

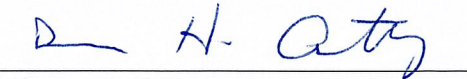
ENACTED AND ORDAINED this 10th day of June, 2026.

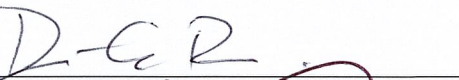
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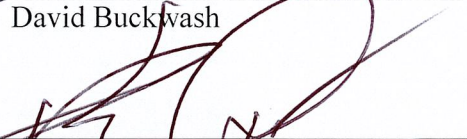

Lyndsey Gibb, Secretary

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS**

By: 
Mark Wenrich, Chairman

By: 
Duane Anthony

By: 
David Buckwash

By: 
Thomas Keefer

By: 
Stuart Keckler

CERTIFICATE

I, the undersigned, Secretary of the Township of Franklin, York County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting held on June 10, 2026; said Ordinance has been duly recorded in the Ordinance Book of the Township; said Ordinance has been duly 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 10th day of June, 2026.



Lyndsey Gibb, Secretary

(SEAL)