

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
900	12/12/1995	Alarm Ordinance
901	01/09/1996	Establishes Meeting Dates for 1996
902	01/09/1996	Amends Sewer Usage Assessment Rate
903	02/13/1996	Amends "Subdivision and Land Development" Code
904	02/13/1996	Amends "Zoning" Code
905	02/13/1996	Butler Pike Sewer Assessments
906	02/13/1996	Gitlin Condemnation of Land
907	03/12/1996	Establish collection of Yard Waste
908	03/12/1996	Amends "Vehicles and Traffic" Code
909	05/14/1996	Vehicles and Traffic
910	05/14/1996	Limekiln Pike Sewer Project Assessments
911	07/09/1996	Auto Body Shop / Auto Painting
912	08/13/1996	Permit Parking Loch Alsh Avenue
913	08/13/1996	Kenmare Drive Parking
914	08/13/1996	Amendments to Shade Trees
915	08/13/1996	Cellular Communications Antennas
916	08/13/1996	Amends Fencing Ordinance
917	08/13/1996	Amends Posting Requirements for Zoning Change
918	08/13/1996	Amends Zoning for Required Parking Spaces
919	08/13/1996	Amends "Vehicles and Traffic" Code
920	10/08/1996	Amends "Vehicles and Traffic" Code Hawthorne Lane
921	10/08/1996	Amends "Manager" Authorize Manager to Sign Legal Documents

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
922	11/12/1996	Amends "Vehicles and Traffic" Code Hawthorne Lane
923	11/12/1996	Amends "Vehicles and Traffic" Code Bell Lane
924	12/10/1996	Budget Ordinance for 1997
925	12/10/1996	Set Tax Rates for 1997
926	01/07/1997	Amends "Zoning Map" Elliger Park
927	01/07/1997	Amends "Zoning" Code "Lots of Record"
928	01/14/1997	Establishes Meeting Dates for 1997
929	01/14/1997	Amends "Fees" Sewer Tapping Fee
930	02/11/1997	Increase Compensation of the Township Treasurer
931	02/11/1997	Amends "Municipal Claims" Attorney's Fee Schedule
932	03/11/1997	Participation in Delaware Valley Insurance Trust
933	04/08/1997	Plan Submission Requirements and Processing Procedures
934	04/08/1997	Setback Measurement
935	04/08/1997	General Obligation Bonds
936	04/08/1997	Amends "Vehicles and Traffic" Code Crosswalks
937	04/08/1997	Amends "Vehicles and Traffic" Code Parking Permit Loch Alsh Avenue
938	04/08/1997	Amends "Vehicles and Traffic" Code Willow Avenue
939	04/08/1997	Non-Uniform Employees Pension Plan
940	05/06/1997	Vacates Dreshertown Road from St. George's Road to Ziegers
941	05/06/1997	Vacates Dreshertown Road from St. George's Road to Paxsons
942	05/06/1997	Vacates Dreshertown Road from St. George's Road to Lot 12

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
943	05/13/1997	Nuisance, Noise and Odors
944	05/13/1997	Township Manager - Posting Bond
945	08/12/1997	Amends "Vehicles and Traffic" Code Parking Permit Loch Alsh Avenue
946	08/12/1997	Amends "Vehicles and Traffic" Code "Time Limit Parking" Two Hour Parking Limit
947	08/12/1997	Amends "Zoning" Code Open Space Preservation District
948	09/09/1997	Inspection Fee for Day Camps
949	09/09/1997	Parks & Recreation – Rules & Regulations
950	09/09/1997	Streets & Sidewalks – Construction Standards
951	09/09/1997	Authorize Participation in Delaware Valley Municipal Health Cooperative Feasibility Study
952	09/09/1997	Amends "Vehicle and Traffic" Code – No Parking Argyle Avenue
953	10/14/1997	Additional Submission of Reduced Plans
954	10/14/1997	Plan Review Requirements
955	10/14/1997	Enforcement of Noise Ordinance
956	11/05/1997	Emergency Medical Services
957	11/11/1997	Street Numbering
958	11/11/1997	Hazardous Substance Cost Recovery
959	11/11/1997	Fire Company Immunity
960	12/09/1997	Budget Ordinance for 1998
961	12/09/1997	Set Tax Rates for 1998
962	12/09/1997	Amend Advisory Boards Ordinance

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
963	02/10/1998	Establish Meeting Dates for 1998
964	02/10/1998	Increase Sewer Usage Fee
965	03/10/1998	Amend Library Board
966	04/14/1998	Vacates portions of Jackson Avenue
967	04/14/1998	Amends "Vehicles and Traffic" Code Stop Sign Inverness Avenue at Bellaire Avenue
968	06/09/1998	Authorization to Issue General Obligation Bond
969	06/09/1998	Susquehanna Road Sanitary Sewer Main
970	06/09/1998	Amends "Vehicles and Traffic" Code Parking Permit Loch Alsh Avenue
971	07/14/1998	Delete Police Pension Plan & Pension Fund
972	07/14/1998	EC Employment Center District
973	07/14/1998	Stormwater Management
974	07/14/1998	Wireless Communications
975	08/11/1998	Norristown Road Sanitary Sewer
976	10/13/1998	EC Employment Center District Extended Stay
977	10/13/1998	Nuisances Large Events
978	11/10/1998	Increase Zoning Hearing Board Membership
979	11/10/1998	Subdivision and Land Development Magnetic Media Plan
980	11/10/1998	Participation in Delaware Valley Municipal Health Insurance Trust
981	12/08/1998	Budget Ordinance for 1999
982	12/08/1998	Set Tax Rates for 1999
983	12/08/1998	Floodplain Conservation District Conditional Use

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
984	01/12/1999	Establish Meeting Dates for 1999
985	01/12/1999	Fire Protection Equipment – Sprinkler and Standpipe Systems
986	01/12/1999	Amend Streets and Sidewalks – Sidewalk Construction
987	02/09/1999	Clarify Uses Prohibited in a Floodplain Conservation District
988	02/09/1999	Amend Sewage Usage Rates
989	03/09/1999	Amend Building Permit Fees
990	03/09/1999	Amend Minor Land Development Plan
991	03/09/1999	Food and Beverage Vending Machines
992	03/09/1999	Amendments to Comply with Tax Payer Bill of Rights Ordinance
993	04/13/1999	Fort Washington Avenue Sanitary Sewers
994	04/13/1999	Susquehanna Road Sanitary Sewers
995	04/13/1999	Transportation Impact Study
996	05/11/1999	Camp Hill Road Access
997	05/11/1999	Loch Alsh Avenue Permit Parking
998	06/08/1999	Norristown Road Sanitary Sewers
999	06/08/1999	Fort Washington Avenue Sanitary Sewers

AN ORDINANCE

NO. 900

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 57, ALARMS, SECTION 57-1, DEFINITIONS, TO ADD, AMEND AND DELETE SEVERAL DEFINITIONS; TO AMEND SECTION 57-4, REGISTRATION OF INSTALLATION, TO REQUIRE THAT ALL ALARM USERS, RESIDENTIAL, COMMERCIAL, AND OTHERWISE, MUST OBTAIN A PERMIT FROM THE CODE ENFORCEMENT DEPARTMENT PRIOR TO INSTALLATION OF A NEW ALARM SYSTEM OR MODIFICATION OF AN EXISTING SYSTEM, AND MUST SUBMIT A PERMIT EVERY TWELVE MONTHS THEREAFTER; TO AMEND SECTION 57-12, VIOLATIONS AND PENALTIES, TO PROVIDE THAT ANY ALARM SYSTEM THAT IS NOT ANNUALLY REGISTERED IN ACCORDANCE WITH THIS CHAPTER WILL BE IN VIOLATION OF THIS CHAPTER AND WILL BE FINED, AND TO PROVIDE A PENALTY SCHEDULE FOR FALSE ACTIVATIONS; TO AMEND SECTION 57-13 TO PERMIT THE CODE ENFORCEMENT OFFICER TO ENFORCE THESE PROVISIONS; TO DELETE ALL REFERENCES TO THE OUTDATED TRUNKLINE SYSTEM.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 57, thereof entitled Alarms, shall be amended as follows:

§57-1. Definitions.

* * * * *
* * * * *

ALARM REGISTRATION FORM - Form provided by the Code Enforcement Department to be updated and returned annually to the Code Enforcement Department by every alarm user. Also, "Permit".

ALARM SYSTEM - Any commercial or residential automatic protection device or any commercial audible alarm system.

ALARM USER - Any individual, partnership, unincorporated association, corporation, trust or other legally recognized entity in control of any premises having (1) an automatic protection device which notifies the Police Department or Fire Department, either directly or indirectly, and requires the response of the Police or

Fire Department or ambulance corps, or (2) an audible alarm system.

* * * * *
* * * * *

AUDIBLE ALARM - Any device, bell, horn or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building and designed to attract attention when activated by criminal act or other emergency requiring the Police or Fire Department to respond.

AUTOMATIC PROTECTION DEVICE - Also "automatic protective device". An electrically operated instrument, composed of sensory apparatus and related hardware, which automatically transmits an alarm or signal to be relayed to the Police or Fire Department.

* * * * *
* * * * *

CODE ENFORCEMENT DEPARTMENT - Code Enforcement Department of the Township of Upper Dublin.

* * * * *
* * * * *

FALSE ALARM - Any signal activated by an automatic protection device, any audible alarm or any other kind of direct or indirect signal given the Police or Fire Department to which police or firemen respond, which alarm or signal is not the result of a burglary, fire, robbery or similar emergency.

* * * * *
* * * * *

PERMIT - See Alarm Registration Form.

POLICE DEPARTMENT - The Upper Dublin Township Police Department.

* * * * *
* * * * *

§57-4. Registration of installation and permit required.

- A. Before any alarm system is installed, enlarged, extended or modified, a permit must be obtained from the Code Enforcement Department.
- B. Within one hundred twenty (120) days from the effective date of this chapter, and thereafter, within thirty (30)

days of the installation of any new or modified alarm system, every alarm user in the township shall furnish to the Code Enforcement Department a registration of such installation, which Alarm Registration Form shall include, but not be limited to, the following information:

- (1) The name, residence and telephone number of the user.
 - (2) The address where the device is installed and the telephone number of that address.
 - (3) The name, address and telephone number of a central station protective system or any other person or firm who is authorized to respond to an emergency and gain access to the address where the device is installed.
 - (4) The name and telephone number of the alarm equipment supplier and of any person other than the alarm equipment supplier who is responsible for the maintenance and repair of the automatic protection device.
 - (5) A local emergency name and telephone number for the premises.
 - (6) Any additional information requested on the Alarm Registration Form.
- C. An Alarm Registration, in the form provided by the Code Enforcement Department, must be submitted to the Code Enforcement Department every twelve months after the initial permit is submitted, or every twelve months after a permit is submitted for modification of an existing alarm system, whichever is the more recent submission.
- D. All information furnished pursuant to these sections shall be kept confidential and shall be for the use of the Police Department and Fire Department only.
- E. Failure to provide registration information required by this section shall subject the alarm user to a penalty as set forth in §57-12 of this chapter.

§57-5. Requirements.

- A. Automatic protection devices installed in the township shall meet the following requirements:
- (1) The sensory mechanism used in connection with an

automatic protective device must be adjusted to suppress false indications of fire or intrusion, so that the device will not be actuated by impulses due to fleeting pressure changes in water pipes, short flashes of light, the rattling or vibrating of doors and windows, vibrations to the premises caused by the passing of vehicles or any other force not related to genuine alarms.

- (2) All components comprising such a device must be maintained by the user in good repair to assure maximum reliability of operation.
- (3) Equipment is required to be installed in such a way as to neutralize electrical surges on the alarm system.
- (4) In all newly installed fire alarm systems, the sensory mechanism used in smoke detectors for fire alarm systems shall be installed with an alarm verification system that will attempt to reset the detector once prior to transmitting an alarm activation signal. In the event that a second signal is received from the same zone or an adjacent zone prior to verification, the system will go into alarm without delay.

§57-6. User manual required.

Each alarm equipment supplier who sells or leases an automatic protection device in the township after the effective date of this chapter shall furnish operating instructions, a circuit diagram and maintenance manual to the user.

§57-7. Repair service.

- A. Each alarm equipment user in the township shall arrange for repair service to be available directly or through an agent on a twenty-four-hour-per-day basis, seven (7) days a week, to repair such device or to correct any malfunction that may occur.

* * * * *
* * * * *

§57-10. Fees.

Users shall pay such permit and permit renewal or repair fees as the township shall set by resolution from time to time. The township may set permit fees and adopt regulations to

implement this chapter from time to time.

* * * * *
* * * * *

§57-12. Violations and penalties.

- A. During a period of thirty (30) days after installation of a new alarm system or the modification of an existing system, the owner thereof shall be permitted three (3) false activations without penalty only if the alarm system has been registered in accordance with §57-4 of this chapter. If the alarm system is not registered in accordance with the requirements of this chapter, each false activation will incur a penalty as outlined in Subsection C below.
- B. False activations shall incur penalties as follows:
- (1) Upon the expiration of the thirty (30) day test period provided for in Subsection A of this section, the owner of an alarm system that is registered pursuant to §57-4 of this chapter, shall be permitted one (1) false activation without penalty for any cause whatsoever, including misuse, accidental activation or equipment malfunction.
 - (2) If more than one (1) false activation occurs within twelve months following a false activation, the alarm user will be subject to a penalty as outlined in Subsection C below.
 - (3) If a false activation occurs more than twelve months after a previous false activation, and the alarm system is registered in accordance with the requirements of this chapter, the subsequent false activation shall be without penalty for any cause whatsoever, including misuse, accidental activation or equipment malfunction.
 - (4) If a false activation occurs more than twelve months after a previous false activation, but the alarm system is not registered in accordance with the requirements of this chapter, the subsequent false activation will incur a penalty in accordance with Subsection C. below.
- C. The township shall notify an alarm user of a false activation on his property. Subject to the provisions of Subsections A and B above, within a twelve-month period following a false activation without penalty, or if the

alarm system is not registered in accordance with this chapter, the alarm user may elect to avoid prosecution by paying the township twenty-five dollars (\$25.) for the first penalized false activation, one hundred dollars (\$100.) for the second penalized false activation, and three hundred dollars (\$300.) for the third penalized false activation, provided that payment is made within forty-eight (48) hours after receipt of the notice.

- D. For all subsequent false activation violations in any twelve-month period following a false activation without penalty, or in each case where the alarm user does not elect to avoid prosecution as set forth above, the alarm user shall be liable for prosecution and, if found guilty, shall pay a fine of not more than six hundred dollars (\$600.) plus costs of prosecution to be collectible before any District Justice as like fines or penalties are now by law collectible.
- E. If an alarm system is not registered in accordance with the requirements of this chapter, for every alarm activation, whether false or for cause, in addition to any penalty the alarm user may incur as outlined above, the alarm user shall pay a fine of fifty dollars (\$50).
- F. Violation of any of the regulations set forth in this chapter other than false activations as outlined above shall result in a fine of not less than twenty-five dollars (\$25.) nor more than six hundred dollars (\$600.) plus costs of prosecution, to be collectible before any District Justice as like fines or penalties are now by law collectible.

§57-13. Enforcement.

The Upper Dublin Township Code Enforcement Director, Fire Marshall or any police officer is hereby empowered to enforce all provisions of this chapter and to write citations for any alarm violations.

Section 2. Nothing in this Ordinance or in Chapter 57 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 57 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or

provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12th day of December, 1995.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



FRANCES S. AMEY, SECRETARY

ORDINANCE NO. 901

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN DURING THE YEAR 1996.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1. A workshop of the Commissioners of the Township of Upper Dublin for the year 1996 shall be held on the first Tuesday of each month at 7:00 PM.

SECTION 2. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for the year 1996 shall be held on the second Tuesday of each month unless the same shall be a legal holiday, in which case the meeting will be held on the next regular business day following, at 7:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meeting for the year 1996 shall be held on the third Tuesday of each month at 6:30 PM, local time.

SECTION 4. The Parks and Recreation/Library Committee meeting for the year 1996 shall be held on the fourth Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Environment and Economic Development Committee meeting for the year 1996 shall be held on the fourth Tuesday of each month at 7:30 PM, local time.


SECTION 6. The public is welcome to attend all meetings, and participation by the public is welcome.


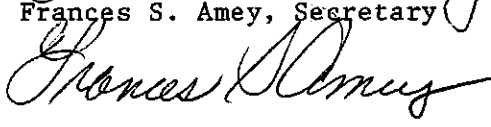
SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodation to participate in the proceedings may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 9th day of January, 1996.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP


Richard R. Rulon, President

Attest: 
Frances S. Amey, Secretary


AN ORDINANCE

NO. 902

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 110, FEES, SECTION 110-10, SEWERS, TO CHANGE THE SEWER USAGE ASSESSMENT RATE IN THE UPPER DUBLIN TOWNSHIP SEWER DISTRICT FROM TWO DOLLARS AND THIRTY CENTS (\$2.30) TO TWO DOLLARS AND FIFTY CENTS (\$2.50) PER ONE THOUSAND GALLONS OF WATER; TO CHANGE THE ANNUAL CREDIT FOR IN-GROUND SWIMMING POOLS FROM THIRTY DOLLARS (\$30.) TO THIRTY-FIVE DOLLARS (\$35.), AND TO CHANGE THE ANNUAL CREDIT FOR ABOVEGROUND POOLS FROM FIFTEEN DOLLARS (\$15.) TO TWENTY DOLLARS (\$20.).

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 110, thereof entitled Fees, section 110-10, Sewers, shall be amended as follows:

§110-10. Sewers.

* * * * *
* * * * *

B. Upper Dublin Township District.

(1) Commencing January 1, 1996 the annual sewer rental for properties located in the Upper Dublin Township sewer system shall be assessed as follows:

(a) Annual service charge: ninety dollars (\$90.) per property. A property for this purpose shall be a single-family dwelling, each unit of a multifamily dwelling [excepting rooming houses where each tenant occupies only one (1) or two (2) rooms using common facilities], each individual apartment or condominium in a residential complex, each commercial establishment, whether standing alone or in a shopping center or similar grouping of buildings, each institution, each industrial or office building.

(b) Usage rate: two dollars and fifty cents (\$2.50.) per one thousand (1,000) gallons of water usage; provided, however, that credit of five percent (5%) of actual consumption shall be given to all residential users.

- (2) Those properties served by the sewer system but with nonmetered private wells shall pay an annual rental of two hundred eighty-five (\$285.).
- (3) Those properties on which there exists an in-ground swimming pool shall be given a credit of thirty-five dollars (\$35.) per year and those properties with aboveground swimming pools a credit of twenty dollars (\$20.) a year.
- (4) A fee of fifteen dollars (\$15.) will be charged for each sewer rent certification requested to provide the status of sewer rent payment on any property in the township.

Section 2. Nothing in this Ordinance or in Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.


ENACTED AND ORDAINED this 9th day of January, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



FRANCES S. AMEY, SECRETARY



AN ORDINANCE
NO. 403

An ordinance to amend the Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article III, General Provisions, Section 212-11, "Prerequisites to sale or issuance of permit", to add requirements for a working hydrant and passable roadway before issuance of building permits for new construction in developments; Article IV, Design Standards, Section 212-17, "Parking areas", to make the parking stall dimensions conform with other Code sections; Article VI, Plan Submission Requirements and Processing Procedures, Section 212-43, "Preliminary plan requirements", to make the caliper of trees required to be shown on preliminary plans conform with the requirements of the landscape ordinance; Article VIII, Fees and Conditions of Acceptance, Section 212-55, "Conditions of acceptance", to bring the maintenance bond requirements into conformance with the Pennsylvania Municipalities Planning Code.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article III, General Provisions, Section 212-11, "Prerequisites to sale or issuance of permit", shall be amended to provide as follows:

§ 212-11. Prerequisites to sale or issuance of permit.

- A. No lot in a subdivision or land development may be sold, no permit to erect, alter or repair any building upon land in a subdivision or land development may be issued and no building may be erected in a subdivision or land development unless and until a subdivision or land development plan has been approved and recorded and until the improvements required by the Board in connection therewith have either been constructed or guaranteed as herein provided.

- B. No building permit for new construction within a proposed development will be issued until a working hydrant is located within five hundred (500) feet of the building which is the subject of the permit and until a passable roadway of a stone base minimum, capable of supporting twenty (20) tons, is constructed so that fire equipment and emergency vehicles can access the proposed building.

Section 2. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision, Article IV, Design Standards,

Section 212-17, "Parking areas", shall be amended to provide as follows:

§ 212-17. Parking areas.

* * * * *
* * * * *

F. Parking stall dimensions shall not be less than nine and one half (9.5) feet in width and nineteen (19) feet in depth.

* * * * *
* * * * *

I. Parking lot dimensions shall be no less than those listed in the following table:

Angle of Parking (degrees)	Parking Stall		Aisle Width	
	Depth (feet)	Width (feet)	One-Way (feet)	Two-Way (feet)
90	19	9.5	25	25
60	21	10	18	20
45	19	10	15	18

* * * * *
* * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-43, "Preliminary plan requirements", shall be amended to provide as follows:

§ 212-43. Preliminary plan requirements.

Applicants submitting a preliminary plan for subdivision shall conform to the following standards:

* * * * *
* * * * *

C. Existing features.

* * * * *
* * * * *

(3) The plan shall show additional information as follows:

* * * * *
* * * * *

(c) The location, species and size of trees standing alone eight (8) or more inches in caliper and the outer limit of tree masses and other natural features.

* * * * *
* * * * *

Section 4. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision, Article VIII, Fees and Conditions of Approval, Section 212-55, "Conditions of acceptance", shall be amended to provide as follows:

§ 212-55. Conditions of acceptance.

A. Conditions. The township shall have no obligation to take over and make public any street or other improvement unless:

* * * * *
* * * * *

(5) A maintenance bond for a period of eighteen (18) months from the date of acceptance, in the amount of fifteen (15%) percent of the cost of construction with surety satisfactory to the Board of Commissioners, is supplied.

* * * * *
* * * * *

C. Guaranty. The applicant shall guarantee, for a period of eighteen (18) months from the date of the ordinance accepting dedication, to maintain the stability of all materials and work and to promptly make good and replace all poor or inferior materials and work and to remedy all defects in materials or workmanship, all shrinkage, settlement or other faults of any kind whatsoever arising therefrom, at his own expense, and to the satisfaction of the Township Engineer, when notified in writing to do so by the Township Engineer, and in order to secure the guaranty as herein required, the township shall be assured by means of a proper guaranty in the form of a bond, with surety satisfactory to the township, or the deposit of funds or securities in escrow in an amount equal to fifteen percent (15%) of the completion guaranty posted by the owner with the township.

Section 5. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

Section 6. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 7. This Ordinance shall take effect and be in force from and after its approval as required by law.

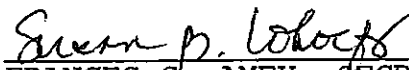
ENACTED AND ORDAINED this 13th day of *February*, 1996.


BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



ASST. ~~FRANCES C. AMEY~~, SECRETARY


UD\ORD\SUBDIV.SIG

AN ORDINANCE

NO. 904

An ordinance, to amend the Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article VII, Residential Districts, Section 255-39.1, "Decks", to clarify deck requirements; Article XVI, LIM Limited Industrial District, Section 255-103, "Permitted uses", to coordinate the impervious surface requirement with other Code sections; Section 255-117, "Submittal of plans; review; approval", to clarify applicability of plan submittal procedure to "land development"; Article XVIII, MRD Mixed Residential District, Section 255-131, "Lot, yard and bulk requirements", to provide rear yard setback requirements for multiplex dwellings; Article XIX, Off-Street Parking and Loading, Section 255-135, "Required spaces", to clarify the parking requirements for office buildings and wholesale establishments in LIM Limited Industrial Districts; and Article XXIV, Administration, Section 255-187, "Permits", to clarify permit requirement for all structures.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article VII, Residential Districts, Section 255-39.1, "Decks", shall be amended to provide as follows:

§ 255-39.1. Decks.

Decks and patios may extend into the required rear and side yard setbacks of a single family dwelling, single family patio dwelling, twin dwelling, attached patio dwelling, townhouse structure, duplex dwelling, twin duplex dwelling and multiplex dwelling, provided that they are not enclosed either on the sides, by a roof or underneath the deck. The deck perimeter shall not exceed twenty (20) feet to the rear or ten (10) feet to the side, and in no case shall it be closer than ten (10) feet to a property line. Decks and patios adjacent to interior party walls are not limited by side yard setbacks.

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-103, "Permitted uses", shall be amended to provide as follows:

§ 255-103. Permitted uses.

The specific uses permitted in this district shall be the erection, construction, alteration or use of buildings or premises for the following uses and no other:

* * * * *
* * * * *

G. Office buildings. The extent of the use to be as provided at Article IX, § 255-60, Use regulations, Subsection B, (OC Office Center District) shall be permitted in LIM Limited Industrial Districts, provided that the following provisions are strictly followed and maintained:

* * * * *
* * * * *

(5) A minimum of one (1) parking space shall be provided for each two hundred (200) square feet of gross floor area; and up to a maximum of twenty-five percent (25%) of the required parking may be held in reserve if the applicant can show, to the satisfaction of the Board of Commissioners, that the additional parking will not be needed. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces normally required shall be fully designed and the area which is proposed to be eliminated shall be shown as "parking reserve area." The parking reserve area shall be considered as impervious surface when calculating the sixty percent impervious surface ratio. The parking reserve area shall be planted with vegetative cover and integrated into the site's land development plan. Such area shall be required to be developed as designed if and when the Zoning Officer determines the need.

* * * * *
* * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-117, "Submittal of plans; review; approval", shall be amended to provide as follows:

§ 255-117. Submittal of plans; review; approval.

A. All development that is required to be submitted as a "land development" shall follow the procedure set forth in this section. Plans for any LIM Limited Industrial

District use shall be submitted to the Planning Commission prior to the issuance of any zoning permit or certificate of occupancy as provided in Article XXIV, and such plans shall include, among other things, the following:

* * * * *
* * * * *

Section 4. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XVIII, MRD Mixed Residential District, Section 255-131, "Lot, yard and bulk requirements", shall be amended to provide as follows:

§ 255-131. Lot, yard and bulk requirements.

* * * * *
* * * * *

H. Multiplex dwellings.

* * * * *
* * * * *

(4) Building setbacks.

* * * * *
* * * * *

(d) Rear yard setback. A setback of not less than twenty-five (25) feet from the rear lot line shall be required.

Section 5. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIX, Off-Street Parking and Loading, Section 255-135, "Required spaces", shall be amended to provide as follows:

§ 255-135. Required spaces.

* * * * *
* * * * *

C. For any of the following uses, required parking spaces shall be all-weather and shall be paved, and such parking spaces shall be located on the same lot therewith except as provided in § 255-136 below:

* * * * *
* * * * *

(5) Office building or wholesale establishment:

- (a) For any office or wholesale establishment not located in the LIM Limited Industrial District, the following provisions shall apply: one (1) parking space for every two hundred (200) square feet of gross floor area. Up to sixty percent (60%) of this required parking area may be placed in reserve and left unpaved upon a showing by the owner that such parking area is not required for the use of the building contemplated. Such reserve parking area may not be provided in an area that would not otherwise be useable for parking because of the requirements of this or any other ordinance. The owner will be required to pave such reserve parking area or any part of it upon an inspection by the Zoning Officer showing that the parking area is overburdened and that additional parking area is required.
- (b) For any office or wholesale establishment located in the LIM Limited Industrial District, there shall be one (1) parking space for every two hundred (200) square feet of gross floor area, and the parking spaces shall be provided in compliance with § 255-116.

Section 6. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXIV, Administration, Section 255-187, "Permits", shall be amended to provide as follows:

§255-187. Permits.

- A. No building or structure shall be constructed or altered in the Township, nor shall the use of any building, structure or land be changed until a permit has been secured from the Zoning Officer.

Section 7. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 8. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof

shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 9. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13th day of February, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

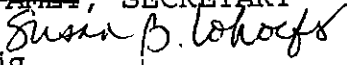
ATTEST:



RICHARD R. RULON, PRESIDENT



~~ASST. FRANCES S. AMEY, SECRETARY~~



ud/ord/zone.sig

(F)

AN ORDINANCE
NO. 405

AN ORDINANCE PROVIDING FOR A BENEFIT ASSESSMENT IN THE AMOUNT OF \$7230.00 TO BE CHARGED TO EACH PROPERTY OWNER BENEFITED NOW OR IN THE FUTURE BY THE CONSTRUCTION AND INSTALLATION OF SANITARY WASTEWATER FACILITIES SERVING PROPERTIES IN THE TOWNSHIP OF UPPER DUBLIN SITUATE IN A "NORTHERN AREA" ALONG BUTLER PIKE FROM THE INTERSECTION OF NORRISTOWN ROAD NORTH APPROXIMATELY 1300 FEET TO THE INTERCONNECTION WITH THE EXISTING MEADOWVIEW ESTATES SUBDIVISION SANITARY SEWER SYSTEM APPROXIMATELY 100 FEET SOUTH OF DOGWOOD DRIVE; AND SITUATE IN A "SOUTHERN AREA" ALONG BUTLER PIKE FROM A POINT BEGINNING APPROXIMATELY 200 FEET SOUTH OF THE INTERSECTION OF KANE DRIVE SOUTH TO THE INTERSECTION OF MEETINGHOUSE ROAD; AND SITUATE IN A THIRD AREA ALONG MEETINGHOUSE ROAD FROM THE INTERSECTION OF BUTLER PIKE EAST TO THE CONNECTION WITH THE UPPER DUBLIN SANITARY SEWER SYSTEM LOCATED IN FRIENDS LANE.

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, pursuant to Ordinance No. 875 enacted by the Board of Commissioners of the Township of Upper Dublin on November 9, 1994, a public sanitary sewer collection line has been constructed and installed to serve properties in the Township of Upper Dublin situate in a "northern area" along Butler Pike from the intersection of Norristown Road north approximately 1300 feet to the interconnection with the existing Meadowview Estates subdivision sanitary sewer system approximately 100 feet south of Dogwood Drive; and situate in a "southern area" along Butler Pike from a point beginning approximately 200 feet south of the intersection of Kane Drive south to the intersection of Meetinghouse Road; and situate in a third area along Meetinghouse Road from the intersection of Butler Pike east to the connection with the Upper Dublin sanitary sewer system located in Friends Lane (hereinafter "the Project"); and

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to assess the charge for any sewer system constructed in the Township upon the properties accommodated or benefited by the sewer system.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, does hereby enact and ordain as follows:

Section 1. The Project has been completed as of November 17, 1995, as certified by the Township Manager and the Director of Public Works.

Section 2. The total cost for the construction and installation of the Project has been determined to be \$347,049.94, in accordance with the Statement of Costs dated November 17, 1995.

Section 3. The Township has determined that the forty-two properties abutting the Project have been presently benefitted by the Project, and six of the abutting properties have the potential to be subdivided into one or two additional lots so that the newly created lot or lots would be benefitted by the Project in the future; for a total of forty-eight properties that are now served or will be served in the future by the Project.

Section 4. In accordance with the benefit assessment method provided for in the First Class Township Code, each of the seventeen properties benefitted now or in the future by the Project will be assessed for a benefit in the total amount of \$7230.00.

Section 5. The six properties with the potential for a second or third lot after subdivision will enter into separate agreements for future payments to the Township of the benefit assessment, and such agreements will be recorded and run with the land.

Section 6. The Township Manager is directed to forward Notices of Assessment to each abutting property owner benefitted by the Project.

Section 7. The Township Manager is directed to advise each property owner that the Board of Commissioners have agreed to offer an option for the owner to agree to the assessment of benefits and enter into an installment payment agreement with the Township whereby payment of the total assessment amount may be made in twenty (20) quarterly installments over a term of five (5) years.

Section 8. In the event an owner declines to agree to the assessment of benefits, the Township Solicitor is authorized to file a petition for the appointment of a jury of view to assess the benefits and thereafter to collect the entirety thereof from the owner.

Section 9. Nothing in this ordinance shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the Township Code prior to the adoption of this ordinance.

Section 10. The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of

competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 11. This Ordinance shall take effect and be in force from and after its approval as required by law.

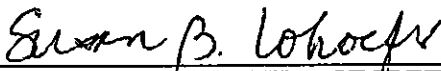
ENACTED AND ORDAINED by the Board this 13th day of February, 1996.

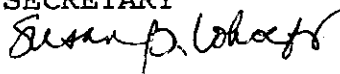
BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



~~ASST. FRANCES S. AMEY, SECRETARY~~
ud\proj\butlerpk\assesmt.ord 

G

AN ORDINANCE

NO. 906

AN ORDINANCE AUTHORIZING THE SOLICITOR OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND THE PROPER OFFICERS AND OFFICIALS THEREOF, TO FILE WITH THE COURT OF COMMON PLEA OF MONTGOMERY COUNTY A DECLARATION OF TAKING AND SUCH OTHER RELATED DOCUMENTS AS MAY BE NECESSARY, INCLUDING BUT NOT LIMITED TO ENTRY OF SUCH BOND AS MAY BE REQUIRED, TO PROCEED WITH CONDEMNATION PURSUANT TO THE EMINENT DOMAIN CODE OF FIVE PARCELS OF LAND LOCATED ON PARCEL 54-00-05167-008, NEAR THE INTERSECTION OF LIMEKILN PIKE AND DRESHERTOWN ROAD OVER LANDS OWNED BY THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, LEGAL OWNER, AND HARVEY S. GITLIN, EQUITABLE OWNER, FOR EASEMENT ONLY, FOR THE PURPOSE OF EXTENDING THE EXISTING PUBLIC SANITARY SEWER SYSTEM AS AUTHORIZED BY THE FIRST CLASS TOWNSHIP CODE.

WHEREAS, on November 12, 1991, the Upper Dublin Township Board of Commissioners gave final plan approval to a subdivision and land development plan dated December 28, 1990, prepared by Boucher and James, Inc. for a multi-family residential development of seventy-five townhouse units known as the "Dresherbrooke Townhouse Community" to be constructed on two parcels of real estate situate on the easterly side of Susquehanna Road, south of the intersection with Limekiln Pike (the "Project"); and

WHEREAS, in order to provide public sanitary sewer for the Project, the Developer has agreed to construct an extension of the Upper Dublin Township Sanitary Sewer System in the right-of-way of Susquehanna Road and Limekiln Pike for a distance of approximately 1650 feet (the "Extension"); and

WHEREAS, the Developer will need to connect said Extension into the existing Upper Dublin Sanitary Sewer System by constructing a new manhole to connect into the existing trunkline located in the easement to the Pine Run Interceptor; and

WHEREAS, it has been determined that the construction and connection of said Extension will promote the health and welfare of the citizens of the Township of Upper Dublin and will further the Township's goal to eventually have sewer lines connected to the Upper Dublin Township Wastewater Treatment Plant for the maximum number of Township residents; and

WHEREAS, the Board of Commissioners has determined that it is necessary to acquire permanent and temporary easements in, on and under certain portions of property for the construction, installation, connection and maintenance of the aforementioned Extension; and

WHEREAS, the Board of Commissioners is authorized to institute proceedings in eminent domain pursuant to the First Class Township Code, Article XIX and the Eminent Domain Code.

NOW THEREFORE, The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Board of Commissioners hereby authorizes the Township Solicitor to institute proceedings in eminent domain by filing a Declaration of Taking to condemn those certain pieces or parcels of property as described and outlined in the Plot Plan attached hereto as Exhibit "A", and the legal descriptions attached hereto as Exhibits "B" through F", as temporary and permanent easements over said parcels owned by the Montgomery County Industrial Development Authority, legal owner, and Harvey S. Gitlin, equitable owner, all located on parcel 54-00-05167-008, which parcels are needed to complete the construction, installation and connection of the Extension to the Upper Dublin Township Sanitary Sewer System.

Section 2. Nothing in this Ordinance shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

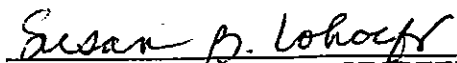
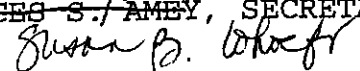
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

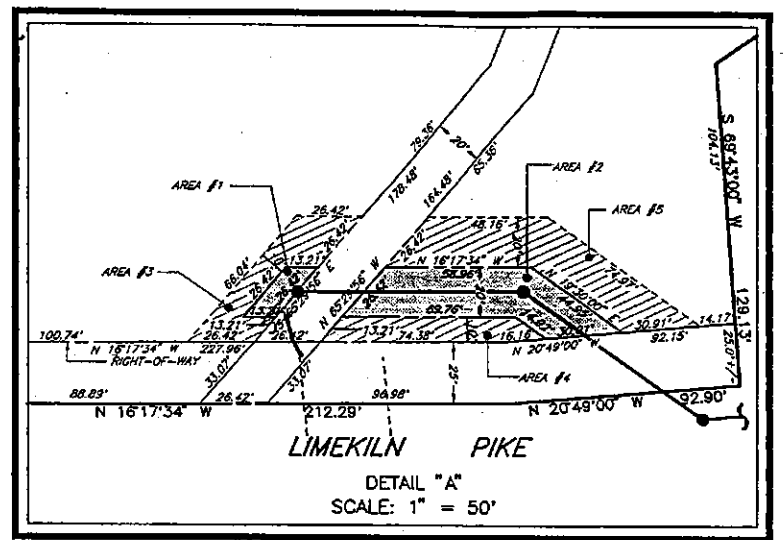
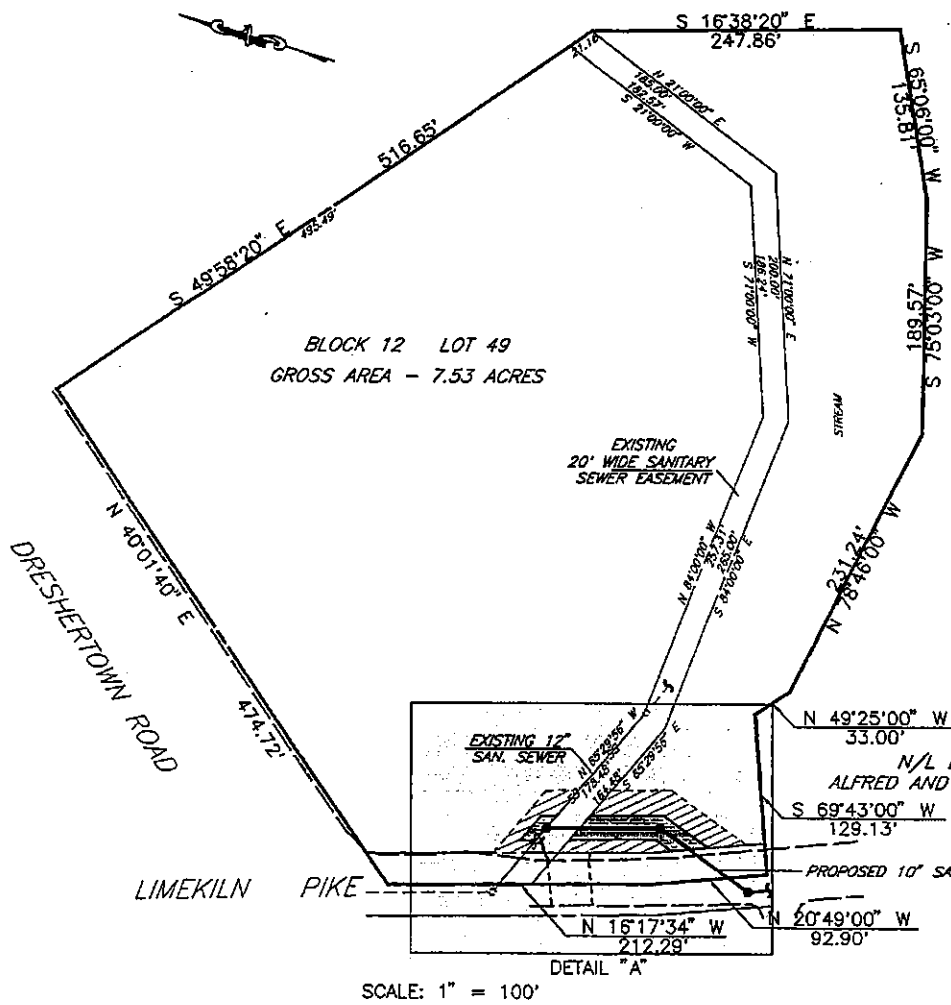
ENACTED AND ORDAINED this 13th day of February, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


RICHARD R. RULON, PRESIDENT


ASST. ~~FRANCES S. AMEY~~, SECRETARY




- PROPOSED SANITARY SEWER EASEMENT - 2150.10± SF
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT - 4125.90± SF

NOTE: Existing easement and property data based on deed of record deed book 4826 pg 1741

Title GITLIN PROPERTY - EASEMENT ACQUISITION PLAN				
Upper Dublin Township, Montgomery County, Pa.				
Boucher and James, Inc. Consulting Engineers • Planners • Land Surveyors Doylestown, PA. Quakertown, PA.				Sheet 1 of 1
Drawn by: HCL	Checked by: WJW	Job No.: 88-10-488S		Scale: AS NOTED

EXHIBIT A

DESCRIPTION OF GITLIN PROPERTY-EASEMENT ACQUISITION PLAN
PROPOSED EASEMENT-AREA #1
UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, known as Proposed Sanitary Sewer Easement, Area #1, bounded and described in accordance with a plan entitled "Gitlin Property- Easement Acquisition Plan", as prepared by Boucher & James, Inc., Doylestown Pennsylvania, dated November 16, 1995.

BEGINNING at a point on the northerly line for an existing 20 foot wide sanitary sewer easement and being within lands now or formely of Harvey S.Gitlin, said point of beginning being located the following four (4) courses and distances from a point on the title line within the bed of Limekiln Pike, S.R.-152, (50 feet wide), also being a corner common to lands now or formerly of Harvey S.Gitlin and now or formerly of Alfred and M. Catherine Deelse, to wit: (1.) Along the line dividing lands of said Gitlin and Deelse and through the bed of said Limekiln Pike N 69°43'00" E, 25.0 feet more or less to a point on the northeasterly Right-of-Way line of said Limekiln Pike; (2)Along said northeasterly Right-of-Way line N 20°49'00" W, 92.15 feet to a point; (3) Along same N 16°17'34" W, passing through an existing 20 foot wide sanitary sewer easement, 100.80 feet to a point on the northerly line of said sanitary sewer easement; and (4) Leaving said northeasterly Right-of-Way line of Limekiln Pike, along northerly line of said sanitary sewer easement through lands now or formely of Harvey S.Gitlin of which this is a part S 65°29'56" E, 13.21 feet to a point; **THENCE**, from said point of beginning through lands now or formely of Gitlin of which this is a part the following four (4) courses and distances to wit: (1) N 16°17'34" W, 13.21 feet to a point; (2) S 65°29'56" E, 26.42 feet to a point; (3) S 16°17'34" E, 13.21 feet to a point on the northerly linr of said 20 foot wide sanitary sewer easement; and (4) along same N 65° 29'56" W, 26.42 feet to the first mentioned point and place of beginning.

CONTAINING: 0.0061 Acres more or less
(264.18 s.f.)

November 21, 1995
I:\legal\misc\gitarea.dsc

EXHIBIT B

DESCRIPTION OF GITLIN PROPERTY-EASEMENT ACQUISITION PLAN
PROPOSED EASEMENT-AREA #2
UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, known as Proposed Sanitary Sewer Easement, Area #2, bounded and described in accordance with a plan entitled "Gitlin Property- Easement Acquisition Plan", as prepared by Boucher & James, Inc., Doylestown Pennsylvania, dated November 16, 1995.

BEGINNING at a point on the northeasterly Right-of-Way line of Limekiln Pike, S.R.152, (50 feet wide), said point of beginning being located the following two (2) courses and distances from a point on the title line within the bed of said Limekiln Pike, also being a corner common to lands now or formerly of Harvey S.Gitlin and now or formerly of Alfred and M. Catherine Deelse, to wit:(1.) Along the line dividing lands of said Gitlin and Deelse and through the bed of said Limekiln Pike N 69°43'00" E, 25.0 feet, more or less, to a point on the aforementioned northeasterly Right-of -Way line of Limekiln Pike; (2.)Along said Right-of-Way line N 20°49'00" W, 45.08 feet to a point; **THENCE** from said point of beginning and along said northeasterly Right-of-Way line N 20°49'00" W, 30.91 feet to a point;Thence leaving said Right-of-Way line and through lands now or formerly of Harvey S. Gitlin, of which this is a part the following five (5) courses and distances to wit:(1.) N 19°30'00" E, 14.92 feet to a point; (2.) N 16°17'34" W, 69.76 feet to a point on the southerly line for an existing 20 foot wide sanitary sewer easement;(3.) Along same S 65°29'56" E, 26.42 feet to a point; (4.)Leaving said southerly easement line, S 16°17'34" E, 58.96 feet to a point; and (5.) S 19° 30'00" W , 44.95 feet to the first mentioned point and place of beginning.

CONTAINING: 0.0433 Acres more or less
(1885.92 sq.ft.)

NOVEMBER 21,1995

EA...MISC\LEGALS\GITAREA2.DSC

DESCRIPTION OF GITLIN PROPERTY-EASEMENT ACQUISITION PLAN
PROPOSED TEMPORARY CONSTRUCTION EASEMENT-AREA #3
UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, known as Proposed Sanitary Sewer Easement, Area #3, bounded and described in accordance with a plan entitled "Gitlin Property- Easement Acquisition Plan", as prepared by Boucher & James, Inc., Doylestown Pennsylvania, dated November 16, 1995.

BEGINNING at a point of intersection that the northeasterly Right-of -Way line of Limekiln Pike, SR-152, (50 foot wide), makes with the northerly line for an existing 20 foot wide sanitary sewer easement, said point of beginning being the following three (3) courses and distances from a point on the title line within the bed of said Limekiln Pike, also being a corner common to lands now or formerly of Harvey S. Gitlin and now or formerly of Alfred and M. Catherine Deelse, to wit:(1.) Along the line dividing lands of said Gitlin and Deelse and through the bed of said Limekiln Pike N 69°43'00" E, 25.0 feet, more or less, to a point on the aforementioned northeasterly Right-of -Way line of Limekiln Pike; (2.) Along said Right-of-Way line N 20°49'00" W, 92.15 feet to a point; (3) Along same N 16°17'34" W, passing through an existing 20 foot wide sanitary sewer easement, 100.80 feet to a point on the northerly line of said sanitary sewer easement. **THENCE** from said point of beginning, along the northeasterly Right-of-Way line of said Limekiln Pike, N 16°17'34" W, 26.42 feet to a point; Thence leaving said Right-of-Way line, through lands now or formerly of Harvey S. Gitlin, of which this is a part the following seven (7) courses and distances to wit:(1.) S 65°29'56" E" 66.04 feet to a point; (2.) S 16°17'34" E, 26.42 feet to a point on the northerly line for said 20 foot wide sanitary sewer easement; (3.) Along same N 65°29'56" W, 26.42 feet to a point;(4.) Leaving said easement N 16°17'34" W, 13.21 feet to a point; (5.) N 65° 29'56" W , 26.42 feet to a point; (6.) S16°17'34" E , 13.21 feet to a point on the northerly line for said sanitary sewer easement; and (7.) Along same N 65°29'56" W, 13.21 feet to the first mentioned point and place of beginning.

CONTAINING: 0.0243 acres more or less
(1,056.71 sq. ft.)

November 21, 1995

I:\legal\misc\gitarea3.dsc

DESCRIPTION OF GITLIN PROPERTY-EASEMENT ACQUISITION PLAN
PROPOSED TEMPORARY CONSTRUCTION EASEMENT-AREA #4
UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, known as Proposed Sanitary Sewer Easement, Area #4, bounded and described in accordance with a plan entitled "Gitlin Property- Easement Acquisition Plan", as prepared by Boucher & James, Inc., Doylestown Pennsylvania, dated November 16, 1995.

BEGINNING at a point on the northeasterly Right-of-Way line of Limekiln Pike, S.R.152, (50 feet wide), said point of beginning being the following two (2) courses and distances from a point on the title line within the bed of said Limekiln Pike, also being a corner common to lands now or formerly of Harvey S. Gitlin and now or formerly of Alfred and M. Catherine Deelse, to wit:(1.) Along the line dividing lands of said Gitlin and Deelse and through the bed of said Limekiln Pike N 69°43'00" E, 25.0 feet, more or less, to a point on the aforementioned northeasterly Right-of -Way line of Limekiln Pike; (2.) Along said Right-of-Way line N 20°49'00" W, 75.99 feet to a point; **THENCE** from said point of beginning, along said northeasterly Right-of-Way line of Limekiln Pike the following two (2) courses and distances to wit:(1.) N 20°49'00" W, 16.16 feet to a point; (2.) N 16°17'34" W, 74.38 feet to a point on the southerly line for an existing 20 foot wide sanitary sewer easement; Thence leaving said Right-of-Way line of Limekiln Pike, along said southerly line of easement through lands now or formerly of Harvey S. Gitlin of which this is a part S 65°29'56" E, 13.21 feet to a point; Thence leaving said southerly easement line continuing through lands of said Harvey S. Gitlin the following two (2) courses and distances to wit:(1.) S 16°17'34" E, 69.76 feet to a point; (2.) S 19°30'00" W, 14.92 feet to the first mentioned point and place of beginning.

CONTAINING: 0.018 Acres more or less
(798.74 sq. ft.)

November 21, 1995
I:\LEGAL\MISC\GITAREA.DSC

DESCRIPTION OF GITLIN PROPERTY-EASEMENT ACQUISITION PLAN
PROPOSED TEMPORARY CONSTRUCTION EASEMENT-AREA #5
UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, known as Proposed Sanitary Sewer Easement, Area #5, bounded and described in accordance with a plan entitled "Gitlin Property- Easement Acquisition Plan", as prepared by Boucher & James, Inc., Doylestown Pennsylvania, dated November 16, 1995.

BEGINNING at a point on the northeasterly Right-of-Way line of Limekiln Pike, S.R.152, (50 feet wide), said point of beginning being the following two (2) courses and distances from a point on the title line within the bed of said Limekiln Pike, also being a corner common to lands now or formerly of Harvey S.Gitlin and now or formerly of Alfred and M. Catherine Deelse, to wit:(1.) Along the line dividing lands of said Gitlin and Deelse and through the bed of said Limekiln Pike N 69°43'00" E, 25.0 feet, more or less, to a point on the aforementioned northeasterly Right-of -Way line of Limekiln Pike; (2.)Along said Right-of-Way line N 20°49'00" W, 14.17 feet to a point; **THENCE** from said point of beginning and along said northeasterly Right-of-Way line N 20°49'00" W, 30.91 feet to a point;Thence leaving said Right-of-Way line and through lands now or formerly of Harvey S.Gitlin, of which this is a part the following five (5) courses and distances to wit:(1.) N 19°30'00" E, 44.95 feet to a point; (2.) N 16°17'34" W, 58.96 feet to a point on the southerly line for an existing 20 foot wide sanitary sewer easement;(3.) Along same S 65°29'56" E, 26.42 feet to a point; (4.) Leaving said southerly easement line, S 16°17'34" E, 48.16 feet to a point; and (5.) S 19° 30'00" W , 74.97 feet to the first mentioned point and place of beginning.

CONTAINING :0.0521 Acres more or less
(2,270.45 sq. ft.)

November 21, 1995
INLEGAL\MISC\GITAREAS.DSC

ORDINANCE

NO. 907

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 203 THEREOF, ENTITLED, SOLID WASTE, BY ADDING A NEW ARTICLE IV, TO BE ENTITLED "YARD WASTE COLLECTION", TO ESTABLISH A PROGRAM FOR THE COLLECTION OF YARD WASTE BY THE TOWNSHIP AND TO PROVIDE PENALTIES FOR VIOLATION OF THIS ARTICLE.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN AS FOLLOWS:

Section 1. Chapter 203 of the Code of the Township of Upper Dublin is hereby amended by adding a new Article IV, entitled "Yard Waste Collection" as follows:

ARTICLE IV

Yard Waste Collection

§203-42 Legislative purpose.

The township hereby requires and mandates that all yard waste shall be separated from other waste for separate collection in specifically designated cans or biodegradable paper bags, and shall be placed to the curb line or edge of the property for collection by the township.

§203-43 Definitions.

Unless the context clearly indicates otherwise, the following words and phrases used throughout this Article shall have the following meanings:

LEAF WASTE - Leaf and foliage of trees and shrubs and foliar garden residues, but not including grass clippings or tree or shrubbery branches.

PERSON - Includes a lessee, as well as an owner of a residence who is serviced by regular solid waste collection by the township.

PUBLIC WORKS DEPARTMENT - Township of Upper Dublin Department of Public Works.

RECYCLABLE MATERIALS - All source-separated materials as identified by Article III of this Chapter, specifically including glass, aluminum cans, newspapers, high-grade office

paper and corrugated paper.

REFUSE - All solid wastes, including garbage, rubbish, and solid market wastes, but not including body wastes.

SOLID WASTE COLLECTION - Collection of solid waste by the township pursuant to Article 1 of this Chapter

RESIDENCE - Any single-family or other dwelling with four (4) or fewer units, from which the township collects solid waste.

SOLID WASTE - All garbage and refuse, specifically excluding recyclable materials, yard waste and leaves, normally placed by a resident for regular collection by the township.

TOWNSHIP - The Township of Upper Dublin.

YARD WASTE - Grass clippings, brush, tree and shrubbery branches, but not including leaves.

§203-44 Establishment of collection programs.

The township hereby establishes a mandatory program for the separate collection of yard waste from all residents in the township for which solid waste collection is provided by the township. Collection hereof shall be made on a regularly scheduled basis as determined by the Public Works Department.

§203-45 Establishment of regulations.

- A. The Director of the Public Works Department is hereby authorized and empowered to establish and promulgate regulations governing compliance with this Article.
- B. The regulations promulgated under this Article shall include, but not be limited to:
 - (1) The manner and method of collection, including the days and times of collection, the appropriate method for bundling and handling yard waste, and the location for and time of placement of the materials for collection.
 - (2) The manner of conducting any public information or education program.
 - (3) The manner of enforcement of this Article.

§203-46 Residential separation.

- A. All persons for whom the township provides solid waste collection shall separate yard waste from other solid waste, recyclable materials and leaf waste produced at their residence, and shall place same for collection by the township in accordance with the regulations established hereunder.
- B. The township shall collect yard waste from all properties in the township from which the township is presently collecting solid waste, pursuant to Article 1 of this Chapter. All owners or occupants of such properties are required to separate yard waste from the other waste generated at such properties, including solid waste, leaf waste and recyclable materials, until collection by the township.

§203-47 Violations and penalties.

- A. Any person who shall violate the provisions of this Article shall receive an official written warning of non-compliance for the first and second offense. Thereafter, all such violations shall be subject to the penalties hereinafter provided.
- B. Any person who shall violate this Article shall, upon conviction before any District Justice be sentenced to pay a fine not exceeding One Thousand (\$1,000) Dollars and not less than Twenty-five (\$25) Dollars, and costs of prosecution for each and every offense. Each day's continuance of the offense shall constitute a new offense.

Section 2. Nothing in this Ordinance or in Chapter 203 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 203 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12th day of MARCH, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



H. WILLIAM GIFT, VICE PRESIDENT



FRANCES S. AMEY, SECRETARY

yardwest.ord

AN ORDINANCE

NO. 908

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, TO ADD ARTICLE I, "GENERAL PROVISIONS", ARTICLE II, "TRAFFIC REGULATIONS", ARTICLE III, "PARKING REGULATIONS", ARTICLE IV, "REMOVAL AND IMPOUNDING OF CERTAIN VEHICLES", ARTICLE V, "HANDICAPPED PARKING", ARTICLE VI, "SNOW AND ICE EMERGENCIES", ARTICLE VII, "VIOLATIONS AND PENALTIES", ARTICLE VIII, "SCHEDULES" FOR TRAFFIC REGULATIONS.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233, thereof entitled Vehicles and Traffic, shall be amended as follows:

SEE INSERT ATTACHED HERETO

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.


Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12 day of MARCH, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY


H. WILLIAM GIFT, VICE PRESIDENT

Chapter 233

VEHICLES AND TRAFFIC

ARTICLE I General Provisions, Administration and Enforcement

§233-1. Definitions and interpretation.

- A. Words and phrases, when used in this chapter, except for sections or Articles to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa.C.S.A. §101 et seq. (the Act of June 17, 1976, P.L. 162, No. 81), as amended, except that in this chapter the word "street" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
- B. The term "legal holidays," as used in this chapter, shall mean and include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- C. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§233-2. Adoption of permanent traffic and parking regulations; schedules.

- A. Manner of adoption. All traffic and parking regulations of a permanent nature shall be adopted as ordinances or as parts of ordinances or as amendments to ordinances of the Township of Upper Dublin by the Board of Commissioners in accordance with the provisions of the Vehicle Code and the First Class Township Code.
- B. Schedules. For the purpose of maintaining an accurate record of all regulations adopted under the provisions of this chapter, there is hereby established a system of schedules, appearing as Article VIII of this chapter, in which shall be entered all regulations after adoption. Such schedules shall be deemed a part of the section to which they refer. All regulations shall be adopted with reference to the appropriate schedule as indicated in the various sections of this chapter.

§233-3. Temporary and emergency regulations.

- A. The Police Department or its designated authorities shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
- (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.
 - (2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.
- B. These temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature.

§233-4. Experimental regulations.

- A. The Board of Commissioners may, from time to time, designate places upon and along the streets in the township where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect and shall designate those locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective just as if they had been specified in this chapter. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this chapter for a violation of such nature.
- B. The purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the township relative to traffic and parking.

§233-5. Streets closed or restricted for construction, maintenance or special events.

- A. The Board of Commissioners shall have authority to close any street or specific part of a street to vehicular traffic, or to restrict access to any street or specific part of a street, and to place barriers or appropriate signage, or to station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
- B. The Board of Commissioners shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop or is signaling that vehicle, by a flag or other device, not to proceed.

§233-6. Authority for administration and enforcement.

- A. Administration. This chapter shall be administered jointly by the Board of Commissioners and the Police Department.
- B. Enforcement. This chapter shall be enforced by the Police Department of the Township of Upper Dublin who are hereby given authority to direct traffic on the highways and intersections of the township in accordance with the provisions of this chapter and the laws of the Commonwealth of Pennsylvania.
- C. Severability. The provisions of this chapter shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this chapter. It is hereby declared as a legislative intent that this chapter would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

ARTICLE II
Traffic Regulations

§ 233-7. Speed limits.

- A. Except those highways under the jurisdiction of the Commonwealth of Pennsylvania Department of Transportation or the Montgomery County Department of Road and Bridges, all roads, streets and highways within the Township of Upper Dublin shall have speed limits of twenty-five (25) miles per hour unless otherwise provided for by this chapter.

B. The speed limit for both directions of traffic along the streets or parts thereof described in Schedule I (§ 233-42), attached to and made a part of this chapter, is hereby established at the rate of speed indicated in said schedule. It shall be unlawful for any person to drive a vehicle at a higher speed than the maximum prescribed for that street or part of a street.

§ 233-8. Traffic control signals.

Traffic control signals shall be installed and operated at the intersection of those streets described in Schedule II (§ 233-43), attached to and made a part of this chapter.

§ 233-9. Prohibited right turns on red signal.

No person shall make a right turn (or a left turn from a one-way street into another one-way street) when facing a steady red signal at any of the locations described in Schedule III (§ 233-44), attached to and made a part of this chapter.

§ 233-10. Prohibited turns at intersections.

It shall be unlawful for the driver of any vehicle to make a turn of the kind designated (left, right, all) at any of the intersections described in Schedule IV (§ 233-45), attached to and made a part of this chapter.

§ 233-11. U-turns.

It shall be unlawful for the driver of any vehicle to make a U-turn on any of the streets or parts of streets described in Schedule V (§ 233-46), attached to and made a part of this chapter.

§ 233-12. One-way streets.

The streets or parts of streets described in Schedule VI (§ 233-47), attached to and made a part of this chapter, are hereby designated as one-way streets in the direction indicated, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street.

§ 233-13. No-passing zones.

No-passing zones are hereby established along those streets or parts of streets described in Schedule VII (§ 233-48), attached to and made a part of this chapter, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no-passing zone described in said schedule.

§ 233-14. Through streets.

The streets or parts of streets described in Schedule VIII (§ 233-49), attached to and made a part of this chapter, are hereby established as through streets; and the driver of any vehicle, upon approaching any such street at any intersection thereof (except for such intersections where there are now or shall hereafter be located official traffic signals), shall come to a full stop or yield the right-of-way, as the case may be, before entering any such through street.

§ 233-15. Stop intersections.

The intersections described in Schedule IX (§ 233-50), attached to and made a part of this chapter (in addition to intersections with the through streets established by this chapter), are hereby established as stop intersections, and official stop signs shall be erected in such a position upon the first-named street as to face traffic approaching the second-named street in the direction or directions indicated in said schedule. Every driver of a vehicle approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall come to a full stop before entering any such intersection.

§ 233-16. Yield intersections.

The intersections described in Schedule X (§ 233-51), attached to and made a part of this chapter (in addition to intersections with the through streets established by this chapter), are hereby established as yield intersections, and official yield signs shall be erected in such a position upon the first-named street as to face traffic approaching the second-named street in the direction or directions indicated. Every driver of a vehicle approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall slow down or stop the vehicle and then yield the right-of-way to any vehicle in the intersection or approaching on the second-named street so closely as to constitute a hazard during the time that the driver is moving across or within such intersection.

§233-17. Closing of certain streets to certain vehicles.

With the exception of vehicles making local deliveries, it shall be unlawful for the owner or operator of any truck, commercial vehicle, tractor, trailer or tractor-trailer combination with a gross vehicle weight in excess of five (5) tons, to operate such vehicle on the streets or parts of streets described in Schedule XI (§233-52), attached to and made a part of this chapter.

§233-18. Vehicle weight limits.

It shall be unlawful for any person to drive any commercial vehicle or other tractor, trailer or tractor-trailer combination, having a gross vehicle weight in excess of that respectively prescribed, upon any of the streets or bridges, or portions thereof, described in Schedule XII (§233-53), attached to and made a part of this chapter, except for the purpose of making local deliveries on said streets.

**ARTICLE III
Parking Regulations**

§ 233-19. Reserved

§ 233-20. Parking without lights authorized.

The boundary limits of the Township of Upper Dublin are hereby established as a zone in which motor vehicles may remain standing without lights, and all highways within such boundary limits are hereby designated as highways where motor vehicles may remain standing without lights.

§ 233-21. Parking prohibited at all times.

No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule XIII (§ 233-54), attached to and made a part of this chapter.

§ 233-22. Parking prohibited certain hours.

No person shall park a vehicle upon any of the streets or parts of streets described in Schedule XIV (§ 233-55), attached to and made a part of this chapter, during the hours specified in said schedule, on any day except Saturdays, Sundays and holidays.

§ 233-23. Time limit parking.

No person shall park a vehicle or allow the same to remain parked upon any of the streets or parts of streets described in Schedule XV (§ 233-56), attached to and made a part of this chapter, between the hours specified, for longer than the time indicated in said schedule.

§ 233-24. Penalties for parking violations.

Any person who violates any provision of this Article shall, upon conviction, be sentenced to pay a fine of not more than fifteen dollars (\$15.) and costs; provided, however, that it shall be the duty of the police officers and of parking enforcement personnel of the township to report to the Chief of Police all violations of any provision of this Article, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Article. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Chief of Police and pay the sum of ten dollars (\$10.) within 72 hours after the time of the notice, that act will save the violator

from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.

**ARTICLE IV
Removal and Impounding of Certain Vehicles**

§ 233-25. Applicability and scope.

This Article is enacted under authority of Section 6109(a)(22) of the Vehicle Code and gives authority to the township to remove and impound vehicles that are parked overtime on any street in the township in violation of any provision of this chapter.

§ 233-26. Authority to tow and store.

The Police Department of the township is hereby authorized to tow and store, or to order the towing and storage, of any vehicle parked on any of the streets, highways or public property in the township in violation of any provision of the law or of any ordinance of the township.

§ 233-27. Approved towing and storage facilities designated.

The Board of Commissioners shall, from time to time by resolution, designate approved towing and storage facilities for the towing and storage of illegally parked vehicles. An approved towing and storage facility may provide only towing services or only storage services, or both. An approved storage facility must provide a secure area where vehicles are held but need not be owned and operated by the same company that towed the vehicles to the storage facility.

§ 233-28. Notification of removal and impounding.

Within twelve (12) hours from the time of removal of any vehicle under authority granted by this Article, notice of the fact that the vehicle has been towed and stored shall be given by the Chief of Police of the township to the owner of record of such vehicle either by written notice sent by mail, or verbally by telephone or in person. Such notice shall designate the place from which the vehicle was towed, the reason for its towing and storage, and the towing and storage facility in which it shall have been stored.

§ 233-29. Owner or operator of vehicle remains liable for fine or penalty.

The payment of towing and storage charges authorized by this Article shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of any law or township ordinance on account of which such vehicle was towed and stored.

§ 233-30. Records of vehicles towed and stored.

The Chief of Police shall keep a record of all vehicles towed and stored and shall be able, at all reasonable times, to furnish the owners or the agents of the owners thereof with information as to the place of storage of such vehicles.

§ 233-31. Restrictions upon removal of vehicles.

No vehicle shall be removed under the authority of this Article if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

**ARTICLE V
Handicapped Parking**

§ 233-32. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

HANDICAPPED PERSON — Any person who:

- A. Does not have full use of a leg or both legs or an arm or both arms.
- B. Is blind.
- C. Is in loco parentis of a person who has the disabilities set forth in Subsections A or B above.

HANDICAPPED PLATE — The special vehicle registration plate issued by the Pennsylvania Department of Transportation pursuant to Section 1338 of the Pennsylvania Vehicle Code (75 Pa. C.S.A. § 1338).

HANDICAPPED TEMPORARY TAG — A permit to be issued by the Upper Dublin Police Department to any person who shall apply for such permit, who is temporarily a handicapped person as defined herein, by reason of a nonpermanent disability, injury or sickness. Such person when applying shall supply a letter from the physician setting forth the nature of the temporary handicap. Such permit shall be valid for a period of thirty (30) days only but may be renewed for subsequent periods.

§ 233-33. Parking restricted.

It shall be unlawful for any person to park any vehicle in a parking space designated by an appropriate sign for the exclusive use of handicapped person unless such person shall be a handicapped person, as that term is defined herein, or unless such person's vehicle is equipped with a handicapped plate or handicapped temporary tag.

§ 233-34. Enforcement.

Officers of the Upper Dublin Township Police Department are hereby authorized to enforce the provisions of this Article.

§ 233-35. Violations and penalties.

Any person who shall violate the provisions of this ordinance shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than fifteen dollars (\$15.).

**ARTICLE VI
Snow and Ice Emergencies**

§233-36. Declaration of snow and ice emergency.

In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named pursuant to this Article, a snow and ice emergency (designated in this Article as a "snow emergency") shall be deemed to have been declared upon a continuous fall of snow within the township, for a period of one (1) hour or for a depth of three (3) inches, whichever first occurs. Information on the existence of a snow emergency may be given by the township through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

§233-37. Restrictions on snow emergency routes.

After any snow emergency is declared, it shall be unlawful at any time during the continuance of the emergency, for any person to:

- A. Park a motor vehicle or allow that vehicle to remain parked anywhere on any snow emergency route designated pursuant to this Article; or
- B. Drive any motor vehicle on any such snow emergency route unless that vehicle is equipped with snow tires or chains.

§233-38. Snow emergency routes.

The streets or parts of streets described in Schedule XVI (§233-57), attached to and made a part of this chapter, are hereby designated as snow emergency routes.

- A. During a snow emergency, all public streets and highways within the Township of Upper Dublin shall be deemed snow emergency routes for the plowing of the snow and ice accumulated thereon.
- B. Parking shall be prohibited on all streets during a snow emergency, and it shall be unlawful to park abandon or leave any vehicle upon a township street or highway until the snow fall ceases or until the snow and/or ice is plowed or substantially removed from the township streets or highways, whichever event is later.
- C. The provisions above shall not be enforced against any owner, lessee, or operator of any vehicle parked upon a township street or highway where the abutting properties have no access to off-street parking, provided that said vehicle is placed on even-numbered days on the side of the street on which houses have even numbers and on odd-numbered days on the side of the street abutting odd-numbered houses.

§233-40. Penalty for violation.

Any owner, lessee or operator of a motor vehicle parked, abandoned or left upon any township street or highway in violation of the provisions of §233-39 shall, upon conviction thereof, be liable to pay a fine of not less than twenty-five dollars (\$25.) nor more than three hundred dollars (\$300.); provided that, for a first offense under this ordinance, the Chief of Police shall deliver to such violator a notice of such violation, which notice shall contain instructions that the owner may avoid prosecution by payment of the sum of ten dollars (\$10.) for the first offense within seventy-two (72) hours after receipt of such notice; and further provided that, for a second offense, such prosecution may be avoided by payment of the sum of twenty dollars (\$20.) within seventy-two (72) hours after receipt of such notice; third and subsequent offenses shall be subject to prosecution in accordance with the terms of this ordinance. A new and separate offense shall be deemed to have been committed for each day that any violation of the provisions of this ordinance shall continue to exist.

ARTICLE VII
Violations and Penalties

§233-41 Generally.

Unless another penalty is expressly provided by the Vehicle Code (75 Pa.C.S.A. §101 et seq.) or except as herein specified, every person convicted of a violation of a provision of this chapter, or any supplement thereto, shall be liable to a penalty of twenty-five dollars (\$25.) and costs of prosecution.

ARTICLE VIII
Schedules

§ 233-42. Schedule I: Speed Limits.

In accordance with the provisions of § 233-7, speed limits are hereby established upon the following described streets or parts thereof:

Name of Street	Speed Limit (mph)	Location
Ambler Road	25	From Bannockburn Avenue to Bethlehem Pike
Broad Street	35	Entire length
Camp Hill Road	35	From Susquehanna Road to Virginia Drive
Camp Hill Road	25	From Virginia Drive to Pennsylvania Avenue
Cedar Road	25	From Susquehanna Road and intersection with Lindenwold Terrace
Commerce Drive	35	Entire length
Delaware Avenue	35	Entire length
Dillon Road	35	Entire length
Dreshertown Road	40	From Bluebird Lane to Welsh Road
Fort Washington Avenue	35	Entire length
Highland Avenue	35	Entire length
Jarretstown Road	35	Entire length
Jenkintown Road	40	From North Hills Avenue to Limekiln Pike
Lindenwold Terrace	25	From intersection with Cedar Road to Bethlehem Pike
Loch Alsh Avenue	25	Entire length
Meetinghouse Road	35	Entire length
Pinetown Road	35	Entire length
Twining Road	25	Entire length
Virginia Drive	35	Entire length

§ 233-43. Schedule II: Traffic Control Signals.

In accordance with the provisions of § 233-8, traffic control signals shall be installed and operated at the following described intersections:

Intersection

Bethlehem Pike and Butler Pike
 Bethlehem Pike and Highland Avenue
 Bethlehem Pike and Tennis Avenue
 Butler Pike and Norristown Road
 Butler Pike and Susquehanna Road
 Butler Pike and Welsh Road
 Fitzwatertown Road and Jenkintown Road
 Fitzwatertown Road and Susquehanna Road
 Fort Washington Avenue and Highland Avenue
 Fort Washington Avenue and Meetinghouse Road
 Fort Washington Avenue and Limekiln Pike

Intersection

Limekiln Pike, Dillon Road and Meetinghouse Road
 Limekiln Pike, Dreshertown Road and Virginia Drive
 Limekiln Pike and Susquehanna Road (Westbound)
 Limekiln Pike and Susquehanna Road (Eastbound)
 Limekiln Pike, Twining Road and Jenkintown Road
 Morris Road and Butler Pike
 Norristown Road and Limekiln Pike
 North Hills Avenue and Jenkintown Road
 North Hills Avenue, Fitzwatertown Road and Woodland Road
 Pennsylvania Avenue and Summit Avenue
 Susquehanna Road and Camphill Road
 Susquehanna Road and Fort Washington Avenue
 Susquehanna Road and Pinetown Road (Broad Street)
 Susquehanna Road and Twining Road
 Susquehanna Road and Virginia Drive
 Virginia Drive and Office Center Drive
 Welsh Road and Blair Mill Road (entrance to Prudential Insurance)
 Welsh Road and Computer Avenue (exit from Prudential Insurance)
 Welsh Road and Dreshertown Road
 Welsh Road and Jarrettown Road
 Welsh Road and Kimball Avenue
 Welsh Road and Limekiln Pike
 Welsh Road and Norristown Road
 Welsh Road and Twining Road

§ 233-44. Schedule III: Prohibited Right Turns on Red Signal.

In accordance with the provisions of § 233-9, no person shall make a right turn (or a left turn from a one-way street onto another one-way street) when facing a steady red signal at any of the locations described below:

Name of Street	Direction of Travel	Prohibited Right Turn on Red Signal Onto
Butler Pike	Both	Norristown Road
Butler Pike	North	Susquehanna Road
Dillon Road	Both	Limekiln Pike
Dreshertown Road	South	Limekiln Pike
Fitzwatertown Road	North	Susquehanna Road
Fitzwatertown Road	South	Jenkintown Road
Fort Washington Avenue	Both	Highland Avenue
Fort Washington Avenue	North	Susquehanna Road
Fort Washington Avenue	South	Meetinghouse Road
Highland Avenue	Both	Fort Washington Avenue
Jenkintown Road	Both	North Hills Avenue
Jenkintown Road	North	Twining Road
Limekiln Pike	South	Dillon Road
Limekiln Pike	South	Twining Road
Meetinghouse Road	Both	Dillon Road
Meetinghouse Road	East	Fort Washington Avenue

Name of Street	Direction of Travel	Prohibited Right Turn on Red Signal Onto
Norristown Road	Both	Butler Pike
North Hills Avenue	Both	Jenkintown Road
North Hills Avenue	South	Woodland Avenue
Pinetown Road	North	Susquehanna Road
Susquehanna Road	Both	Fort Washington Avenue
Susquehanna Road	East	Butler Pike
Susquehanna Road	East	Fitzwatertown Road
Susquehanna Road	East	Camp Hill Road
Susquehanna Road	East	Pinetown Road
Susquehanna Road	West	Twining Road
Twining Road	North	Welsh Road
Twining Road	North	Jenkintown Road
Twining Road	South	Susquehanna Road
Virginia Drive	North	Limekiln Pike
Welsh Road	East	Dreshertown Road
Woodland Road	East	Fitzwatertown Road

§ 233-45. Schedule IV: Prohibited Turns at Intersections.

In accordance with the provisions of § 233-10, no driver of any vehicle shall make a turn of the kind designated below at any of the following intersections:

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection of
Camp Hill Road	Both	Left and right	All	Virginia Drive
Peg Street	West	Left	All	Susquehanna Road
Virginia Drive	Both	Left and right	All	Camp Hill Road

§ 233-46. Schedule V: U-Turns.

In accordance with the provisions of § 233-11, no driver of any vehicle shall make a U-turn on any of the streets or parts thereof described below:

Name of Street	Location
	(Reserved)

§ 233-47. Schedule VI: One-Way Streets.

In accordance with the provisions of § 233-12, the following described streets or parts thereof are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction of Travel	Limits
Argyle Avenue	West	From Douglas Street to Bethlehem Pike
Church Street	West	From Bethlehem Pike to South Main Street
Limekiln Pike	East	From Susquehanna Road to a point 500 feet east of Peg Street
Limekiln Pike	South	From Limekiln Pike - northbound - to Susquehanna Road
Peg Street	West	From Limekiln Pike to Susquehanna Road
Randolph	East	From South Main to Ambler Road
Renfrew Avenue	South	From Trinity Avenue to Bannockburn Avenue
Water Tower Road	West	From Susquehanna Road to Office Center Drive

§ 233-48. Schedule VII: No-Passing Zones.

In accordance with the provisions of § 233-13, no-passing zones are hereby established upon the following described streets or parts thereof:

Name of Street	Direction of Travel	Limits
Fitzwatertown Road	Both	From Jenkintown Road to Susquehanna Road
Fort Washington Avenue	Both	From Pennsylvania Avenue to Meetinghouse Road
Jarrettown Road	Both	From Limekiln Pike and Welsh Road
Susquehanna Road	Both	From Limekiln Pike to Twining Road
Susquehanna Road	Both	From Tennis Avenue to Dorsey Place
Twining Road	Both	From Pennsylvania Avenue to Welsh Road
Welsh Road	East	From Brittany Drive to Dresher Road
Welsh Road	East	From Howe Lane to Farmview Road
Welsh Road	East	From Tennis Avenue to Butler Pike

Stop Sign on	Direction of Travel	At Intersection of
Duncan Drive	North	Burn Brie Drive
Duncan Drive	South	Alpin Drive
Dundee Drive	Both	Woodland Road
East Bruce Drive	South	Ayr Lane
East Casals Place	South	Butler Pike
East Fairway Avenue	West	Twining Road
East Ormandy Place	South	North Beecham Drive
Eastview Drive	East	North Hills Avenue
Eastview Drive	West	Fitzwatertown Road
Eastwind Circle	West	Nicole Drive
Edison Drive	North	Bell Lane
Edison Drive	South	Fort Washington Avenue
Ellerslie Avenue	East	Bethlehem Pike
Ellerslie Avenue	West	Ambler Road
Elliger Avenue	Both	Spring Avenue
Elliot Avenue	East	North Hills Avenue
Elon Circle	East	Pinetown Road
Executive Drive	West	Tennis Avenue
Farm Lane	North	Loch Alsh Avenue
Farm Lane	South	Highland Avenue
Farmview Road	North	Welsh Road
Farmview Road	Both	Franklin Lane
Farmview Road	South	Bell Lane
Firethorn Circle	East	Castlewood Drive
Firethorn Circle	East	Castlewood Drive
Fitzwatertown Road	West	Limekiln Pike
Flick Drive	North	Dreshertown Road
Fort Washington Avenue	South	Pennsylvania Avenue
Fort Washington Avenue	Both	Terrace Drive
Fort Washington Avenue	North	Welsh Road
Franklin Lane	East	Fort Washington Avenue
Franklin Lane	Both	Terrace Drive
Friends Lane	South	Meetinghouse Road
Fulton Drive	Both	Limekiln Pike
Fulton Road	North	Fort Washington Avenue
Galway Place	South	Kenmare Drive
Garden Road	North	Valley Road
Garden Road	West	Twining Road
Garrison Drive	North	Tannerie Run Road
Gentleman's Way	West	Broad Street
Girard Avenue	All	Chestnut Avenue
Girard Avenue	South	Pennsylvania Avenue
Glen Burnie Drive	North	Burn Brae Drive
Glenburnie Drive	South	Alpin Drive
Glencoe Avenue	Both	Randolph Avenue
Glencoe Avenue	South	Hartranft Avenue
Glenecho Lane	South	Kirks Lane
Glenn Drive	East	Pembrook Road
Glenn Drive	Both	Whitehouse Road
Goentner Road	West	Kimball Avenue
Goodman Drive	North	Wentz Drive

§ 233-49. Schedule VIII: Through Streets.

In accordance with the provisions of § 233-14, the following described streets or parts thereof are hereby established as through streets:

Name of Street	Limits
	(Reserved)

§ 233-50. Schedule IX: Stop Intersections.

In accordance with the provisions of § 233-15, the following described intersections are hereby established as stop intersections, and stop signs shall be installed as provided therein:

Stop Sign on	Direction of Travel	At Intersection of
Afton Road	West	Twining Road
Aidenn Lair Drive	East	Dreshertown Road
Aidenn Lair Drive	Both	Derry Drive
Aidenn Lair Drive	South	Tralee Drive
Aidenn Lair Drive	West	Jarrettown Road
Aidenn Lair Road	East	Jarrettown Road
Alba Road	East	North Hills Avenue
Alba Road	East	North Hills Avenue
Alba Road	Both	Elliot Avenue
Alpin Drive	West	Dundee Drive
Alpin Drive	East	Fitzwatertown Road
Ambler Road	East	Bethlehem Pike
Ambler Road	North	Bannockburn Avenue
Anbury Lane	East	Jill Road
Anbury Lane	West	Patricia Avenue
Annasmead Road	East	Webster Lane
Annasmead Road	North	Tennis Avenue
Apel Avenue	Both	Orlando Avenue
Apel Avenue	South	Pennsylvania Avenue
Applewood Drive	East	Dreshertown Road
Ardross Avenue	East	Cedar Road
Ardross Avenue	West	Bethlehem Pike
Argyle Avenue	East	Cedar Road
Argyle Avenue	West	Bethlehem Pike
Argyle Avenue	West	Douglas Street
Arran Way	Both	Aidenn Lair Drive
Arrowhead Trail	North	Tennis Avenue
Arrowhead Trail	West	Susquehanna Road
Atkinson Lane	West	Butler Bike
Audubon Drive	Both	Martin Lane
Avenue "H"	Both	Quarry Avenue
Ayr Lane	East	Dundee Drive
Ayr Lane	West	Twining Road

Stop Sign on	Direction of Travel	At Intersection of
Bala Avenue	North	Wischman Avenue
Bala Avenue	South	Pennsylvania Avenue
Bala Avenue	Both	Orlando Avenue
Bannockburn Avenue	East	Bethlehem Pike
Bannockburn Avenue	West	Church Street
Bantry Drive	East	Dreshertown Road
Barton Drive	Both	Pinetown Road
Bauman Drive	West	Dillon Road
Beacon Hill Drive	West	Dreshertown Road
Bell Lane	East	North Spring Hill Road
Bell Lane	Both	Dillon Road
Bell Lane	Both	Fort Washington Avenue
Bell Lane	Both	Limekiln Pike
Bell Lane	Both	Terrace Drive
Bellaire Avenue	Both	Highland Avenue
Benjamin Drive	East	Clinton Drive
Benjamin Drive	North	Executive Drive
Bernard Avenue	Both	Woodland Road
Berrywood Lane	West	Castlewood Drive
Blair Lane	East	Dillon Road
Bluebird Lane	West	Dreshertown Road
Boden Place	West	Madison Avenue
Booth Lane	West	Cedar Road
Brentwood Drive	East	North Hills Avenue
Brentwood Drive	West	Patricia Avenue
Brentwood Drive	Both	Jill Road
Brittany Drive	North	Welsh Road
Broad Street	North	Limekiln Pike
Brookwood Drive	West	Bethlehem Pike
Burn Brae Drive	East	Fitzwatertown Road
Burn Brae Drive	Both	Dundee Drive
Burn Brae Drive	South	East Bruce Drive
Camphill Road	Both	Virginia Drive
Camphill Road	South	Dreshertown Road
Candlebrook Drive	East	Limekiln Pike
Candlebrook Drive	South	Susquehanna Road
Carey Drive	East	Morris Road
Cardinal Drive	North	Thrush Drive
Carmel Place	East	North Spring Hill Road
Carpenter Lane	North	Norristown Road
Castlewood Drive	East	Redgate Road
Castlewood Drive	Both	Nicole Drive
Castlewood Drive	South	Signal Hill Road
Cavan Drive	East	Arran Way
Cavan Drive	West	Derry Drive
Cavendish Drive	South	Meadowbrook Avenue
Cavendish Drive	West	Butler Pike
Cedar Road	North	Susquehanna Road
Chapel Road	North	Eastview Drive
Chaucer Drive	North	Norristown Road
Chelsea Avenue	East	Summit Avenue

Stop Sign on	Direction of Travel	At Intersection of
Chelsea Avenue	South	Chestnut Avenue
Chelsea Avenue	South	Mount Carmel Avenue
Chestnut Avenue	East	Chelsea Avenue
Chestnut Avenue	Both	Logan Avenue
Cheston Lane	West	Tennis Avenue
Church Street	South	Bannockburn Avenue
Cinnamon Circle	South	Susquehanna Road
Cinnamon Drive	East	Camphill Road
Cinnamon Drive	North	Susquehanna Road
Clarrige Drive	East	Brentwood Drive
Clarrige Drive	East	Jill Road
Clemens Avenue	South	Susquehanna Road
Clover Lane	East	Clinton Drive
Clover Lane	West	Executive Drive
College Lane	South	Bell Lane
Comly Court	West	North Spring Hill Road
Commerce Drive	North	Delaware Avenue
Conwell Drive	North	Bell Lane
Cooper Drive	West	Stout Road
Corsley Court	East	South Spring Hill Road
Craig-Y-Nos Avenue	East	Twining Road
Creek Drive	East	Fort Washington Avenue
Creek Drive	North	Highland Avenue
Crestview Drive	East	Dreshertown Road
Crosby Drive	North	Susquehanna Road
Crosby Drive	Both	Pinetown Road
Crystal Valley Way	South	Susquehanna Road
Daisy Lane	North	Welsh Road
Dale Road	East	Jill Road
Dale Road	Both	Patricia Avenue
Dale Road	West	Twining Road
David Drive	North	Susquehanna Road
David Drive	West	Fitzwatertown Road
Dawn Drive	East	North Spring Hill Road
Dawn Drive	West	Holmes Road
Delaware Avenue	West	Pinetown Road
Delaware Avenue	West	Virginia Drive
Denston Drive	Both	Fort Washington Avenue
Denston Drive	Both	Joel Drive
Derry Drive	North	Dublin Road
Derry Drive	West	Kenmare Drive
Devonshire Road	South	Saint George's Road
Devonshire Road	West	Tuckerstown Road
Dillon Road	North	Welsh Road
Dillon Road	Both	Susquehanna Road
Dogwood Drive	West	Butler Pike
Dorsey Place	North	Susquehanna Road
Douglas Street	East	Meadowbrook Avenue
Dreshertown Road	West	Camphill Road
Dublin Road	East	Arran Way
Dublin Road	Both	Jarrettown Road

Stop Sign on	Direction of Travel	At Intersection of
Haddon Place	North	Wallace Drive
Hagues Mill Road	East	Bethlehem Pike
Hagues Mill Road	East	Butler Pike
Harner Drive	East	Butler Pike
Harris Road	South	Kirks Lane
Harris Road	West	Limekiln Pike
Hartranft Avenue	Both	Bellaire Avenue
Hartranft Avenue	Both	Highland Avenue
Hartranft Avenue	North	Madison Avenue
Hartranft Avenue	South	Madison Avenue
Hartranft Avenue	West	Bethlehem Pike
Hartranft Avenue	West	Summit Avenue
Hawthorne Lane	Both	Tressler Drive
Hawthorne Lane	West	Fort Washington Avenue
Heard Drive	South	Jarrettown Road
Heard Drive	West	Pembrook Road
Heller Way	East	Leah Drive
Heller Way	West	Camphill Road
Highland Avenue	East	Camphill Road
Highland Avenue	East & West	Stevens Drive
Hoffman Road	West	Cedar Road
Hoffman Road	West	Loch Alsh Avenue
Holly Hill Lane	East	Jarrettown Road
Holly Hill Lane	West	Waterford Way
Holmes Road	South	Bell Lane
Holmes Road	West	Purdie Lane
Homestead Lane	West	Bethlehem Pike
Honey Run Road	East	Honey Run Road
Honey Run Road	South	Susquehanna Road
Hood Lane	North	Dogwood Drive
Hood Lane	North & South	Norristown Road
Hopegate Drive	East	Pembrook Road
Hopegate Drive	West	South Spring Hill Road
Howe Lane	East & West	Limekiln Pike
Howe Lane	North	Welsh Road
Hutchins Lane	West	Butler Pike
Inverness Avenue	West	Bethlehem Pike
Ironwood Way	East	Westwind Way
Ironwood Way	West	Westwind Way
Isaacs Court	East	South Spring Hill Road
Jackson Avenue	South	Pennsylvania Avenue
Jarrettown Road	West	Limekiln Pike
Jeffrey Drive	East	Twining Road
Jeffrey Drive	West	Limekiln Pike
Jem Drive	West	Tennis Avenue
Jill Road	North	Maple Avenue
Joel Drive	South	Susquehanna Road
Joel Drive	North	Meetinghouse Road
Kane Drive	East	Temple Drive
Kane Drive	West	Butler Pike
Keilsel Lane	East	Dillon Road

Stop Sign on	Direction of Travel	At Intersection of
Kenmare Drive	East	Arran Way
Kenmare Drive	North	Jarrettown Road
Kenyon Drive	Both	Thomas Drive
Kingsway Drive	South	Meadowbrook Avenue
Kirks Lane	North	Aiman Circle
Kirks Lane	West	Limekiln Pike
Lafayette Avenue	North	Wischman Avenue
Lafayette Avenue	Both	Orlando Avenue
Lafayette Avenue	South	Pennsylvania Avenue
Lake Drive	East	Loch Alsh Avenue
Lake Drive	North	Loch Alsh Avenue
Lenape Drive	West	Twining Road
Lexington Drive	South	Jarrettown Road
Limekiln Pike	North	Jenkintown Road
Limerick Lane	West	Dublin Road
Lincoln Avenue	East	Avenue "G"
Lincoln Drive	North	Butler Pike
Lincoln Drive	South	Susquehanna Road
Linden Avenue	North	Beechwood Avenue
Linden Avenue	Both	Chestnut Avenue
Linden Avenue	Both	Walnut Avenue
Linden Avenue	South	Pennsylvania Avenue
Lindenwold Terrace	West	Bethlehem Pike
Loch Alsh Avenue	East	Fort Washington Avenue
Loch Alsh Avenue	Both	Cedar Road
Loch Alsh Avenue	West	Bethlehem Pike
Locust Lane	South	Elliger Avenue
Locust Road	Both	Spring Avenue
Logan Avenue	Both	Chestnut Avenue
Logan Avenue	Both	Walnut Avenue
Logan Avenue	South	Pennsylvania Avenue
Ludwell Drive	Both	Bell Lane
Ludwell Drive	West	Fort Washington Avenue
Madison Avenue	North	Highland Avenue
Madison Avenue	Both	Spring Avenue
Madison Avenue	South	Montgomery Avenue
Malcom Drive	East	Dundee Drive
Manor Place	East	Mill Road
Maple Avenue	East	Willow Avenue
Maple Avenue	North	Jill Road
Martin Lane	East	Limekiln Pike
Maryland Drive	South	New Jersey Drive
Meadowbrook Avenue	East	Cedar Road
Meadowbrook Avenue	West	Butler Pike
Meetinghouse Road	West	Butler Pike
Melissa Drive	North	Farm Lane
Melissa Drive	South	Van Sant Lane
Mill Road	South	Pennsylvania Avenue
Montgomery Avenue	Both	Fort Washington Avenue
Montgomery Avenue	Both	Summit Avenue
Montgomery Avenue	West	Bethlehem Pike

Stop Sign on	Direction of Travel	At Intersection of
Morgan Drive	South	Norristown Road
Morningside Drive	North	Beacon Hill Drive
Mundock Road	East	Limekiln Pike
Mundock Road	South	Susquehanna Road
New Jersey Drive	East	Pinetown Road
New York Drive	East	New Jersey Drive
Nicole Drive	West	Dreshertown Road
North Beecham Drive	East	Stout Road
North Fiedler Drive	East	Stout Road
North Hills Avenue	North	Fitzwatertown Road
Northview Drive	East	North Hills Avenue
Oakwood Drive	North	Signal Hill Road
Orchard Lane	East	Bethlehem Pike
Orchard Lane	West	Ambler Road
Oriole Lane	East	Dreshertown Road
Orlando Avenue	East	Twining Road
Overlook Circle	North	Westwind Way
Patricia Avenue	East	Brentwood Drive
Patrick Court	West	North Spring Hill Road
Pebblewood Drive	West	Twining Road
Peg Street	West	Susquehanna Road
Pembroke Road	North	Brittany Drive
Pembroke Road	West	Dublin Road
Penns Lane	North	Harner Drive
Penns Lane	South	Norristown Road
Pinetown Road	All	Highland Avenue
Pinetown Road	South	Delaware Avenue
Powers Place	South	Timber Lane
Prospect Avenue	Both	Elliger Avenue
Prospect Avenue	Both	Fort Washington Avenue
Prospect Avenue	Both	Madison Avenue
Prospect Avenue	Both	Summit Avenue
Prospect Avenue	West	Bethlehem Pike
Purdie Lane	Both	Dillon Road
Purdie Lane	North	Welsh Road
Quarry Avenue	South	Avenue "G"
Quarry Avenue	West	North Hills Avenue
Randolph Avenue	East	Ambler Road
Randolph Avenue	West	Bethlehem Pike
Rapp Run Road	North	Westwind Way
Rech Avenue	Both	Orlando Avenue
Rech Avenue	South	Pennsylvania Avenue
Redgate Road	West	Eastwind Circle
Renfrew Avenue	North	Highland Avenue
Renfrew Avenue	South	Bannockburn Avenue
Saint George's Road	East	Dreshertown Road
Saint George's Road	West	Tuckerstown Road
Sarah Court	South	Firethorn Circle
Saxon Lane	West	Waterford Way
Schiavone Drive	North	Farm Lane
Schirra Drive	North	Meetinghouse Road

Stop Sign on	Direction of Travel	At Intersection of
Schirra Drive	South	Denston Drive
School Lane	East	North Hills Avenue
Scott Lane	East	Camphill Road
Shalimar Lane	East	Dillon Road
Shaw Drive	West	Tressler Drive
Shepard Drive	West	Limekiln Pike
Sherwood Lane	East	Twining Road
Signal Hill Road	East	Nicole Drive
Slayton Drive	North	Bell Lane
Southwind Way	East	Candlebrook Drive
Southwind Way	South	Candlebrook Drive
Spring Avenue	Both	Elliger Avenue
Spring Avenue	Both	Fort Washington Avenue
Spring Avenue	Both	Summit Avenue
Spring Avenue	West	Bethlehem Pike
Spring Hill Drive	North	Welsh Road
Stevens Drive	South	Highland Avenue
Stevens Drive	West	Vigor Lane
Stout Road	North	Tennis Avenue
Stout Road	South	Butler Pike
Stuart Lane	East	Bethlehem Pike
Stuart Lane	West	Ambler Road
Summit Avenue	East	Chelsea Avenue
Summit Avenue	Both	Linden Avenue
Summit Avenue	North	Highland Avenue
Summit Avenue	West	Linden Avenue
Susquehanna Road	West	Tennis Avenue
Tally-ho Drive	North	Norristown Road
Tally-ho Drive	South	Butler Pike
Tannerie Run Road	East	Schirra Drive
Tannerie Run Road	Both	Fort Washington Avenue
Tannerie Run Road	West	Joel Drive
Temple Drive	North	Bell Lane
Temple Drive	South	Meetinghouse Road
Terrace Drive	North	Welsh Road
Thomas Drive	West	Fort Washington Avenue
Thomas Drive	East	Victor Lane
Thornbury Drive	East	Limekiln Pike
Three Tuns Lane		Tally-Ho Drive
Three Tuns Lane	West	Stout Road
Thrush Drive	East	Audubon Drive
Thrush Drive	West	Oriole Lane
Timber Lane	West	Twining Road
Tralee Drive	West	Kenmare Drive
Travis Lane	East	Dillon Road
Trinity Avenue	South	Highland Avenue
Trinity Place	North	Bannockburn Avenue
Tuckerstown Road	East	Dreshertown Road
Tuckerstown Road	West	Jarrettown Road
Twining Road	North	Valley Road
Twining Road	South	Pennsylvania Avenue

Stop Sign on	Direction of Travel	At Intersection of
Valley Road	South	Golf Road
Valley Road	West	Twining Road
Van Sant Lane	South	Highland Avenue
Vance Drive	West	Jenkintown Road
Villa Drive	East	Farm Lane
Waldheim Drive	East	Penns Lane
Waldheim Drive	West	Clinton Drive
Wallace Drive	East	Stevens Drive
Walnut Avenue	East	Chelsea Avenue
Washington Lane	Both	Spring Avenue
Washington Lane	Both	Montgomery Avenue
Washington Lane	Both	Prospect Avenue
Washington Lane	West	Bethlehem Pike
Water Tower Road	West	Office Center Drive
Waterford Way	West	Brittany Drive
Water Ford Way	South	Brittany Drive
Webster Lane	East	Harner Drive
Webster Lane	North	Welsh Road
Webster Lane	South	Clinton Drive
Weldy Avenue	North	Wischman Avenue
Weldy Avenue	Both	Orlando Avenue
Weldy Avenue	South	Pennsylvania Avenue
Wellsly Road	East	Dreshertown Road
Wentz Drive	East	Pinetown Road
West Bruce Drive	East	Dundee Drive
West Bruce Drive	North	Ayr Lane
West Office Center Drive	East	Office Center Drive
Westwind Way	North	Beacon Hill Drive
Westwind Way	North	Signal Hill Road
Westwind Way	South	Beacon Hill Drive
Whitehouse Road	North	South Spring Hill Road
Whitehouse Road	Both	Dublin Road
Whitehouse Road	West	Dublin Road
Willet Drive	North	Kane Drive
Willow Avenue	East	Kimbal Avenue
Willow Avenue	North	Susquehanna Road
Willow Avenue	West	Bethlehem Pike
Wischman Avenue	East	Garden Road
Wischman Avenue	Both	Twining Road
Woodlyn Avenue	East	North Hills Avenue
Woodlyn Avenue	Both	Jill Road
Woodlyn Avenue	West	Patricia Avenue
Woodrow Avenue/ Avenue "G"	West	North Hills Avenue
Woodside Circle	East	Fitzwatertown Road
Wright Drive	Both	Howe Lane
Wright Drive	South	Bell Lane
Wright Drive	West	Limekiln Pike
Wynnemoor Way	West	Pinetown Road

§ 233-51. Schedule X: Yield Intersections.

In accordance with the provisions of § 233-16, the following described intersections are hereby established as yield intersections, and yield signs shall be installed as follows:

Yield Sign on	Direction of Travel	At Intersection of
Limekiln Pike Office Center Drive	South West	Susquehanna Road Camphill Road

§233-52. Schedule XI: Closing of Certain Streets to Certain Vehicles.

In accordance with the provisions of §233-17, with the exception of vehicles making local deliveries, it shall be unlawful for the owner or operator of any truck, commercial vehicle, tractor, trailer or tractor-trailer combination with a gross vehicle weight in excess of five (5) tons, to operate such vehicle on the following township streets or parts of streets thereof:

Name of Street	Limits
Ayr Lane	Entire length
Camphill Road	Entire length
Cedar Road	From Susquehanna Road to Bethlehem Pike
Dale Road	Entire length
Fort Washington Avenue	From Limekiln Pike to Welsh Avenue
Highland Avenue	From Camphill Road to Trinity Place
Meetinghouse Road	From Limekiln Pike to Butler Avenue
Montgomery Avenue	Entire length
North Hills Avenue	Entire length
Stuart Lane	From Bethlehem Pike to Ambler Road
Twining Road	Entire length
Washington Lane	Entire length

§233-53. Schedule XII: Vehicle Weight Limits.

In accordance with the provisions of §233-18, gross vehicle weight limits are hereby established as indicated for commercial vehicles or other tractor, trailer or tractor-trailer combinations, upon the streets, bridges or portions thereof described below, except for the purpose of making local deliveries on said streets, bridges or portions thereof:

Name of Street or Bridge	Max. Gross Weight (pounds)	Location
Ambler Road	10,000	From Bethlehem Pike to Ellerslie Avenue
Camphill Road	10,000	From Dreshertown Road to Susquehanna Road
Ellerslie Avenue	10,000	From Bethlehem Pike to Ambler Road
Highland Avenue	10,000	From Fort Washington Avenue to Camphill Road
North Hills Avenue	10,000	From Kimball Avenue to Fitzwatertown Road
Orchard Lane	10,000	From Bethlehem Pike to Ambler Road
Pinetown Road	10,000	From Commerce Drive to Susquehanna Road
Stuart Lane	10,000	From Bethlehem Pike to Ambler Road
Twining Road	10,000	From Pennsylvania Avenue to Limekiln Pike

§ 233-54. Schedule XIII: Parking Prohibited at All Times.

In accordance with the provisions of § 233-21, no person shall park a vehicle at any time upon any of the following described streets or parts thereof:

Name of Street	Side	Location
Ambler Road	West	Between Bannockburn Avenue and Randolph Avenue
Argyle Avenue	South	From Douglas Street to Bethlehem Pike
Arran Way	South	From 300 feet west of Cavan Drive to 200 feet east of Cavan Drive
Ayr Lane	South	Between Twining Road and Dundee Drive
Bannockburn Avenue	South	Between Bethlehem Pike and Ambler Road
Bethlehem Pike	East	Between Lindenwold Terrace and Ardross Avenue
Commerce Drive	Both	Entire Length
Delaware Avenue	Both	Entire Length
Dillon Road	Both	From Susquehanna Road to 200 feet north of Keisel Lane
Douglas Street	Both	Between Loch Alsh Avenue and Argyle Avenue

Name of Street	Side	Location
Douglas Street	Both	From Loch Alsh to 200 feet south on Douglas Street
Douglas Street	East	Between Argyle Avenue and Meadowbrook Avenue
Dundee Drive	East	From Burn Brae Drive to Woodland Road
Farm Lane	West	Between Loch Alsh Avenue and Melissa Drive
Fort Washington Avenue	West	From Susquehanna Road to Pennsylvania Avenue
Highland Avenue	West	From Rt. 309 off-ramp to Fort Washington Avenue
Honey Run Road	Both	Entire Length
Limekiln Pike	East	From Jarrettown Road north 200 feet
Loch Alsh Avenue	Both	From Douglas Street to 1,000 feet east on Loch Alsh Avenue
Loch Alsh Avenue	Both	From Douglas Street to Bethlehem Pike
Loch Alsh Avenue	South	Between Lake Drive and Farm Lane
Maryland Drive	Both	Entire Length
Meetinghouse Road	Both	From 200 feet west of Temple Drive to Fort Washington Avenue
Meetinghouse Road	South	From Fort Washington Avenue to 500 feet east on Meetinghouse
Monroe Lane	Both	Entire Length
New Jersey Drive	Both	Entire Length
New York Drive	Both	Entire Length
North Spring Hill Drive	Both	Entire Length
Office Center Drive	Both	Entire Length
Peg Street	Both	Entire Length
Pinetown Road	Both	Between Highland Avenue to 500 feet south of Highland Avenue
Pinetown Road	West	Between New Jersey Drive and 200 feet north of New Jersey Drive
South Spring Hill Drive	Both	Entire Length
Stuart Lane	South	From Bethlehem Pike West 150 feet
Summit Avenue	East	Between Pennsylvania Avenue 200 feet north of Montgomery Avenue
Summit Avenue	East	From Pennsylvania Avenue to 200 feet north of Montgomery Avenue
Summit Avenue	West	From Pennsylvania Avenue to 500 feet north of Pennsylvania Avenue
Susquehanna Road	North	Between Dillon Road and Broad Street

Name of Street	Side	Location
Twining Road	East	Between Jeffrey Drive and 200 feet north
Twining Road	East	Between Limekiln Pike and 200 feet south of Valley Road
Twining Road	West	Between Limekiln Pike and Valley Road
Van Buren Walk	Both	Entire Length
Virginia Drive	Both	Entire Length
Water Tower Road	Both	Entire Length
West Office Center Drive	Both	Entire Length
Wischman Avenue	South	Between Twining Road and Apel Avenue

§ 233-55. Schedule XIV: Parking Prohibited Certain Hours.

In accordance with the provisions of § 233-22, no person shall park a vehicle between the hours specified below of any day, except Saturdays, Sundays and holidays, upon any of the streets or parts thereof described below:

Name of Street	Side	Hours/Days	Location
Joel Drive	Both	8:00 a.m. to 4:00 p.m./ Monday to Friday	From Meetinghouse Road to Tannerie Run Road
Madison Avenue	East	7:00 a.m. to 4:00 p.m./ Monday to Friday	From Prospect Avenue to a point 1,000 feet south thereof
Temple Drive	Both	8:00 a.m. to 8:00 p.m./ Monday to Friday	From Lee Drive to Meetinghouse Road

§ 233-56. Schedule XV: Time Limit Parking.

In accordance with the provisions of § 233-21, no person shall park a vehicle or allow the same to remain parked upon any of the streets or parts thereof described below, between the hours specified, for longer than the time indicated below:

Name of Street	Side	Time Limit; Hours/Days	Location
----------------	------	---------------------------	----------

(Reserved)

§ 233-57. Schedule XVI: Snow Emergency Routes.

In accordance with the provisions of § 233-37, the following streets or parts thereof are hereby designated as snow emergency routes:

Name of Street	Limits
Bethlehem Pike	From Tennis Avenue to Pennsylvania Avenue
Butler Pike	From Bethlehem Pike to Welsh Road
Camphill Road	From Susquehanna Road to Dreshertown Road
Commerce Drive	From Pennsylvania Avenue to New Jersey Drive
Delaware Drive	From Commerce Drive to Virginia Drive
Dillon Road	From Susquehanna Road to Welsh Road
Dreshertown Road	From Limekiln Pike to Springfield Township line
Dreshertown Road	From Limekiln Pike to Welsh Road
Fitzwatertown Road	From Limekiln Pike to North Hills Avenue
Fort Washington Avenue	From Pennsylvania Avenue to Welsh Road
Highland Avenue	From Camphill Road to Bethlehem Pike
Jenkintown Road	From Limekiln Pike to North Hills Avenue
Kimball Avenue	From Welsh Road to North Hills Avenue
Limekiln Pike	From Welsh Road to Summit Avenue
Meetinghouse Road	From Butler Pike to Limekiln Pike
Morris Road	From Whitmarsh Township line to Whitplain Township line
Norristown Road	From Tennis Avenue to Welsh Road
North Hills Avenue	From Fitzwatertown Road to Abington Township line
North Hills Avenue	From Kimball Avenue to Fitzwatertown Road
Pennsylvania Avenue	From Bethlehem Pike to Pennsylvania Turnpike entrance
Pennsylvania Avenue	From Springfield Township line to Chelsea Avenue
Pinetown Road	From Susquehanna Road to New Jersey Drive
Stout Road	From Butler Pike to Tennis Avenue
Susquehanna Road	From Tennis Avenue to Clemens Avenue
Tennis Avenue	From Bethlehem Pike to Welsh Road
Twining Road	From Welsh Road to Valley Road

Name of Street

Limits

Virginia Drive

From Limekiln Pike to Delaware Avenue

Welsh Road

From Tennis Avenue to Kimball Avenue

AN ORDINANCE

NO. 909

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE III, "PARKING REGULATIONS", BY ADDING A NEW SECTION 233-19, "REGULATION OF PARKING ON PUBLIC PROPERTY", TO RESTRICT AND CONTROL THE PARKING OF VEHICLES UPON MUNICIPALLY OWNED OR LEASED PROPERTIES; AND ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES", BY ESTABLISHING A "NO PARKING" REGULATION ON THE SOUTH SIDE OF LOCH ALSH AVENUE, FROM THE EASTERN CORNER OF THE ENTRANCE TO THE UPPER DUBLIN PUBLIC LIBRARY PARKING LOT, EAST FOR A DISTANCE OF 25 FEET; AND ON THE SOUTH SIDE OF LOCH ALSH AVENUE, FROM THE WESTERN CORNER OF THE ENTRANCE TO THE UPPER DUBLIN PUBLIC LIBRARY PARKING LOT, WEST FOR A DISTANCE OF 25 FEET; AND BY ADDING A NEW SECTION 233-58, "PARKING REGULATIONS ON PUBLIC PROPERTY", TO RESTRICT PARKING IN THE MUNICIPAL BUILDING PARKING LOT TO TOWNSHIP EMPLOYEES AND VISITORS ON TOWNSHIP BUSINESS ONLY; AND TO RESTRICT PARKING IN THE UPPER DUBLIN PUBLIC LIBRARY PARKING LOT TO LIBRARY EMPLOYEES AND PATRONS AND TOWNSHIP BUSINESS ONLY.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, "Parking Regulations" shall be amended by adding a new section as follows:

§ 233-19. Regulation of Parking on Public Property.

A. Regulations controlling and restricting the movement and parking of vehicles are hereby established upon the parking lots, parks, playgrounds and other municipally owned or leased properties described in Schedule VIII. Such regulations shall be as listed and designated in said schedule and may include but are not limited to:

(1) Designation of areas where parking is prohibited at all times, prohibited at certain times or limited to certain time periods.

Section 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-54, Parking Prohibited at All Times, shall be amended by adding the following regulations:

§ 233-54. Parking Prohibited at All Times.

In accordance with the provisions of § 233-21, no person shall park a vehicle at any time upon the following described streets or parts thereof:

Name of Street	Side	Location
Loch Alsh Avenue	South	From the eastern corner of the entrance to the Upper Dublin Public Library parking lot, east for a distance of 25 feet
Loch Alsh Avenue	South	From the western corner of the entrance to the Upper Dublin Public Library parking lot, west for a distance of 25 feet

Section 3. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", shall be amended by adding a new section as follows:

§ 233-58. Schedule XVII: Traffic and Parking Regulations on Public Property.

In accordance with the provisions of § 233-19, the movement and parking of vehicles in the parking lots, parks, playgrounds and other municipally owned or leased properties described below are subject to the regulations indicated.

Area/Regulation

Municipal Building

Parking for Township employees and visitors on Township business only in municipal building parking lot

Upper Dublin Public Library

Parking for library employees and patrons and Township business only in Upper Dublin Public Library parking lot

Section 4. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the

intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *14* day of *MAY*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY


H. WILLIAM GIFT, VICE PRESIDENT

AN ORDINANCE

NO. 910

AN ORDINANCE PROVIDING FOR A BENEFIT ASSESSMENT IN THE AMOUNT OF \$9,588.94 TO BE CHARGED TO EACH PROPERTY OWNER BENEFITED NOW OR IN THE FUTURE BY THE CONSTRUCTION AND INSTALLATION OF SANITARY WASTEWATER FACILITIES SERVING PROPERTIES IN THE TOWNSHIP OF UPPER DUBLIN THROUGH A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN ACROSS LIMEKILN PIKE FROM THE WEST SIDE TO THE EAST SIDE AT A POINT ON THE EAST SIDE APPROXIMATELY 350 FEET NORTH OF THE INTERSECTION OF LIMEKILN PIKE AND BELL LANE, AND THEN EXTENDING IN A NORTHERLY DIRECTION ON THE EAST SIDE OF LIMEKILN PIKE, WITH THE TOTAL LENGTH OF THE EXTENSION BEING APPROXIMATELY 440 FEET, AND INCLUDING FOUR LATERALS TO ADJACENT PROPERTIES ON THE EAST SIDE OF LIMEKILN PIKE.

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, pursuant to Ordinance No. 896 enacted by the Board of Commissioners of the Township of Upper Dublin on October 10, 1995, a public sanitary sewer collection line has been constructed and installed extending an existing 8" sanitary sewer main across Limekiln Pike from the west side to the east side at a point on the east side approximately 350 feet north of the intersection of Limekiln Pike and Bell Lane, and then extending in a northerly direction on the east side of Limekiln Pike, with the total length of the extension being approximately 440 feet, and including four laterals to adjacent properties on the east side of Limekiln Pike (hereinafter "the Project"); and

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to assess the charge for any sewer system constructed in the Township upon the properties accommodated or benefited by the sewer system.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, does hereby enact and ordain as follows:

Section 1. The Project has been completed as of April 30, 1996, as certified by the Township Manager and the Director of Public Works.

Section 2. The total cost for the construction and installation of the Project has been determined to be \$38,355.76, in accordance with the Statement of Costs dated April 30, 1996.

Section 3. The Township has determined that the four properties abutting the Project have been presently benefitted by the Project.

Section 4. In accordance with the benefit assessment method

provided for in the First Class Township Code, each of the four properties benefited by the Project will be assessed for a benefit in the total amount of \$9,588.94.

Section 5. The Township Manager is directed to forward Notices of Assessment to each abutting property owner benefited by the Project.

Section 6. The Township Manager is directed to advise each property owner that the Board of Commissioners have agreed to offer an option for the owner to agree to the assessment of benefits and enter into an installment payment agreement with the Township whereby payment of the total assessment amount may be made in twenty (20) quarterly installments over a term of five (5) years.

Section 7. In the event an owner declines to agree to the assessment of benefits, the Township Solicitor is authorized to file a petition for the appointment of a jury of view to assess the benefits and thereafter to collect the entirety thereof from the owner.

Section 8. Nothing in this ordinance shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the Township Code prior to the adoption of this ordinance.

Section 9. The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 10. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED by the Board this 14th day of May, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


H. WILLIAM GIFT, VICE PRESIDENT


FRANCES S. AMEY, SECRETARY

AN ORDINANCE
NO. 911

An ordinance, to amend the Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIV, CR Commercial Retail District, Section 255-94, Class I, to remove the auto body and fender repairs exclusion; to change the existing Class I use of gasoline "filling" station to gasoline "service" station; and to add a new section 255-94 (D), permitting body and fender repairs as a conditional use in Commercial Class I districts in accordance with the conditional use standards in Article XXV.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIV, CR Commercial Retail District, Section 255-94, Class I, shall be amended to provide as follows:

§ 255-94. Class I.

- A. In Class I a building may be erected, altered or used and a lot or premises may be used for any of the following purposes and no other:

* * * * *
* * *

- (2) New automobile sales and service agency, including used car lot and repair shop, adjacent to and in connection therewith.

* * * * *
* * * *

- (6) Gasoline service stations, storage or public garage, or automobile repair shop.

* * * * *
* * * *

- D. The following uses are permitted as a conditional use in Commercial Class I districts, in accordance with the conditional use standards of Article XXV:

- (1) Body and fender repair shops.

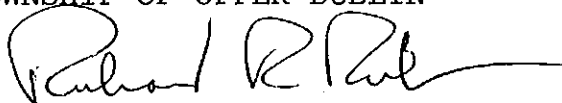
Section 2. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *9th* day of *July*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


RICHARD R. RULON, PRESIDENT

ATTEST:


FRANCES S. AMEY, SECRETARY

ud/ord/autobody.s1g

AN ORDINANCE
NO. 912

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE III, "PARKING REGULATIONS", TO ADD A NEW SECTION TO PROVIDE FOR A PARKING PERMIT PROGRAM AND TO DESIGNATE THAT CURBSIDE PARKING ON THE FOLLOWING STREET SHALL BE SUBJECT TO THE REGULATIONS OF THIS PROGRAM FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 1997: LOCH ALSH AVENUE, NORTH AND SOUTH SIDES, FROM FORT WASHINGTON AVENUE TO THE 309 OVERPASS.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, "Parking Regulations" shall be amended by adding thereto the following section:

ARTICLE III
Parking Regulations

* * * * *

§233-23.1 Parking permit program.

- A. Purpose. The Commissioners of the Township of Upper Dublin deem it to be in the interest of the citizens of the township to provide for the establishment of a parking permit program to ensure primary access to available parking spaces by adjacent property owners as well as to alleviate potentially hazardous traffic conditions and to relieve streets and roads overburdened by traffic.
- B. Definitions. For the purpose of this section, the following terms shall have the following meanings designated for each:

COMMUTER VEHICLE - A motor vehicle parked in a parking permit area by a person who is not the owner of adjacent property.

OWNER - A person who owns or leases real property within a permit parking area and who maintains either a voting address, bona fide occupancy at or ownership of that address, including any individual 18 years of age or older who resides at such property.

PARKING PERMIT - A parking permit authorized by this section.

PERMIT PARKING AREA - A contiguous area containing public highways primarily abutting residential property or residential and

nonbusiness property such as schools, churches, parks and nursing homes.

C. Designation of permit parking areas.

- (1) The Board of Commissioners may designate permit parking areas when it determines that owners in a proposed parking area are adversely affected by entries into the area and curbside parking by nonowners and/or by Township parking regulations. In making this determination the Board shall consider the following:
 - (a) The difficulty experienced by owners in the proposed area to obtain curbside parking for themselves and their invitees reasonably accessible to their residences or properties.
 - (b) The desire of the owners in the proposed permit area for the institution of a permit parking system.
 - (c) The availability of off-street parking facilities for the use of commuter vehicles.
- (2) Permit parking areas enumerated. The following shall be permit parking areas during the times indicated:
 - (a) Until June 30, 1997, parking without a permit shall be unlawful between the hours of 7:00 a.m. and 3:00 p.m., Mondays through Fridays, except on legal holidays on Loch Alsh Avenue, north and south sides, from Fort Washington Avenue to the 309 overpass.

D. Regulations. It shall be unlawful and a violation of this section for a vehicle to park in a designated parking area during the times such parking is prohibited, unless the vehicle displays a parking permit authorized by this section. A parking permit shall only authorize the stopping or standing or parking of a vehicle in a designated permit parking area when posted with official signs.

E. Issuance of permits. The Township Police Department shall issue parking permits to the owners of property adjacent to public streets in a designated parking area for each curbside parking space available and may adopt regulations for the issuance and use of such permits. Any person to whom a permit has been issued who violates any provision of this section or the regulations promulgated hereunder, shall be subject to revocation of such permit.

Section 2. Nothing in this Ordinance or in Section 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights

acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Section 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13th day of August, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


RICHARD R. RULON, PRESIDENT


FRANCES S. AMEY, SECRETARY

ord\parking.dra

AN ORDINANCE
NO. 913

An ordinance, to amend the Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, Parking Regulations, by adding thereto a new Section 233-19, entitled Stopping, standing and parking prohibited, to prohibit stopping, standing or parking a vehicle upon certain designated highways; Article VIII, Schedules, by adding thereto a new Section 233-58, entitled Schedule XVII: Stopping, Standing and Parking Prohibited, to designate the highways on which stopping, standing or parking a vehicle is prohibited; by establishing a "No Stopping, Standing or Parking 8:00 a.m to 4:00 p.m., Monday through Friday" regulation on both sides of Kenmare Drive from Derry Drive, east for a distance of 125 feet; and by establishing a "No Stopping, Standing or Parking 8:00 a.m to 4:00 p.m., Monday through Friday" regulation on both sides of Kenmare Drive from Derry Drive, west for a distance of 125 feet.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, Parking Regulations, Section 233-19, (Reserved), shall be amended to provide as follows:

§233-19. Stopping, standing and parking prohibited.

No person shall stop, stand or park a vehicle at any time, except in accordance with official traffic control devices, upon any of the highway or parts thereof described in Schedule XVII (§ 233-58), provided that vehicles licensed for public transportation shall be permitted to stop at authorized stations.

* * * * *
* * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, shall be amended by adding thereto a new Section 233-58, entitled Schedule XVII: Stopping, Standing and Parking Prohibited, to provide as follows:

§ 233-58. Schedule XVII: Stopping, Standing and Parking Prohibited.

Name of Highway	Side	Hours	Location
Kenmare Drive	Both	8:00 a.m. to 4:00 p.m., Monday through Friday	From Derry Drive east for 125 feet
Kenmare Drive	Both	8:00 a.m. to 4:00 p.m., Monday through Friday	From Derry Drive west for 125 feet

Section 3. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.


Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this day of , 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY
ud/ord/stopstnd.ord


RICHARD R. RULON, PRESIDENT

AN ORDINANCE
NO. 914

An ordinance, to amend the Code of the Township of Upper Dublin, Chapter 195 thereof, entitled Shade Trees, Section 195-6, Planting, maintaining and removal of shade trees, to extend applicability to all persons instead of just property owners; to extend applicability to those wishing to perform maintenance work on shade trees; to allow the Commission to establish a fee for work performed; to require that the Commission approve the manner in which work is performed; to extend applicability to public utilities and other entities occupying the public right-of-way with the permission of a government agency; and to establish that those who cause injury to shade trees are in violation of this section and must pay the cost of either repairing or removal and replacement of injured trees.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 195, entitled Shade Trees, Section 195-6, Planting, maintaining and removal of shade trees, shall be amended to provide as follows:

§195-6. Planting, maintaining and removal of shade trees.

* * * * *
* * * * *

B. Any person who wishes to have a shade tree in the township right-of-way planted, pruned, sprayed or removed, or who wishes to perform maintenance work from within the public right-of-way on that portion of a tree, growing on private property, which extends over the public right-of-way, shall submit a written request to the Director, accompanied by whatever fee the Commission deems necessary and proper as reimbursement for its administrative expenses. The Commission shall investigate the request and advise such person whether it can be carried out and, if so, the manner in which it may be done and whether or not there will be any charge. The provisions of this section shall apply to any public utility lawfully occupying the public right-of-way and to any other entity occupying the public right-of-way with the permission of a government agency.

* * * * *
* * * * *

D. Any person who shall cause injury to a shade tree, whether by cutting, pruning, spraying, climbing, striking or otherwise, shall be liable in damages for the cost of repairing such injury, or, if such injury, in the opinion of the Commission, requires the removal of the shade tree, for the cost of removal and replacement thereof. No person with an approved application who performs maintenance on a shade tree in a manner approved by the Commission, may be held to have violated this section.

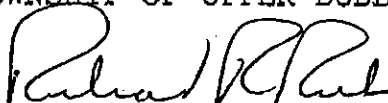
Section 2. Nothing in this Ordinance or in Chapter 195 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 195 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

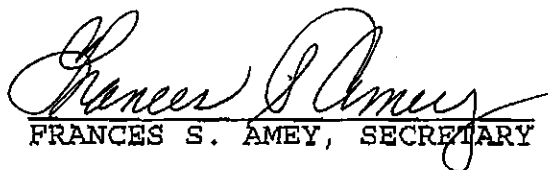
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 3rd day of August, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


RICHARD R. RULON, PRESIDENT

ATTEST:


FRANCES S. AMEY, SECRETARY

AN ORDINANCE
NO. 915

AN ORDINANCE amending the Code of the Township of Upper Dublin, Chapter 255, Zoning, by establishing definitions and regulations for the installation and maintenance of Cellular Communications Antennas in all zoning districts.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, General Provisions, Section 255-7, Definitions, shall be amended by the addition thereto in alphabetical order of the following:

Antenna Height -- The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Antenna Support Structure -- Any pole, telescoping mast, tower, tripod, or any other structure which supports a device used in the transmitting or receiving of radio frequency energy.

Cell Site -- A tract or parcel of land that contains a cellular communication antenna as the principal use, its support structure, accessory building(s), and parking, and may include other uses associated with and ancillary to cellular communication transmission.

Cellular Communication Antenna. Any assemblage of transceiving antennae designed and used solely for the transmission and receipt of telephonic, cellular, computer or similar signals of subscribers to the system.

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article IV, Accessory Buildings, Structures and Uses, shall be amended by the addition of a new Section 255-30.1, Cellular Communications Antennas, to provide as follows:

Section 255-30.1 Cellular Communications Antennas

In recognition of the quasi-public nature of cellular communications systems, the following special regulations shall apply:

A. Purposes

- (1) To accommodate the need for cellular communications antennas while regulating their location and number in the Township.
- (2) To minimize adverse visual effects of cellular communications antennas and antenna support structures through proper design, siting, and vegetative screening.
- (3) To avoid potential damage to adjacent properties from antenna support structure failure and falling ice, through engineering and proper siting of antenna support structures.
- (4) To encourage the joint use of any new antenna support structures, to reduce the number of such structures needed in the future.

B. Use Regulations

- (1) A cell site with antenna that is attached to an existing communications tower, smoke stack, water tower, or any other tall structure, is permitted in any zoning district:
- (2) The height of the antenna shall not exceed the height of the existing structure by more than 15 feet. If the antenna is to be mounted on an existing structure, a full site plan shall not be required.
- (3) A cell site with antenna that is either not mounted on an existing structure, or is more than 15 feet higher than the structure on which it is mounted, is permitted by special exception as follows: on property used for municipal purposes in any zoning district, and in the following designated zoning districts:

.CR-L and CR-I	Commercial
INST	Institutional
LIM	Limited Industrial
OC	Office Center
SC	Shopping Center

- (4) All other uses ancillary to the antenna and associated equipment (including a business office, maintenance depot, vehicle storage, etc.)

are prohibited from the cell site, unless otherwise permitted in the zoning district in which the cell site is located.

C. Standards of Approval of Special Exceptions

- (1) The cellular communications company is required to demonstrate, using technological evidence, that the antenna must go where it is proposed in order to satisfy its function in the company's grid system.
- (2) If the cellular communications company proposes to build a tower (as opposed to mounting the antenna on an existing structure), it is required to demonstrate that it contacted the owners of tall structures within a one-quarter mile radius of the site proposed, asked for permission to install the antenna on those structures, and was denied for reasons other than economic ones. This would include smoke stacks, water towers, tall buildings, antenna support structures of other cellular communications companies, other communications towers (fire, police, etc.), and other tall structures. The Zoning Hearing Board may deny an application to construct a new tower if the applicant has not made a good faith effort to mount the antenna on an existing structure.

D. Standards of Approval of All Cellular Communication Antennas

- (1) **Antenna Height.** The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that is taller than this minimum height shall be approved.
- (2) **Setbacks from base of antenna support structure.** If a new antenna support structure is constructed (as opposed to mounting the antenna on an existing structure), the minimum distances between the base of the support structure or any guy wire anchors and any property line or right-of-way line shall be the largest of the following:
 - (a.) 30 percent of antenna height.
 - (b.) The minimum front yard setback in the underlying zoning district.
 - (c.) 40 feet.
- (3) **Antenna support structure safety.** The applicant shall demonstrate that the proposed antenna and support structure are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice or other debris, electromagnetic fields, or radio frequency

interference. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers.

- (4) **Fencing.** A fence shall be required around the antenna support structure and other equipment, unless the antenna is mounted on an existing structure. The fence shall be 8 feet in height, exclusive of barbed wire protection. In all other respects, the fence shall conform to the provisions of Section 255-24.
- (5) **Landscaping.** The following landscaping shall be required to screen as much of the support structure as possible, the fence surrounding the support structure, and any other ground level features (such as a building), and in general soften the appearance of the cell site. The Township may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing structure, and other equipment is housed inside an existing structure, landscaping shall not be required.
 - (a) An evergreen screen shall be required to surround the site. The screen can be either a hedge (planted 3 feet on center maximum) or a row of evergreen trees (planted 10 feet on center maximum). The evergreen screen shall be a minimum height of 6 feet at planting, and shall grow to a minimum of 15 feet at maturity.
 - (b) In addition, existing vegetation on and round the site shall be preserved to the greatest extent possible.
- (6) In order to reduce the number of antenna support structures in the community in the future, the proposed support structure shall be required to accommodate other users, including other cellular communication companies, and local police, fire and ambulance companies.
- (7) The cellular communications company must demonstrate that it is licensed by the Federal Communications Commission.
- (8) **Required Parking.** If the cell site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift.

- (9) Antenna support structures under 200 feet in height should be painted silver or have a galvanized finish retained, in order to reduce the visual impact. Support structures may be painted green up to the height of nearby trees. Support structures 200 feet in height or taller shall meet all Federal Aviation Administration regulations. No antenna support structure may be artificially lighted except when required by the FAA.
- (10) The applicant shall be required to remove the antenna support structure if use of same is discontinued and removal is requested by the Board of Commissioners.
- (11) A full site plan shall be required for all cell sites, showing the antenna, antenna support structure, building, fencing, buffering, access, and all other requirements of Chapter 212. The site plan shall not be required if the antenna is to be mounted on an existing structure.

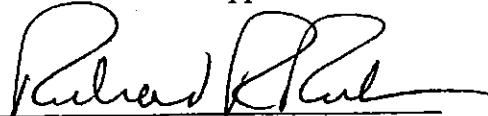
Section 3. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

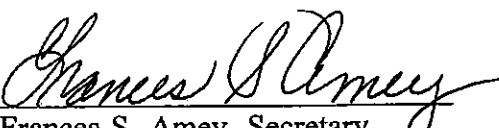
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this *13th* day of *August*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF Upper Dublin


Richard R. Rulon, President

Attest:


Frances S. Amey, Secretary

AN ORDINANCE

NO. 916

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ZONING, SECTION 255-24 "FENCING", TO CLARIFY THE HEIGHT AND LOCATION REQUIREMENTS FOR FENCES WITHIN REQUIRED YARDS; TO PROVIDE THAT THE FINISHED SIDE OF FENCES MUST FACE ADJACENT PROPERTIES; AND TO PROVIDE REQUIREMENTS FOR FENCES IN FRONT YARDS TO BE EQUIPPED WITH OPERABLE GATES TO PROVIDE ACCESS FOR MAINTENANCE.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-24 "Fencing", shall be amended to provide as follows:

Chapter 255

ZONING

* * * * *
* * * * *

§255-24. Fencing.

- A. No fence or wall (except a retaining wall or a wall of a building permitted under this chapter) over six (6) feet in height shall be erected within any of the required side or rear yardsetbacks nor over four (4) feet in height (measured from the sidewalk grade) within the required front yard setback, including any area of overlap with a side or rear yard setback. The front yard setback shall be measured from all street frontages abutting the property, for purposes of this section.
- B. All fences shall be erected with the finished side of the fence facing adjacent properties. The "finished side" shall be considered the side without the structural supporting members.
- C. All fences or walls erected within the front yard setback shall be provided with an operable gate with a minimum width of thirty-six (36) inches to provide access to the area between such fence or wall and the cartway of the abutting street. The property owner is responsible for maintaining this area. There shall be a minimum of one (1) operable gate for each street frontage and at least one (1) operable gate for every five hundred (500) feet of fencing along a street.

Section 2. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *10th* day of *September*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


RICHARD R. RULON, PRESIDENT


FRANCES S. AMEY, SECRETARY

AN ORDINANCE
NO. 917

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 255, ZONING, ARTICLE XXVII, AMENDMENTS, SECTION 255-201, PUBLIC HEARING AND NOTICE, TO CHANGE THE POSTING REQUIREMENTS FOR PROPOSED AMENDMENTS TO THE ZONING ORDINANCE THAT INVOLVE A ZONING MAP CHANGE TO HAVE THE REQUIREMENTS CONFORM WITH THE REQUIREMENTS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

The Board of Commissioners of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 255, thereof, entitled Zoning, Article XXVII, entitled Amendments, Section 255-201, Public Hearing and Notice, shall be amended as follows:

ARTICLE XXVII

Amendments

* * * * *
* * * * *

§255-201. Public hearing and notice.

Before voting on the enactment of an amendment to this chapter, the Board of Commissioners shall hold a public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the township at points deemed sufficient by the township along the tract to notify potentially interested citizens. The affected tract or area should be posted at least one (1) week prior to the date of the hearing.

* * * * *
* * * * *

Section 2. Nothing in this ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as

if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by Law.

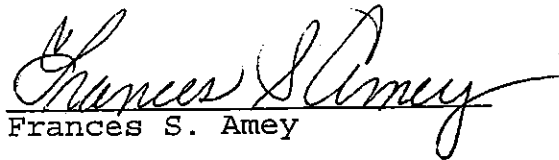
ENACTED AND ORDAINED this 10th day of September, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

BY:


Richard R. Rulon, President


Frances S. Amey

posting.ord

AN ORDINANCE
NO. 918

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ZONING, SECTION 255-135 "REQUIRED SPACES", TO REDUCE THE NUMBER OF REQUIRED PARKING SPACES FOR OFFICE, MANUFACTURING AND RESTAURANT USES.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin Section 255 thereof entitled Zoning, Section 255-135 "Required Spaces", should be amended to provide as followed:

ZONING

Article XIX
Off-Street Parking and Loading

§255-135. Required spaces.

Any building or other structure erected, altered or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with adequate passageways or driveways or other means of circulation and access to and from a street:

* * * * *
* * *

- C. For any of the following uses, required parking spaces shall be all-weather and shall be paved, and such parking spaces shall be located on the same lot therewith except as provided in §255-136 below:

* * * * *
* * *

- (5) Office building or wholesale establishment:

- (a) For any office or wholesale establishment not located in the LIM Limited Industrial District, the following provisions shall apply: one (1) parking space for every two hundred fifty (250) square feet of gross floor area. Up to sixty percent (60%) of this required parking area may be placed in reserve

and left unpaved upon a showing by the owner that such parking area is not required for the use of the building contemplated. Such reserve parking area may not be provided in an area that would not otherwise be usable for parking because of the requirements of this chapter or any other ordinance. The owner will be required to pave such reserve parking area or any part of it upon an inspection by the Zoning Officer showing that the parking area is overburdened and that additional parking area is required.

- (b) For any office or wholesale establishment located in the LIM Limited Industrial District, there shall be one (1) parking space for every two hundred fifty (250) square feet of gross floor area, and the parking spaces shall be provided in compliance with §255-116.
- (6) Restaurant, cafe or tea room: one (1) parking space for every sixty (60) square feet of floor space devoted to patron use.
- (7) Laboratory or industrial establishment:
 - (a) A minimum of one (1) parking space, exclusive of travel lanes, shall be provided for every six hundred twenty-five (625) square feet of gross floor area. Parking areas must comply with the standards of §§255-115B(4) and 255-116G.

Section 2. Nothing in this Ordinance or in Section 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Section 255 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 10th day of *September*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


RICHARD R. RULON, PRESIDENT


FRANCES S. AMEY, SECRETARY

parkord.sig

AN ORDINANCE

NO. 919

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-54, PARKING PROHIBITED AT ALL TIMES, BY ESTABLISHING A "NO PARKING" REGULATION ON THE WEST SIDE OF BETHLEHEM PIKE, FROM WOODLAND AVENUE SOUTH FOR A DISTANCE OF 90 FEET.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-54, Parking Prohibited at All Times, shall be amended to provide as follows:

§ 233-54. Schedule XIII: Parking Prohibited at All Times.

Name of Street	Side	Location
Bethlehem Pike	West	From Woodland Avenue, south for a distance of 90 feet.

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 10th day of September, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY


RICHARD R. RULON, PRESIDENT

AN ORDINANCE

NO. 920

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-54, PARKING PROHIBITED AT ALL TIMES, BY ESTABLISHING A "NO PARKING" REGULATION ON THE NORTH AND SOUTH SIDES OF HAWTHORNE LANE, FROM FORT WASHINGTON AVENUE, EAST FOR 30 FEET; SECTION 233-55, PARKING PROHIBITED CERTAIN HOURS, BY ESTABLISHING A "NO PARKING 7:00 A.M. TO 3:00 P.M., MONDAY TO FRIDAY, FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 1997" REGULATION ON THE SOUTH SIDE OF HAWTHORNE LANE, FROM FORT WASHINGTON AVENUE TO TRESSLER DRIVE;

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-54, Parking Prohibited at All Times, shall be amended to provide as follows:

§ 233-54. Schedule XIII: Parking Prohibited at All Times.

Name of Street	Side	Location
Hawthorne Lane	Both	From Fort Washington Avenue, east for 30 feet.

Section 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-55, Parking Prohibited Certain Hours, shall be amended to provide as follows:

§ 233-55. Schedule XIV: Parking Prohibited Certain Hours.

Name of Street	Side	Hours/Days	Location
Hawthorne Lane	South	7:00 a.m. to 3:00 p.m./ Monday to Friday/ until June 30, 1997	From Fort Washington Avenue to Tressler Drive

Section 3. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *8th* day of *October*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



FRANCES S. AMEY, SECRETARY

g:\ud\ord\vehtraf\nopark2.ord

AN ORDINANCE

NO. 921

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 25, MANAGER, SECTION 25-6, POWERS AND DUTIES, TO AUTHORIZE THE TOWNSHIP MANAGER, ON BEHALF OF THE TOWNSHIP, TO SIGN PLEADINGS AND VERIFICATIONS FOR DOCUMENTS RELATED TO LITIGATION COMMENCED AGAINST THE TOWNSHIP AND TO LITIGATION COMMENCED BY THE TOWNSHIP UNDER THE AUTHORITY OF THE BOARD OF COMMISSIONERS.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 25 thereof, entitled **Manager**, Section 25-6, Powers and duties, shall be amended to provide as follows:

Chapter 25

MANAGER

* * * * *
* * * * *

§ 25-6. Powers and duties.

The Manager shall be the Chief Administrative Officer of the township and shall be responsible to the Board of Commissioners as a whole for the proper and efficient administration of all township business, which shall be vested in the Manager, unless expressly imposed or conferred by statute upon other township officers. Subject to recall by ordinance of the Board of Commissioners, the powers and duties of the Township Manager shall include the following:

* * * * *
* * * * *

R. He shall, on behalf of the Township, sign pleadings and verifications for documents related to litigation commenced against the Township and to litigation commenced by the Township under the authority of the Board of Commissioners.

* * * * *
* * * * *

Section 2. Nothing in this Ordinance or in Chapter 25 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 25 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *8th* day of *October*, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY


RICHARD R. RULON, PRESIDENT

AN ORDINANCE
NO. 922

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-55, PARKING PROHIBITED CERTAIN HOURS, BY ESTABLISHING A "NO PARKING 7:00 A.M. TO 3:00 P.M., MONDAY TO FRIDAY, FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 1997" REGULATION ON THE NORTH SIDE OF HAWTHORNE LANE, FROM FORT WASHINGTON AVENUE TO TRESSLER DRIVE;

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-55, Parking Prohibited Certain Hours, shall be amended to provide as follows:

§ 233-55. Schedule XIV: Parking Prohibited Certain Hours.

Name of Street Side	Hours/Days	Location
Hawthorne Lane North	7:00 a.m. to 3:00 p.m./ Monday to Friday/ until June 30, 1997	From Fort Washington Avenue to Tressler Drive

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

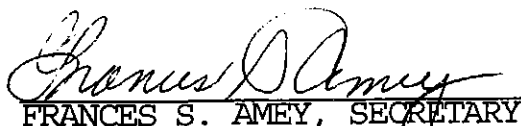
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12th day of November, 1996.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY


RICHARD R. RULON, PRESIDENT

AN ORDINANCE

NO. 923

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-54, PARKING PROHIBITED AT ALL TIMES, BY ESTABLISHING A "NO PARKING" REGULATION ON BOTH SIDES OF BELL LANE, FROM SPRING HILL DRIVE WEST FOR A DISTANCE OF 600 FEET.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-54, Parking Prohibited at All Times, shall be amended to provide as follows:

§ 233-54. Schedule XIII: Parking Prohibited at All Times.

Name of Street	Side	Location
Bell Lane	Both	From Spring Hill Drive, west for a distance of 600 feet.

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

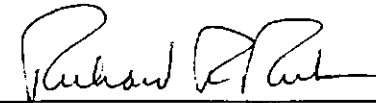
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12th day of November, 1996.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

ATTEST:


FRANCES S. AMEY, SECRETARY


RICHARD R. RULON, PRESIDENT

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1997

ORDINANCE NO. 924

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT, HEREINAFTER SET FORTH, DURING 1997.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1: That for the expenses for the fiscal year 1997 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	\$ 9,325,619
Receipts from Taxes of Prior Years	44,000
Other Revenue and Receipts	<u>5,976,653</u>
TOTAL ESTIMATED RECEIPTS AND CASH	\$15,346,272

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT	
Administration and Finance	\$ 1,011,542
Treasurer and Tax Collector	16,320
Library	419,137
Municipal Buildings	<u>212,055</u>
TOTAL	\$ 1,659,054
PROTECTION TO PERSONS AND PROPERTY	
Police	\$ 2,785,862
Fire	<u>674,246</u>
TOTAL	\$ 3,460,108
SEWER	
Operations	\$ 1,269,088
Treatment	1,557,946
Capital	<u>396,733</u>
TOTAL	\$ 3,223,767
SANITATION	\$ 1,877,399

NON EXPENDABLE TRUST	\$	7,900
HIGHWAY MAINTENANCE	\$	1,850,981
DEBT SERVICE	\$	807,765
CAPITAL PROJECTS		
General Capital		1,034,797
Open Space		<u>294,480</u>
	TOTAL	\$ 1,329,277
PARKS AND RECREATION	\$	826,300
CODE ENFORCEMENT	\$	278,721
COMMUNITY CONTRIBUTIONS	\$	<u>25,000</u>
TOTAL APPROPRIATIONS		\$15,346,272

SECTION 2: An estimate of the specific items making up the amounts appropriated to the respective departments is on file in the office of the Township of Upper Dublin, Montgomery County, Pennsylvania.

SECTION 3: That an ordinance, or part of an ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

SECTION 4: Nothing in this Ordinance shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

SECTION 5: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 1997.

ENACTED AND ORDAINED this 10th day of December 1996.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Richard R. Rulon, President

ATTEST: 
Frances S. Amey, Secretary

ORDINANCE NO. 225

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1997 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 1997 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 1997 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 1997 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 1997 FOR FIRE HYDRANTS, AND ESTABLISHING DISCOUNTS AND PENALTY THEREFOR.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1: Tax Rates for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1997, as follows:

Tax rate for General Purposes, the sum of. 25.51 mils
on each dollar of assessed valuation, or the sum of. 255.1 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for General Purposes	25.51 mils	255.1 cents

SECTION 2: Tax Rate for Debt Service

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1997, as follows:

Tax rate for Debt Service, the sum of. 7.00 mils
on each dollar of assessed valuation, or the sum of. 70.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Debt Service	7.00 mils	70.0 cents

SECTION 3: Tax Rate for Fire Protection

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1997, as follows:

Tax rate for Fire Protection, the sum of 3.00 mils
on each dollar of assessed valuation, or the sum of 30.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Fire Protection	3.00 mils	30.0 cents

SECTION 4: Tax Rate for Parks and Recreation

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1997, as follows:

Tax rate for Parks and Recreation, the sum of 6.40 mils
on each dollar of assessed valuation, or the sum of 64.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Parks and Recreation	6.40 mils	64.0 cents

SECTION 5: Assessment for Fire Hydrants

That the cost and maintenance of fire hydrants for fire protection, with the Fire and Water District of Upper Dublin Township, established by Ordinance No. 543, is hereby distributed by a special assessment for the fiscal year 1997, as follows:

Special assessment for fire hydrants, the sum of35 mils
on each dollar of assessed valuation, or the sum of 3.5 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed <u>Valuation</u>	Cents on Each One Hundred Dollars of Assessed <u>Valuation</u>
Special Assessment for Fire Hydrants	.35 mils	3.5 cents

SECTION 6: Discounts and Penalty

All taxpayers shall be entitled to a discount of two per centum (2%) from the amount of tax levied upon property, upon making payment of amount of such tax within sixty (60) days of the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes charged against them within one hundred twenty (120) days of the date of the tax notice, shall be charged a penalty of ten per centum (10%) of the amount of the tax, which penalty shall be added to the taxes by the tax collector and collected as provided by law.


SECTION 7: Nothing in this Ordinance shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

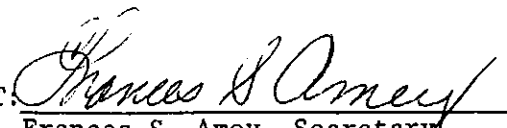
SECTION 8: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 9: This Ordinance shall take effect and be in force from and after January 1, 1997.

ENACTED AND ORDAINED THIS 10th day of December, 1996.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Richard R. Rulon, President

ATTEST: 
Frances S. Amey, Secretary

ORDINANCE NO. 926

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 255, ZONING, SECTION 255-9, ZONING MAP, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED IRREGULAR TRACT OR PARCEL OF APPROXIMATELY 83 LOTS IN THE ELLIGER PARK SECTION OF THE TOWNSHIP OF UPPER DUBLIN, LOCATED (A) ON THE WEST SIDE OF FORT WASHINGTON AVENUE WEST TO INCLUDE LOTS LOCATED ON THE WEST SIDE OF LOCUST ROAD BETWEEN PROSPECT AVENUE AND SPRING AVENUE; (B) ON THE EAST SIDE OF WASHINGTON LANE WEST TO INCLUDE LOTS LOCATED ON THE EAST SIDE OF ELLIGER AVENUE, BETWEEN HARTRANFT AVENUE AND PROSPECT AVENUE; (C) ON THE WEST SIDE OF ELLIGER AVENUE WEST TO INCLUDE LOTS LOCATED ON THE WEST SIDE OF LOCUST ROAD AND FOR A DISTANCE ON THE EAST SIDE OF BETHLEHEM PIKE, BETWEEN SPRING AVENUE AND MONTGOMERY AVENUE; AND (D) ON THE WEST SIDE OF FORT WASHINGTON AVENUE BETWEEN SPRING AVENUE AND THE SOUTH SIDE OF MONTGOMERY AVENUE, TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, INCLUDING 51 LOTS IN TAX BLOCK 30, 10 LOTS IN TAX BLOCK 31, 21 LOTS IN TAX BLOCK 32, AND 1 LOT IN TAX BLOCK 33, FROM "C"-RESIDENTIAL TO "B"-RESIDENTIAL.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled "Zoning", Section 255-9, "Zoning Map", is hereby amended by redesignating and rezoning the following described tract or parcel from "C"-RESIDENTIAL DISTRICT to "B"-RESIDENTIAL:

An irregular tract or parcel of approximately 83 lots in the Elliger Park section of the Township of Upper Dublin, located (a) on the west side of Fort Washington Avenue west to include lots located on the west side of Locust Road between Prospect Avenue and Spring Avenue; (b) on the east side of Washington Lane west to include lots located on the east side of Elliger Avenue, between Hartranft Avenue and Prospect Avenue; (c) on the west side of Elliger Avenue west to include lots located on the west side of Locust Road and for a distance on the east side of Bethlehem Pike, between Spring Avenue and Montgomery Avenue; and (d) on the west side of Fort Washington Avenue between Spring Avenue and the south side of Montgomery Avenue, Township of Upper Dublin, Montgomery County.

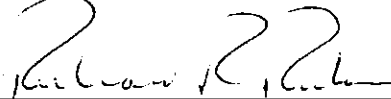
Section 2. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 7th day January, A.D. 1997.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN



Richard R. Rulon, President

ATTEST:



Frances S. Amey, Secretary

AN ORDINANCE
NO. 927

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ZONING, ARTICLE III, GENERAL REGULATIONS, BY DELETING SECTION 255-13 "LOTS OF RECORD" TO ELIMINATE POSSIBLE CONFUSION REGARDING PERMITTED USES FOR LOTS HELD IN SINGLE AND SEPARATE OWNERSHIP AT THE TIME THE TOWNSHIP CODE WAS ENACTED.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article III, General Regulations, shall be amended by deleting Section 255-13 "Lots of Record" in its entirety as follows:

§255-13. Lots of Record.

A lot which is of public record in single and separate ownership at the time of enactment of this chapter may be used for a permitted use in the district in which it is located; provided, however, that the minimum and maximum regulations of the district are met or a variance obtained from the Zoning Hearing Board.

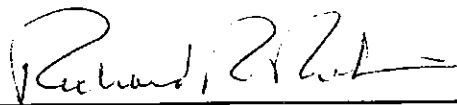
Section 2. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.


ENACTED AND ORDAINED this *7th* day of *January*, 199*7*.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



RICHARD R. RULON, PRESIDENT

ATTEST:



FRANCES S. AMEY, SECRETARY
ud/ord/lots.ord

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN DURING THE YEAR 1997.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

SECTION 1. A workshop of the Commissioners of the Township of Upper Dublin for the year 1997 shall be held on the first Tuesday of each month at 7:00 PM., local time.

SECTION 2. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for the year 1997 shall be held on the second Tuesday of each month unless the same shall be a legal holiday, in which case the meeting will be held on the next regular business day following, at 7:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meeting for the year 1997 shall be held on the third Tuesday of each month at ~~6:30 PM~~ 7:00 PM local time. *RAL*

SECTION 4. The Parks and Recreation/Library Committee meeting for the year 1997 shall be held on the fourth Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Environment and Economic Development Committee meeting for the year 1997 shall be held on the fourth Tuesday of each month at 7:30 PM, local time.

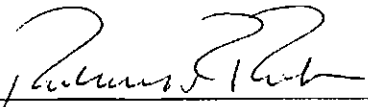
SECTION 6. The public is welcome to attend all meetings, and participation by the public is welcome.

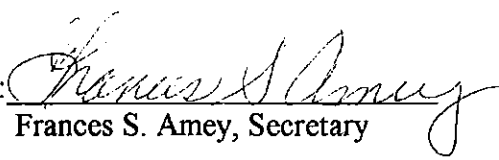
SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 14th day of January, 1997.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP


Richard R. Rulon, President

Attest: 
Frances S. Amey, Secretary

AN ORDINANCE

NO. 929

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 110, FEES, SECTION 110-9, PLUMBING, TO CLARIFY THE PURPOSE OF THE TWENTY DOLLAR (\$20) INSPECTION FEE; AND SECTION 110-10, SEWERS, TO INCREASE THE TAPPING FEE (FORMERLY CALLED "SEWER CONNECTION CHARGE") IN THE UPPER DUBLIN TOWNSHIP SEWER DISTRICT FROM THIRTY-FIVE HUNDRED DOLLARS (\$3,500) TO FIFTY-EIGHT HUNDRED DOLLARS (\$5,800) FOR EACH EQUIVALENT DWELLING UNIT (EDU) OR PORTION THEREOF, EFFECTIVE JULY 1, 1997.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 110, thereof entitled Fees, Section 110-9, Plumbing, shall be amended as follows:

§110-9. Plumbing.

- A. The following fees shall be charged pursuant to Chapter 174, Plumbing:

* * * * *
* * * * *

- (4) Inspection fee for sewer connection, tapping, reinstallation or repair: twenty dollars (\$20).

* * * * *
* * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 110, thereof entitled Fees, Section 110-10, Sewers, shall be amended as follows:

§110-10. Sewers.

In accordance with Chapter 192, Sewers, the following fees shall be charged:

- A. Tapping Fee. There is hereby imposed upon each owner of property within the Upper Dublin Township Sewer District which shall be connected to the sewer system hereafter a tapping fee for each equivalent dwelling unit (EDU) or portion thereof. Any fractional EDU shall be rounded off to the next higher whole EDU. An EDU shall be equal to three hundred fifty (350) gallons of daily wastewater flow as determined by historical wastewater flow records,

or the criteria set forth by the Pennsylvania Department of Environmental Resources Rules and Regulations, whichever is greater. The tapping fee shall be paid upon application for a sewer connection permit and shall be based upon the following schedule:

Type of Part	Tapping Fee per EDU
Capacity Part	\$3,700.00
Collection Part	\$2,100.00
Special Purpose Part	As applicable
Reimbursement Part	As applicable

* * * * *
* * * * *

Section 2. Nothing in this Ordinance or in Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force as of July 1, 1997.

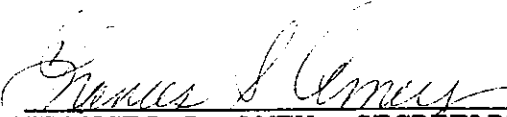
ENACTED AND ORDAINED this 14th day of January, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



FRANCES S. AMEY, SECRETARY

AN ORDINANCE

NO. 930

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN TO INCREASE THE COMPENSATION OF THE TOWNSHIP TREASURER AND TAX COLLECTOR FROM THE PRESENT SUM OF \$7,500 to \$10,000, PLUS REIMBURSEMENT FOR CERTAIN EXPENSES, WITH THE INCREASE TO BECOME EFFECTIVE ON JANUARY 1, 1998.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain as follows:

Section 1. The compensation of the Treasurer and Tax Collector of the Township of Upper Dublin shall be increased to the sum of \$10,000 as of January 1, 1998. In addition, the Treasurer and Tax Collector shall be reimbursed for computer and printing expenses in generating tax bills in an amount not to exceed \$5000 annually.

Section 2. The provisions of this Ordinance are severable, and if any section, sentence, clause, part of provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 3. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or liability incurred or any permit issued, or any cause or causes of action existing prior to the adoption of this Ordinance.

Section 4. This Ordinance shall take effect and be enforced from and after its enactment as required by law.

ENACTED by the Board of Commissioners of the Township of Upper Dublin at a public meeting on the eleventh day of February, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

BY: Richard R. Rulon
Richard R. Rulon, President

BY: Frances S. Amey
Frances S. Amey, Secretary

ord\taxcoll.ord
February 6, 1997

AN ORDINANCE

NO. 931

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 28, MUNICIPAL CLAIMS, BY ADDING A NEW SECTION 28-2, ENTITLED ATTORNEY'S FEE SCHEDULE, TO ESTABLISH A FEE SCHEDULE FOR THE IMPOSITION AND RECOVERY OF REASONABLE ATTORNEY'S FEES INCURRED BY THE TOWNSHIP FOR ITS REPRESENTATION IN COLLECTION OF ANY DELINQUENT MUNICIPAL ACCOUNT OR CLAIM AS PROVIDED FOR IN SECTION 3(a) OF THE ACT OF MAY 16, 1923 (P.L. 207, NO. 153), REFERRED TO AS THE MUNICIPAL CLAIM AND TAX LIEN LAW, AS AMENDED, AND TO ESTABLISH A PROCEDURE FOR THE IMPOSITION AND COLLECTION THEREOF.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 28, thereof entitled Municipal Claims, shall be amended as follows:

§28-2. Fee Schedule.

- A. When authorized by statute, the attorney's fees collected by the Township in conjunction with the litigation or the collection of delinquent accounts shall be charged at the hourly rate approved by the Board of Commissioners from time to time for litigation services rendered by such attorney, or his or her law firm.
- B. Municipal Claim. For purposes of this Ordinance, the term "municipal claim" shall mean any claim identified, defined, prescribed or provided for in the Municipal Claim and Tax Lien Law, as amended.
- C. Procedure for Collection.
 1. At least thirty (30) days prior to assessing or imposing attorney's fees in connection with the collection of a delinquent account, the Township shall, by United States Certified Mail, Return Receipt Requested, Postage Prepaid, mail to the property owner the Notice required by this subsection.
 2. If within thirty (30) days of mailing the Notice in accordance with subsection 1, the Certified Mail is refused or unclaimed or the Return Receipt is not received, then at least ten (10) days prior to assessing or imposing attorney's fees in connection

with the collection of a delinquent account, the Township shall, by United States First Class Mail, mail to the property owner the Notice required by this subsection.

3. The Notice required by this subsection shall be mailed to the property owner's last known post office address by virtue of the knowledge and information possessed by the Township and by the office in Montgomery County responsible for assessments and revisions of taxes. It shall be the duty of the Township to determine the owner's last post office address known to said Collector and County Assessment Office.
4. The Notice to the property owner shall include the following:
 - a. A statement of the Township's intent to impose or assess attorney's fees within thirty (30) days of mailing the notice pursuant to subsection 1, or within ten (10) days of mailing the Notice pursuant to subsection 2.
 - b. The manner in which the imposition or assessment of attorney's fees may be avoided by payment of the delinquent account.
5. If the municipal claim is not paid in full within thirty (30) days of mailing the Notice (or within thirty (30) days after mailing the second Notice if required as outlined above), the township shall proceed to collect the municipal claim by judicial proceedings as provided by law.

Section 2. Nothing in this Ordinance or in Chapter 28 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 28 prior to the adoption of this amendment.

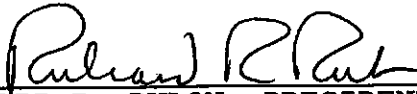
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this day of , 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



RICHARD R. RULON, PRESIDENT



FRANCES S. AMEY, SECRETARY

g:\ud\ord\attyfee.ord

ORDINANCE NO. 932

AN ORDINANCE AUTHORIZING THE PARTICIPATION OF UPPER DUBLIN TOWNSHIP IN THE DELAWARE VALLEY INSURANCE TRUST FOR THE PURPOSE OF POOLING LIABILITY RISKS WITH OTHER MUNICIPALITIES IN ACCORDANCE WITH THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT AND THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW.

The Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, does hereby ENACT and ORDAIN as follows:

Section 1. That the President and Secretary of the Township Board of Commissioners are hereby authorized to execute the agreement listed below and any other agreements necessary for the participation of Upper Dublin Township in the Delaware Valley Insurance Trust.

1. Delaware Valley Insurance Trust Agreement (hereinafter referred to as the "Trust Agreement", a copy of which is attached as Exhibit "A").

The documents attached hereto as exhibits are on file for inspection and review at the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, PA 19034. These documents may be subsequently modified or amended but in no event shall such amendments or modifications materially adversely affect the right of Upper Dublin Township to participate in the Delaware Valley Insurance Trust.

Section 2. That participation of Upper Dublin Township in the Delaware Valley Insurance Trust is authorized for the following purposes:

1. To provide adequate and affordable insurance coverage to each participating municipality at the lowest possible cost by the pooling or sharing of certain liability risks;
2. To reduce the amount and frequency of losses incurred by each participating municipality covered under the Trust Coverage Document, which is attached hereto as Exhibit "B";
3. To minimize costs incurred by participating municipalities in the handling and litigation of claims; and
4. To protect each participating municipality from the volatility and high premiums of the commercial insurance markets.

Section 3. As set forth in the Trust Agreement, the following conditions apply to the participation of Upper Dublin Township in the Delaware Valley Insurance Trust:

1. That each participating municipality meets the admission and eligibility requirements set forth therein;
2. That each participating municipality agrees to pay all annual premiums, contributions and assessments when due as provided in the Trust Agreement;
3. That each participating municipality uses its best efforts to provide appropriations for the payment of any contributions, premiums, and assessments required by the Trust;
4. That each participating municipality institute any and all safety regulations, loss prevention measures, or risk management procedures as may be required for the purpose of minimizing or eliminating hazards or risks that could contribute to losses;
5. That each participating municipality cooperate fully with the Trust's service and fiscal agents, attorneys, claims adjusters and any other agents or employees of the Trust with respect to the investigation, defense and settlement of claims;
6. That each participating municipality designate a contact person to be responsible for all contacts with the Trust;
7. That each participating municipality provide any information to the Administrator or Board of Trustees as may be required to effect the purpose and objectives of the Trust.

Section 4. That Upper Dublin Township agrees to participate in the Trust for a minimum period of two (2) years and thereafter may withdraw under the following conditions, subject to the right of arbitration, under the Trust Agreement:

1. An opinion is rendered by the Trust certified actuary that withdrawal will not result in the number of Participants falling below the minimum required to assure the fiscal and actuarial soundness of the Trust itself;

2. That the withdrawing municipality is not then in default of its obligation to pay premiums, contributions or assessments;
3. That the withdrawing municipality shall pay the full amount of a termination premium, as determined by the Board of Trustees in accordance with the Trust Agreement and By-Laws; and
4. That the Board of Trustees shall have received a certification from the Trust actuary that the withdrawal of the municipality will not reduce the actuarial soundness of the Trust and, if any municipal debt has been incurred by the participants to finance any portion of the Trust reserves, an opinion is obtained from bond counsel that such withdrawal will not adversely affect the tax-exempt status of any interest paid and any debt incurred by the participating municipalities or any legal entity created for the purpose of incurring such debt.

Section 5. The effective date of the participation of Upper Dublin Township in the Delaware Valley Insurance Trust will be no later than April 1, 1997.

Section 6. Each participating municipality delegates to the Board of Trustees of the Delaware Valley Insurance Trust the powers enumerated in the Trust Agreement.

Section 7. As set forth in the Trust Coverage Document, Upper Dublin Township shall be provided coverage for the following liability risks:

1. Comprehensive General Liability;
2. Crime Coverage;
3. Uninsured and Underinsured Motorist Coverage;
4. Police Professional/Law Enforcement Liability;
5. Public Officials Liability; and
6. Property Coverage.

Section 8. All contributions, premiums and assessments paid by Upper Dublin Township shall be made with funds appropriated by Upper Dublin Township for that purpose. If permitted under state and federal law, Upper Dublin Township may incur debt for the purpose of financing any excess insurance coverage, as set forth in the Trust Agreement.

Section 9. The organizational structure of the Trust shall consist of a Board of Trustees, an administrator, a claims administrator/loss control consultant and various service agents appointed by the Board of Trustees in accordance with the Trust Agreement.

Section 10. As set forth in the Trust Agreement the funds required for the operation of the Trust shall be provided by the participating municipalities through annual appropriations.

Section 11. The Delaware Valley Insurance Trust is empowered to enter into contracts for policies of group insurance and employee benefits, including social security for any of its employees.

Section 12. As a condition of participating in the Delaware Valley Insurance Trust, Upper Dublin Township agrees to the following:

1. That it will make its initial contribution upon admission to the Trust for creation of the restricted surplus fund needed to protect participating municipalities against potentially catastrophic losses;
2. That it will timely pay all annual premiums and assessments as may be required by the Board of Trustees;
3. That it will appoint a representative to sit on the Board of Trustees and designate a contact person for the purpose of communicating with the Trust or its representatives;
4. That it will agree not to withdraw from the Trust for a period of two (2) years following its admission to the Trust;
5. That it may withdraw from the Trust only upon satisfaction of the conditions set forth in the Trust Agreement;
6. That it agrees to perform all covenants contained in the Participation and Trust Agreements and delegate to the Board of Trustees the powers enumerated in the Trust Agreement;
7. That it will comply with all the conditions set forth in the Trust Coverage Document governing the handling of claims, including the defense and settlement thereof;

8. That it will appropriate the funds needed to pay all contributions, premiums and assessments as may be required by the Board of Trustees and in accordance with the Trust Agreement; and
9. That it will cooperate with the Trust, its agents or employees and provide the Trust with all information it needs for the operation of the Trust, including any underwriting or the claims data which may be requested by the Board of Trustees or their designee.

Section 13. This Ordinance is being enacted pursuant to the provisions of Intergovernmental Cooperation Law, Act of July 12, 1972, No. 180, as amended, 53 P.S. §481, et seq.

Section 14. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the Upper Dublin Township Code or other Township Ordinances prior to the adoption of this Ordinance.

Section 15. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.


Section 16. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 11th day of March 1997.

UPPER DUBLIN TOWNSHIP

BY: 
Richard R. Rulon, President

ATTEST:


Frances S. Amey, Secretary
ud\ord\dvstrust.ord

ORDINANCE

NO. 933

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 212, SUBDIVISION AND LAND DEVELOPMENT, ARTICLE VI, "PLAN SUBMISSION REQUIREMENTS AND PROCESSING PROCEDURES", SECTION 212-48 TO INCREASE THE NUMBER OF FINAL PLANS TO BE SUBMITTED TO THE TOWNSHIP UPON APPROVAL, FROM TWO TO THREE PAPER COPIES.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN AS FOLLOWS:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article VI, "Plan Submission Requirements and Processing Procedures", Section 212-48 "Plan Recording", shall be amended as follows:

§212-48. Plan Recording.

Upon approval of a final plan of subdivision or land development, five (5) copies of the record plan, two (2) cloth copies and three (3) paper copies, shall be submitted to the Township Manager or Secretary for signatures and seal. Within ninety (90) days of such final approval, the plan shall be recorded in the Office of the Recorder of Deeds, Norristown, Pennsylvania. One (1) cloth print shall be returned to the township bearing the review stamp of the Montgomery County Planning Commission and the deed book and page number in which it is recorded.

Section 2. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

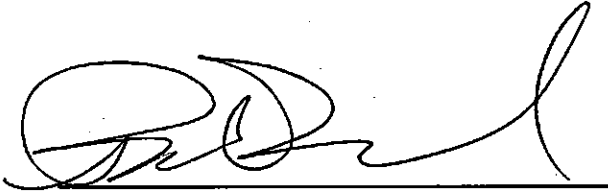
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this ^{8th} day of *April*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY


RICHARD R. RULON, PRESIDENT

plansub.sig

AN ORDINANCE
NO. 934

An ordinance to amend the Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article II, Terminology, Section 212-5, "Definitions", Article IV, Design Standards, Section 212-33, "Reserve strips; rights-of-way and/or easements; deeds", to establish that building setback lines shall be measured from the nearest side of the street right-of-way or at the discretion of the Township Engineer, from easement lines.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article II, **Terminology**, Section 212-5, "Definitions", shall be amended as follows:

* * * * *
* * *

EASEMENT - A right-of-way or other right granted by a property owner for the use of a designated part of his/her property for public, quasi-public, or private purposes, including but not limited to utilities, drainageways, natural or scenic area protection, and access.

* * * * *
* * *

Section 2. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, Section 212-33, "Reserve strips; rights-of-way and/or easements; deeds", shall be amended to provide as follows:

§ 212-33. Reserve strips; rights-of-way and/or easements; deeds.

* * * * *
* * * *

B. Rights-of-way and/or easements for sanitary utilities, road construction or maintenance or for drainage purposes, public utilities or for any specific purpose shall be required by the Board of Commissioners as needed, the location and width in each case to be as determined by the governing body.

- (1) Where a right-of-way exists to be used as a street, building setback lines shall be measured from the nearest side of the ultimate street right-of-way. In certain circumstances, where non-street rights-of-way or easements exist, the Township Engineer in his sole discretion may require that building set back lines be measured from the nearest side of said right-of-way or said easement.

Section 3. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.


Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *9th* day of *April*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



RICHARD R. RULON, PRESIDENT

UD\ORD\21233.sig

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

ORDINANCE NO. 935

AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE TOWNSHIP BY THE ISSUANCE OF \$2,085,000 AGGREGATE PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS, SERIES OF 1997, TO FINANCE VARIOUS CAPITAL IMPROVEMENT PROJECTS AS DESCRIBED HEREIN, TO CAPITALIZE A PORTION OF THE INTEREST ON THE BONDS AND TO PAY THE COSTS OF ISSUING THE 1997 BONDS; AUTHORIZING THE PREPARATION OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE PROMPT AND FULL PAYMENT OF THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS; SETTING FORTH THE STATED PRINCIPAL MATURITY DATES AND AMOUNTS, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT; FINDING THAT A PRIVATE NEGOTIATED SALE IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; AUTHORIZING THE PROPER TOWNSHIP OFFICERS TO CONTRACT FOR THE SERVICES OF A PAYING AGENT, SINKING FUND DEPOSITARY AND BOND REGISTRAR; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township of Upper Dublin (the "Township") is a township of the first class, governed by the First Class Township Code of the Commonwealth of Pennsylvania, Act of June 24, 1931, (P.L. 1206), as amended and reenacted by Act of May 27, 1949 (P.L. 1955), as amended; and

WHEREAS, the Township has determined to finance various capital improvement projects described in Exhibit A attached to this Ordinance and made a part hereof (collectively, the "Improvements"); and

WHEREAS, the Township is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, approved July 12, 1972, Act No. 185, as codified by Act 177 of 1996, approved December 19, 1996 P.L. 1158 (the "Act"), to incur indebtedness and to issue bonds to finance the Improvements; and

WHEREAS, the Township proposes to issue \$2,085,000 principal amount of its General Obligation Bonds, Series of 1997 (the "Bonds"), the proceeds of which shall be used for the purpose of financing the costs of the Improvements, capitalizing a portion of the interest on the Bonds and paying the costs and expenses of issuing the Bonds; and

WHEREAS, the Township has determined that it is in the best financial interest of the Township to sell the Bonds at a private negotiated sale, and has received a proposal for the purchase of the Bonds which it desires to accept.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Upper Dublin and IT IS HEREBY ORDAINED, as follows:

1. Authorization of Improvements. The Township hereby approves the Improvements described in Exhibit A to this Ordinance. The Township shall incur indebtedness, pursuant to the Act, in the aggregate principal amount of \$2,085,000 for the purpose of providing funds for and toward the costs of the Improvements, capitalizing a portion of the interest on the Bonds and paying the expenses of the financing. It is determined that it is necessary to capitalize interest on the Bonds for a period of eighteen (18) months and that such period does not extend beyond the estimated completion date of the Improvements plus one (1) year thereafter.

It is hereby determined and declared that the estimated useful lives of the individual components of the Improvements are as set forth in Exhibit A attached to this Ordinance and made a part hereof and that the Township has obtained realistic estimates of the costs of the individual components of the Improvements, determined through bid prices or estimates from persons qualified by experience to provide such estimates, as set forth in Exhibit A to this Ordinance.

It is hereby determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 602 of the Act taking into account the estimated useful lives of the individual components of the Improvements.

The Township hereby reserves the right to undertake the individual components of the Improvements in such order and at such time or times as it shall determine and to allocate a portion of the proceeds of the Bonds and other available moneys to the final costs of the projects in such amounts and order of priority as it shall determine; but the proceeds of the Bonds shall be used solely to pay "costs", as defined in the Act, of the Improvements or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness.

2. Issuance of Bonds. The Township shall issue, pursuant to this Ordinance, \$2,085,000 aggregate principal amount General Obligation Bonds, Series of 1997 to finance the costs of the Improvements and to capitalize a portion of the interest on the Bonds as provided in Section 1 hereof.

3. Type of Indebtedness. The indebtedness authorized by this Ordinance is nonelectoral debt.

4. Execution of Debt Statement, Bonds and Other Documents. The President or Vice President of the Board of Commissioners and the Township Secretary or Assistant Secretary and their successors are hereby authorized to prepare and verify the Debt Statement required by Section 410 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in order to effect the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance.

5. Type of Bonds. The Bonds when issued will be general obligation bonds.

6. Covenant to Pay Debt Service - Pledge of Taxing Power. It is hereby determined and stated that interest on the Bonds payable on November 1, 1997 and May 1 and November 1, 1998 is being capitalized and shall be paid from the proceeds of the Bonds, and that no principal of the Bonds is payable until May 1, 1999. The Township hereby covenants with the registered owners of the Bonds: (a) that the Township will include in its budget for each year commencing with the fiscal year ending December 31, 1999, the amount of the debt service on the Bonds which will be payable in each such fiscal year so long as the Bonds shall remain outstanding; (b) that the Township shall appropriate such amounts to the payment of such debt service; and (c) that the Township shall duly and punctually pay or cause to be paid from the sinking fund hereinafter created the principal of the Bonds and the interest thereon on the dates and at the place and in the manner stated in the Bonds according to the true intent and meaning thereof. For such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenants are those set forth in Exhibit B attached hereto and made a part hereof which are hereby incorporated in the foregoing covenant with the same effect as if the same were specified in the text of such covenant.

7. Form of Bonds. The Bonds shall be substantially in the following form with appropriate omissions, insertions and variations:

(FORM OF BOND)

(BOND TEXT - FACE OF BOND)

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

GENERAL OBLIGATION BOND, Series of 1997

No. R-

\$ _____

Interest Rate

Maturity Date

Dated Date

CUSIP

May 1, 1997

REGISTERED OWNER:

PRINCIPAL SUM:

DOLLARS

The Township of Upper Dublin, Montgomery County, Pennsylvania (the "Township"), a municipal corporation of the Commonwealth of Pennsylvania, for value received, hereby promises to pay to the registered owner hereof on the maturity date set forth above the principal sum set forth above, unless this Bond shall have been called for redemption and payment of the redemption price shall have been duly made or provided for, and to pay interest thereon initially on November 1, 1997 and semiannually thereafter on May 1 and November 1 of each year (each, an "Interest Payment Date"), at the annual rate specified above, calculated on the basis of a 360-day year of twelve 30-day months until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or duly provided for or, if no interest has been paid, from May 1, 1997. The principal of this Bond is payable upon presentation and surrender hereof at the principal corporate trust office of PNC Bank, National Association, in Pittsburgh, Pennsylvania (the "Paying Agent"). Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the fifteenth (15th) day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular

Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and payment date shall be given by first class mail to the registered owners of the Bonds not less than fifteen (15) days prior to the Special Record Date. The principal of and interest on this Bond are payable in lawful money of the United States of America.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS BOND SET FORTH ON THE REVERSE HEREOF, WHICH PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HEREIN.

IN WITNESS WHEREOF, the Township of Upper Dublin, Montgomery County, Pennsylvania has caused this Bond to be signed in its name and on its behalf by the facsimile signature of the President or Vice President of its Board of Commissioners and a facsimile impression of its corporate seal to be hereunto affixed, duly attested by the facsimile signature of its Secretary or Assistant Secretary.

TOWNSHIP OF UPPER DUBLIN

BY: _____ (facsimile signature)
(Vice) President of Board of
Commissioners

Attest: _____ (facsimile signature)
(Assistant) Secretary

(SEAL)

(FORM OF AUTHENTICATION CERTIFICATE)

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series of 1997, described in the within mentioned Ordinance.

The Text of Opinion printed hereon is the text of opinion of Saul, Ewing, Remick & Saul on file with the undersigned, which was dated and delivered on the date of delivery of and payment for the Bonds.

DATE OF AUTHENTICATION:

PNC BANK, NATIONAL
ASSOCIATION,
Paying Agent

By: _____
Authorized Signer

(BOND TEXT - BACK OF BOND)

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 1997, of the Township in the aggregate principal amount of \$2,085,000 (the "Bonds"), issued in fully registered form in the denomination of \$5,000 or any whole multiple thereof, all of like date and tenor, except as to dates of maturity, rates of interest and provisions for redemption, and all issued in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, approved July 12, 1972, Act No. 185, as codified by Act 177 of 1996, approved December 19, 1996 P.L. 1158 (the "Act"), and pursuant to an ordinance of the Board of Commissioners of the Township duly enacted on April 8, 1997 (the "Ordinance"). The Bonds are issued to provide funds for and towards the cost of the capital improvements described in the Ordinance, capitalizing a portion of the interest on the Bonds and paying the costs of issuing the Bonds.

Under the laws of the Commonwealth of Pennsylvania, this Bond, and the interest thereon shall at all times be free from taxation within the Commonwealth of Pennsylvania, but this exemption does not extend to gift, estate, succession or inheritance taxes or any other taxes not levied or assessed directly on this Bond or the interest thereon. Profits, gains or income derived from the sale, exchange, or other disposition of this Bond are subject to state and local taxation.

The Bonds maturing on and after May 1, 2003 are subject to redemption prior to maturity at the option of the Township on May 1, 2002 or any date thereafter, as a whole or from time to time in part, in such order or portion of each maturity as may be designated by the Township and within a maturity by lot, upon payment of a redemption price of 100% of principal amount, together with accrued interest to the date fixed for redemption.

The Bonds stated to mature on May 1, 2010 (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by the Township by lot from moneys to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from moneys deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said moneys by the Township as permitted under the Ordinance) on May 1, 2009 and in the principal amount of \$195,000, or such lesser principal amounts as shall at the time represent all Term Bonds which shall then be outstanding.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent, together with a duly executed instrument

of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption and upon deposit with the Paying Agent of funds sufficient for payment of the principal and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit or security under the Ordinance, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first-class mail, postage prepaid, mailed by the Paying Agent not less than 30 days nor more than 60 days before the redemption date to the registered owners of Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be mailed to The Bond Buyer, or if no longer published, to such substitute financial journal as shall be acceptable to the Paying Agent. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the principal corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for the redemption of other Bonds so called for redemption.

With respect to any optional redemption of the Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent moneys sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

The Bonds are transferable by the owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender at the principal corporate trust office of the Paying Agent, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required:

(i) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifth (5th) day next preceding the day on which notice of redemption is to be given and ending at the close of business on the day on which such notice is given, or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

The Township and the Paying Agent may treat the person in whose name this Bond is registered on the Bond register maintained by the Paying Agent as the absolute owner of this Bond for all purposes and neither the Township nor the Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any member, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or through any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday or a day on which banking institutions in the Commonwealth of Pennsylvania are authorized by law to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania for the Township to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth of Pennsylvania; that the Township has established a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the Township are hereby irrevocably pledged.

This Bond shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent by execution of the certificate endorsed hereon.

ASSIGNMENT AND TRANSFER

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF ASSIGNEE

_____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

_____ attorney
to transfer said Bond on the books of the within named Paying Agent, with full power of
substitution in the premises.

Dated:

Signature Guaranteed by:

(Bank, Trust Company or Firm)

NOTICE: The signature to this
Assignment must correspond
with the name as it appears
upon the face of the within
Bond in every particular,
without alteration or enlarge-
ment or any change
whatever.

(Authorized Signature)

[END OF BOND FORM]

8. Terms of Bonds. The Bonds shall be issued in fully registered form, in denominations of \$5,000 or whole multiples thereof, shall be dated May 1, 1997, shall bear interest from such date payable initially on November 1, 1997 and semiannually thereafter on May 1 and November 1 of each year until maturity or the date fixed for redemption, at the annual rates and shall mature on May 1 of the years as set forth in the Bond Amortization Schedule attached hereto as Exhibit B and made a part hereof.

The principal of the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of PNC Bank, National Association, in Pittsburgh, Pennsylvania, which is hereby appointed paying agent, registrar and sinking fund depository for the Bonds. Interest on the Bonds shall be payable in the manner provided in the form of Bond set forth above.

9. Redemption of Bonds. The Bonds maturing on or after May 1, 2003 are subject to redemption prior to maturity at the option of the Township on May 1, 2002 or any date thereafter, as a whole or from time to time in part, in such order of maturity or portion of each maturity as may be designated by the Township and within a maturity by lot, upon payment of a redemption price of 100% of principal amount, together with accrued interest to the date fixed for redemption. The Bonds maturing on May 1, 2010 are subject to mandatory redemption from the Sinking Fund on May 1, 2009 as set forth in the form of Bond herein.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the principal corporate trust office of the Paying Agent, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 30 days nor more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be mailed to The Bond Buyer, or if

no longer published, to such substitute financial journal as shall be acceptable to the Paying Agent. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the principal corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

10. Sale of Bonds. The Bonds shall be sold at private sale by negotiation as hereinafter set forth in Section 13. After due consideration, the Board of Commissioners hereby finds and determines, on the basis of all available information, that a private negotiated sale of the Bonds is in the best financial interest of the Township.

11. Creation of and Deposits in Sinking Fund. The Township covenants that it shall hereafter maintain a sinking fund designated "Township of Upper Dublin General Obligation Bonds, Series of 1997 Sinking Fund" (the "Sinking Fund") for the Bonds to be held by the Paying Agent (or such substitute or successor Paying Agent which shall hereafter be appointed in accordance with the provisions of the Act) in the name of the Township, but subject to withdrawal only by the Paying Agent.

The Township covenants and agrees to deposit in the Sinking Fund no later than May 1 and November 1 of each year beginning November 1, 1997 the debt service payable on the Bonds on such dates, all as set forth in Exhibit B attached hereto, or such greater or lesser amount as at the time shall be sufficient to pay the principal of and interest on the Bonds as they become due on each such date.

Pending application to the purpose for which the Sinking Fund is established, the President of the Board of Commissioners or the Secretary is hereby authorized and directed to cause the moneys therein to be invested or deposited and insured or secured as permitted and required by Section 1004 of the Act. All income received on such deposits or investments during each applicable period shall be added to the Sinking Fund and shall be credited against the deposit next required to be made in the Sinking Fund.

The Paying Agent is hereby authorized and directed, without further action by the Township, to pay from the Sinking Fund the principal of and interest on the Bonds as the same become due and payable in accordance with the terms thereof and the Township hereby covenants that such moneys, to the extent required, will be applied to such purpose.

All moneys deposited in the Sinking Fund for the payment of the Bonds which have not been claimed by the registered owners thereof after two years from the date when payment is due, except where such moneys are held for the payment of outstanding checks, drafts or other instruments of the Paying Agent, shall be returned to the Township. Nothing contained herein shall relieve the Township of its liability to the registered owners of the unrepresented Bonds.

12. No Taxes Assumed. The Township shall not assume the payment of any tax or taxes in consideration of the purchase of the Bonds.

13. Award and Sale of Bonds. The Township hereby awards and sells the Bonds to Legg Mason Wood Walker, Incorporated, Philadelphia, Pennsylvania (the "Underwriter"), at a price of \$2,069,362.50 (representing the par amount of the Bonds less the Underwriter's discount of \$15,637.50) plus accrued interest, if any, from May 1, 1997 to the date of delivery and in accordance with the other terms and conditions set forth in the proposal of the Underwriter dated April 8, 1997 which is hereby approved and accepted. A copy of said proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference. The proper officers of this Township are hereby authorized and directed to endorse the acceptance of this Township on said contract and to deliver executed copies thereof to the Underwriter.

14. Contract with Paying Agent. The proper officers of the Township are authorized to contract with PNC Bank, National Association, Pittsburgh, Pennsylvania, in connection with the performance of its duties as Paying Agent, Registrar and Sinking Fund Depository on usual and customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act.

15. Federal Tax Covenants. The Township hereby covenants not to take or omit to take any action so as to cause interest on the Bonds to be no longer excluded from gross income for purposes of federal income taxation and to otherwise comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and all applicable regulations promulgated with respect thereto, throughout the term of the Bonds. The Township further covenants that it will make no investments or other use of the proceeds of the Bonds which would cause the Bonds to be "arbitrage bonds" as defined in Section 148 of the Code. The Township further covenants to comply with the rebate requirements (including the prohibited payment provisions) contained in Section 148(f) of the Code and any regulations promulgated thereunder, to the extent applicable, and to pay any interest or penalty imposed by the United States for failure to comply with said rebate requirements, to the extent applicable.

The Township hereby represents and warrants, after due investigation and to the best of its knowledge, that: (i) the Township is a governmental unit with general taxing powers; (ii) the Bonds are not "private activity bonds" within the meaning of Section 141 of the Code; (iii) ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for

local governmental activities of the Township; and (iv) the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued or to be issued by the Township (and all "subordinate entities" thereof) during the 1997 calendar year, including the Bonds, is not reasonably expected to exceed \$5,000,000. The Township hereby authorizes the proper officers of the Township to execute a certificate to that effect at the time of the closing.

The Township hereby further represents and warrants, after due investigation and to the best of its knowledge, that (i) the Bonds are not "private activity bonds" within the meaning of Section 141 of the Code and (ii) the aggregate face amount of "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code (which includes qualified 501(c)(3) bonds but not any other private activity bonds) issued or to be issued by the Township (and all "subordinate entities" thereof) during the 1997 calendar year, including the Bonds, is not reasonably expected to exceed \$10,000,000. The Township hereby designates the Bonds as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3)(B) of the Code. The Township hereby authorizes the proper officers of the Township to execute a certificate to that effect at the time of the closing.

16. Execution and Authentication of Bonds. As provided in Section 4, the Bonds shall be executed by the President or the Vice President of the Board of Commissioners of the Township and the Secretary or Assistant Secretary of the Township and each such execution shall be by manual or facsimile signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of an authorized signatory of the Paying Agent, which shall also certify that the approving opinion of Bond Counsel, which shall be printed on each Bond, is an accurate reproduction of the approving opinion delivered at the closing for the Bonds.

17. Bond Proceeds To Be Deposited In Settlement Account. The purchase price for the Bonds and any accrued interest payable by the Underwriter shall be paid to the Paying Agent on behalf of the Township. Upon receipt of the purchase price for the Bonds, including interest thereon accrued to the date of delivery, if any, the Paying Agent shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall pay, or establish reserves for payment of, the costs and expenses of the financing in the amounts substantially as set forth in the purchase proposal of the Underwriter, which are hereby approved. The portion of the proceeds of the Bonds representing capitalized interest on the Bonds shall be deposited in the Sinking Fund and used to pay interest on the Bonds on November 1, 1997 and May 1 and November 1, 1998. The balance of the proceeds shall be deposited in an appropriate Township account pending disbursement to pay the costs of the Improvements as set forth in instructions from the Township to the Paying Agent.

Any reserves in the above-described account shall be disbursed from time to time by the Paying Agent pursuant to written instructions from the President or Vice President of the Board of Commissioners and any balance ultimately remaining in any such reserve shall, upon written instructions of the President or Vice President of the Board of Commissioners, be deposited in the Sinking Fund.

18. Officers Authorized to Act. For the purpose of expediting the closing and the issuance and delivery of the Bonds, or in the event that the President of the Board of Commissioners or the Secretary of the Township shall be absent or otherwise unavailable for the purpose of executing documents, or for the purpose of taking any other action which they or either of them may be authorized to take pursuant to this Ordinance, the Vice President of the Board of Commissioners or the Assistant Secretary, respectively, are hereby authorized and directed to execute documents, or otherwise to act on behalf of the Township in their stead.

19. Approval of Official Statement. The Preliminary Official Statement dated April 1, 1997, in the form presented to this meeting, is hereby approved and "deemed final" by the Township as of its date for purposes of United States Securities and Exchange Commission Rule 15c2-12. A Final Official Statement, substantially in the form of the Preliminary Official Statement and also containing the final terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date hereof, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

20. Bond Insurance. If deemed financially advantageous to the Township in connection with the issuance of the Bonds, the officers of the Township are hereby authorized to purchase a policy of insurance guaranteeing the payment of the principal of and interest on the Bonds, to pay the premium for such policy from the proceeds of the Bonds and to execute such documents as may be necessary to effect the issuance of such policy. If applicable, the Bonds issued under this Ordinance may include a statement of the terms of such insurance policy and the Authentication Certificate of the Paying Agent appearing on each Bond may include a statement confirming that the original or a copy of the insurance policy is on file with the Paying Agent.

21. Continuing Disclosure. The Township authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement in substantially the form presented at this meeting, subject to such changes as the executing officer may approve, such approval to be conclusively evidenced by his or her execution thereof. The Township further covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder; however, the Paying Agent, any Participating Underwriter (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including seeking specific

performance by court order, to cause the Township to comply with its obligations under this Section.

22. Further Action. The proper officers of the Township are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township.

23. Act Applicable to Bonds. This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be subject to, the provisions of the Act and all the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

24. Contract with Bond Owners. This Ordinance constitutes a contract with the registered owners of the Bonds outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

25. Severability. In case any one or more of the provisions contained in this Ordinance or in any Bond shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds, and this Ordinance or said Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

26. Repealer. All ordinances and parts of ordinances heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.


27. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

ENACTED AND ORDAINED this 8th day of April, 1997.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

(Township Seal)

By: 
(Vice) President Board of Commissioners

Attest: 
(Assistant) Secretary

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)
\$2,085,000 General Obligation Bonds, Series of 1997

Ordinance No. _____

EXHIBIT A

DESCRIPTION OF INDIVIDUAL COMPONENTS OF
THE IMPROVEMENTS AND THEIR
RESPECTIVE ESTIMATED USEFUL LIVES AND COSTS

	<u>Improvements</u>	<u>Estimated Useful Lives</u>	<u>Estimated Costs</u>
1.	Improvements to Township roads including guard rails and fencing	15 Years	\$718,500
2.	Improvements to Township buildings, bridges and culverts, including construction of a salt storage building	20 Years	536,000
3.	Open space projects (matching funds for County open space acquisition program and miscellaneous park improvements)	20 Years	100,000
4.	Traffic signal installation	20 Years	96,500
5.	Upgrade of office computer system and police radio equipment system	10 Years	480,000
6.	Storm drainage improvements	20 Years	<u>65,000</u>
	TOTAL		\$1,996,000

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

\$2,085,000 General Obligation Bonds, Series of 1997

Ordinance No. ____

EXHIBIT B

BOND AMORTIZATION SCHEDULE

Date	Principal	Interest Rate	Interest Payable	Total Debt Service And Sinking Fund Deposit
11/01/1997	.	.	55,110.00	55,110.00
5/01/1998	.	.	55,110.00	55,110.00
11/01/1998	.	.	55,110.00	55,110.00
5/01/1999	5,000.00	4.500%	55,110.00	60,110.00
11/01/1999	.	.	54,997.50	54,997.50
5/01/2000	5,000.00	4.600%	54,997.50	59,997.50
11/01/2000	.	.	54,882.50	54,882.50
5/01/2001	130,000.00	4.700%	54,882.50	184,882.50
11/01/2001	.	.	51,827.50	51,827.50
5/01/2002	135,000.00	4.800%	51,827.50	186,827.50
11/01/2002	.	.	48,587.50	48,587.50
5/01/2003	140,000.00	4.900%	48,587.50	188,587.50
11/01/2003	.	.	45,157.50	45,157.50
5/01/2004	150,000.00	5.000%	45,157.50	195,157.50
11/01/2004	.	.	41,407.50	41,407.50
5/01/2005	155,000.00	5.100%	41,407.50	196,407.50
11/01/2005	.	.	37,455.00	37,455.00
5/01/2006	165,000.00	5.200%	37,455.00	202,455.00
11/01/2006	.	.	33,165.00	33,165.00
5/01/2007	175,000.00	5.300%	33,165.00	208,165.00
11/01/2007	.	.	28,527.50	28,527.50
5/01/2008	185,000.00	5.400%	28,527.50	213,627.50
11/01/2008	.	.	23,532.50	23,532.50
5/01/2009	195,000.00	5.550%	23,532.50	218,532.50
11/01/2009	.	.	18,121.25	18,121.25
5/01/2010	205,000.00	5.550%	18,121.25	223,121.25
11/01/2010	.	.	12,432.50	12,432.50
5/01/2011	215,000.00	5.600%	12,432.50	227,432.50
11/01/2011	.	.	6,412.50	6,412.50
5/01/2012	225,000.00	5.700%	6,412.50	231,412.50
11/01/2012
TOTAL	2,085,000.00	.	1,133,452.50	3,218,452.50

CERTIFICATE OF SECRETARY

The undersigned, Secretary of the Township of Upper Dublin DOES HEREBY CERTIFY that:

The foregoing Ordinance authorizing \$2,085,000 aggregate principal amount General Obligation Bonds, Series of 1997 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on April 8, 1997, that public notice of said meeting was given as required by law; that the roll of the Board of Commissioners was called and such Commissioners voted or were absent as follows:

<u>Name</u>	<u>Vote</u>
Richard R. Rulon	Aye
H. William Gift	Aye
William J. Bryers	Aye
Cathleen V. Goettner	Absent
Judy R. Herold	Aye
Jules J. Mermelstein	Aye
Robert J. Pesavento	Aye

and that such Ordinance and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Township this 8th day of April, 1997.



Paul A. Leonard, Secretary

(TOWNSHIP SEAL)

AN ORDINANCE
NO. 936

An ordinance, to amend the Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article II, Traffic Regulations, by adding thereto a new Section 233-18.1, entitled "Crosswalks", to provide for pedestrian crosswalks; Article VIII, Schedules, by adding thereto a new Section 233-59, entitled "Schedule XVIII: Crosswalks", to establish a crosswalk traversing Loch Alsh Avenue between the intersection of Fort Washington Avenue and the western property line of the lands of Upper Dublin High School; and to establish a crosswalk traversing Fort Washington Avenue between the intersections of Thomas Drive and Hawthorne Lane.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article II, Traffic Regulations, shall be amended by establishing a new Section 233-18.1, to provide as follows:

§233-18.1. Crosswalks.

Crosswalks for pedestrians are hereby established as part of the streets or highways, or portions thereof, described in Schedule XVIII (§233-59). Pedestrians shall use the crosswalks where provided and shall not use any other part of the highway.

Section 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, shall be amended by adding thereto a new Section 233-59, entitled Schedule XVIII: Crosswalks, to provide as follows:

§ 233-59. Schedule XVIII: Crosswalks.

In accordance with the provisions of §233-18.1, crosswalks are established as part of the streets or highways, or portions thereof, described below.

Name of Highway	Limits
Loch Alsh Avenue	Between the intersection of Fort Washington Avenue and the western property line of the lands of Upper Dublin High School
Fort Washington Avenue	Between the intersections of Thomas Drive and Hawthorne Lane

Section 3. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

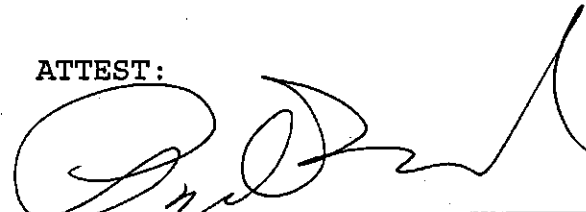
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.


ENACTED AND ORDAINED this *8th* day of *April*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



RICHARD R. RULON, PRESIDENT

AN ORDINANCE

NO. ~~872~~
937

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE III, "PARKING REGULATIONS", SECTION 23.1 "PARKING PERMIT PROGRAM" TO DESIGNATE THAT CURBSIDE PARKING ON THE FOLLOWING STREET SHALL BE SUBJECT TO THE REGULATIONS OF THIS PROGRAM FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 1997: LOCH ALSH AVENUE, NORTH AND SOUTH SIDES, FROM FORT WASHINGTON AVENUE TO LAKE DRIVE.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, "Parking Regulations" shall be amended by adding thereto the following section:

ARTICLE III
Parking Regulations

* * * * *

§233-23.1 Parking permit program.

* * * * *

C. Designation of permit parking areas.

* * * * *

- (2) Permit parking areas enumerated. The following shall be permit parking areas during the times indicated:
 - (a) Until June 30, 1997, parking without a permit shall be unlawful between the hours of 7:00 a.m. and 3:00 p.m., Mondays through Fridays, except on legal holidays on Loch Alsh Avenue, north and south sides, from Fort Washington Avenue to Lake Drive.

* * * * *

Section 2. Nothing in this Ordinance or in Section 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Section 233 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *8th* day of *April*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



RICHARD R. RULON, PRESIDENT

g:\ud\ord\vehtraf\parkperm.ord

AN ORDINANCE

NO. 938

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-54, PARKING PROHIBITED AT ALL TIMES, BY ESTABLISHING A "NO PARKING" REGULATION ON THE WEST SIDE OF WILLOW AVENUE, FOR 150 FEET NORTH FROM THE INTERSECTION WITH BETHLEHEM PIKE.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-54, Parking Prohibited at All Times, shall be amended to provide as follows:

§ 233-54. Schedule XIII: Parking Prohibited at All Times.

Name of Street	Side	Location
Willow Avenue	West	From Bethlehem Pike, north for 150 feet.

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9th day of April, 1997.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY


RICHARD R. RULON, PRESIDENT

AN ORDINANCE
NO. 939

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 35, PENSIONS, BY ADDING ARTICLE II, NON-UNIFORMED EMPLOYEES PENSION PLAN.

The Board of Commissioners of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 35 thereof, entitled Pensions, shall be amended to add Article II, Non-Uniformed Employees Pension Plan, as follows:

CHAPTER 35

PENSIONS

* * * * *
* * *

ARTICLE II

Non-Uniformed Employees Pension Plan

§ 35-25. Continuation of Plan.

The Township of Upper Dublin hereby continues a Non-Uniformed Employees Pension Plan first established on June 1, 1968 for the benefit of eligible employees of Upper Dublin Township. The Non-Uniformed Pension Plan shall be known as the "Upper Dublin Township Non-Uniformed Employees Pension Plan and Pension Fund" (hereinafter "Non-Uniformed Pension Plan").

§35-26. Membership.

Eligible full-time non-uniformed employees of Upper Dublin Township as of the effective date hereof, shall become members of the Non-Uniformed Pension Plan ("members").

§35-27. Establishment of Non-Uniformed Pension Board of Trustees.

A. A Board of Trustees is hereby established for the purpose of administering the Non-Uniformed Pension Plan, which Board shall be known as the "Upper Dublin Township Non-Uniformed Pension Plan and Pension Fund Board of Trustees" (hereinafter "Non-Uniformed Pension Board").

B. Composition.

- (1) The Non-Uniformed Pension Board shall consist of five (5) Trustees, who shall be selected as follows:
 - (a) The President of the Board of Commissioners or an individual appointed by the Board of Commissioners.
 - (b) The Township Manager.
 - (c) The Township Finance Director.
 - (d) One member representing the unionized employees of the Township, selected by the vote of a majority of such unionized employees.
 - (d) One member representing the non-unionized employees of the Township, selected by the vote of a majority of such non-unionized employees.
- (2) The Chairman of the Non-Uniformed Pension Board shall be the President of the Board of Commissioners or the Commissioners' representative.

C. Pension Board Trustees shall serve without compensation.

D. Initially, one Trustee shall be appointed to serve for five (5) years, one for four (4) years, one for three (3) years, one for two (2) years, and one for one (1) year. Thereafter, each Trustee shall be appointed for a five-year term. Trustees may be appointed or re-elected.

E. The Township Manager shall appoint a secretary as the nonvoting Secretary of the Non-Uniformed Pension Board who shall keep minutes of the Non-Uniformed Pension Board's proceedings and all dates, records, and documents pertaining to the Non-Uniformed Pension Board's administration and the Non-Uniformed Pension Plan.

F. No Trustee shall be liable for any act or omission of any other Trustee, nor for any act or omission on his own part excepting only his own willful misconduct. The Township shall indemnify and save harmless claims or liabilities arising from an individual's actions taken as a Non-Uniformed Pension Board Trustee, excepting only expenses and liabilities arising out of a Trustee's own willful misconduct. Trustees shall serve without bond.

G. No Trustee shall vote on any matter in which he has a direct personal interest.

- H. The action of the Non-Uniformed Pension Board shall be determined by the vote or other affirmative expression of a majority of its Trustees. All actions of the Non-Uniformed Pension Board shall be certified by its Chairman and attested by its Secretary.
- I. The Non-Uniformed Pension Board shall meet at least semiannually and at other times at the call of the Chairman or the request of at least three (3) members of the Non-Uniformed Pension Board.

§35-28. Powers and Duties of the Non-Uniformed Pension Board.

The Pension Board shall have the following powers and duties:

- A. To administer the Non-Uniformed Pension Plan in accordance with any agreements as may be entered into from time to time by the Board of Commissioners and professional money manager(s). Said agreements may permit the money manager(s) to manage and operate the Non-Uniformed Pension Plan and to receive, hold, invest and disperse any sum or sums as may be necessary to carry out the Non-Uniformed Pension Plan, and all other applicable statutes, ordinances and regulations.
- B. To provide guidance to any money manager(s) of the Non-Uniformed Pension Plan for the investment of all moneys deposited in such Non-Uniformed Pension Plan, and the reinvestment of all earnings of the Non-Uniformed Pension Plan.
- C. To adopt rules and regulations for the governance of the affairs of the Non-Uniformed Pension Board to better enable it to carry out its powers and duties imposed hereunder.
- D. To employ, retain and compensate actuaries, accountants, auditors, attorneys, money managers and investment consultants as it may deem necessary to carry out its duties hereunder upon approval of the Board of Commissioners.
- E. To make all decisions pertinent to the Non-Uniformed Pension Board regarding pension payments to any applicant or participant, or for the return of any individual contributions to any person who may be entitled to the same under the Non-Uniformed Pension Plan.
- F. To designate a Non-Uniformed Pension Plan Custodian for the depository of all funding.
- G. To determine what amounts shall be deposited into the Non-Uniformed Pension Plan.

§35-33. Reservation of Rights by Board of Commissioners.

The Board of Commissioners reserves the right to amend, modify or wholly discontinue the Non-Uniformed Pension Plan at any time; provided, however, that any such action shall not adversely affect the previously acquired rights of any participant in the Non Uniformed Pension Plan.

§35-34. Construal of Provisions.

As used in this Article, the masculine shall include the feminine and the feminine shall include the masculine.

* * * * *
* * * * *

Section 2. Nothing in this ordinance or in Chapter 35 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Chapter 35 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been herein.

Section 4. This Ordinance shall repeal all Ordinances and Resolutions of the Township of Upper Dublin that are inconsistent with this Ordinance.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by Law.

ENACTED AND ORDAINED this 8th day of April, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

BY: 
Richard R. Rulon, President

ATTEST:


Paul A. Leonard, Township Secretary

g:\ud\ord\pensio97.od2

AN ORDINANCE
NO. 940

AN ORDINANCE to vacate and abandon a certain right-of-way known and designated as a portion of Dreshertown Road, 80 feet wide from St. George's Road, north to its termination in a point in line of lands of Zieger & Sons, Inc. in Election District No. 3-3 in the Township of Upper Dublin.

WHEREAS, the Board of Commissioners deems it necessary for the public convenience and for the general benefit and welfare of the public to vacate the said road.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. That a portion of Dreshertown Road, 80 feet wide from St. George's Road, north to its termination in a point in line of lands of Zieger & Sons, Inc. in Election District No. 3-3 in the Township of Upper Dublin as described in Exhibit "A" attached hereto is hereby vacated and abandoned for public use according to the General Road Laws of the Commonwealth of Pennsylvania. Said road shall be deleted from the Township Plan of Streets upon the filing of a Road Report of these proceedings with the Montgomery County Clerk of Courts.

Section 2. Within ten days after passage of this ordinance, notice thereof shall be given by handbills posted in conspicuous places along the portion of the street or highway referenced herein, which notice shall state the fact of the passage or approval of this ordinance and the date thereof.


Section 3. Nothing in this Ordinance or in the Code of the Township of Upper Dublin or the Official Map of Streets, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

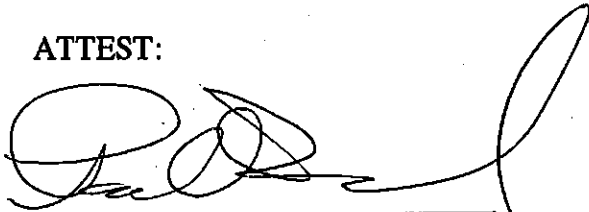
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 6th day of May, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


Richard R. Rulon, President

ATTEST:


Paul A. Leonard, Township Secretary

g:\ud\proj\dreshvac\vacdresh.nor



KEYSTONE SURVEYING COMPANY, INC.

P.O. BOX 264

2139 BRISTOL ROAD

WARRINGTON, PA 18976

(215) 343-6267

DRESHERTOWN ROAD (NORTH OF SAINT GEORGE'S ROAD)
TO BE VACATED

ALL THAT CERTAIN LOT OF LAND BEING KNOWN AS DRESHERTOWN ROAD (NORTH OF SAINT GEORGE'S ROAD) (80' WIDE) SITUATE IN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A SUBDIVISION PLAN 1 OF 3, PHASE I OF "DAWSFIELD" PREPARED FOR DAWESFIELD JOINT VENTURE, BY ALON ENGINEERING ASSOCIATES, INC. DATED MARCH 22, 1988, LAST REVISED FEBRUARY 17, 1989, RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, IN AND FOR THE COUNTY OF MONTGOMERY, AT NORRISTOWN, PA, IN PLAN BOOK A 50, PAGE 444.

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF SAINT GEORGE'S ROAD AT A CORNER OF LOT #10 SAID POINT BEING FURTHER LOCATED AS FOLLOWS FROM A POINT ON THE EASTERLY SIDE OF DEVONSHIRE ROAD (50' WIDE)

1. THENCE LEAVING DEVONSHIRE ROAD PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A SOUTHERLY DIRECTION HAVING A RADIUS OF 15 FEET AN ARC DISTANCE OF 23.56 FEET TO A POINT OF TANGENCY ON THE SAID SIDE OF SAINT GEORGE'S ROAD.
2. THENCE ALONG SAINT GEORGE'S ROAD SOUTH 79 DEGREES 00 MINUTES 00 SECONDS EAST 153.88 FEET TO THE POINT OF BEGINNING:

1. THENCE LEAVING SAINT GEORGE'S ROAD AND ALONG LOT #10 AND PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A EASTERLY DIRECTION HAVING A RADIUS OF 20 FEET AN ARC DISTANCE OF 31.91 FEET TO A POINT OF TANGENCY ON THE WESTERLY SIDE OF DRESHERTOWN ROAD TO BE VACATED.
2. THENCE ALONG DRESHERTOWN ROAD AND ALONG LOT #10 & #9 NORTH 09 DEGREES 35 MINUTES 44 SECONDS EAST 257.50 FEET TO A POINT OF CURVATURE A CORNER OF LOT #8.
3. THENCE PASSING ALONG AN ARC OF A CURVE TO THE RIGHT IN A NORTHERLY DIRECTION PASSING ALONG LOT #8 & #7 HAVING A RADIUS OF 765 FEET AN ARC DISTANCE OF 237.23 FEET TO A POINT IN LINE OF LANDS N/L OF ZIEGER & SONS, INC.
4. THENCE ALONG SAME SOUTH 47 DEGREES 47 MINUTES 30 SECONDS EAST 83.10 FEET TO A POINT ON THE EASTERLY SIDE OF SAID DRESHERTOWN ROAD AT A CORNER OF LOT #11.
5. THENCE PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A SOUTHERLY DIRECTION PASSING ALONG LOT #11 HAVING A RADIUS OF 685 FEET AN ARC DISTANCE OF 191.12 FEET TO A POINT OF TANGENCY A CORNER OF LOT #14.
6. THENCE ALONG LOT #14 SOUTH 09 DEGREES 35 MINUTES 44 SECONDS WEST 260.44 FEET TO A POINT OF CURVATURE.
7. THENCE PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A SOUTHERLY DIRECTION HAVING A RADIUS OF 20 FEET AN ARC DISTANCE OF 30.93 FEET TO A POINT OF TANGENCY ON THE SAID SIDE OF SAINT GEORGE'S ROAD.
8. THENCE ALONG SAINT GEORGE'S ROAD NORTH 79 DEGREES 00 MINUTES 00 SECONDS WEST 120.04 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING:

CONTAINING 39,625.2 SQ. FT. OF LAND

EXHIBIT A



AN ORDINANCE
NO. 941

AN ORDINANCE to vacate and abandon a certain right-of-way known and designated as a portion of Dreshertown Road, 80 feet wide from St. George's Road, south to its termination in a point a corner of lands of William L. Paxson in Election District No. 3-3 in the Township of Upper Dublin.

WHEREAS, the Board of Commissioners deems it necessary for the public convenience and for the general benefit and welfare of the public to vacate the said road.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. That a portion of Dreshertown Road, 80 feet wide from St. George's Road, south to its termination in a point a corner of lands of William L. Paxson in Election District No. 3-3 in the Township of Upper Dublin as described in Exhibit "A" attached hereto is hereby vacated and abandoned for public use according to the General Road Laws of the Commonwealth of Pennsylvania. Said road shall be deleted from the Township Plan of Streets upon the filing of a Road Report of these proceedings with the Montgomery County Clerk of Courts.

Section 2. Within ten days after passage of this ordinance, notice thereof shall be given by handbills posted in conspicuous places along the portion of the street or highway referenced herein, which notice shall state the fact of the passage or approval of this ordinance and the date thereof.

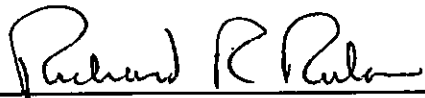
Section 3. Nothing in this Ordinance or in the Code of the Township of Upper Dublin or the Official Map of Streets, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

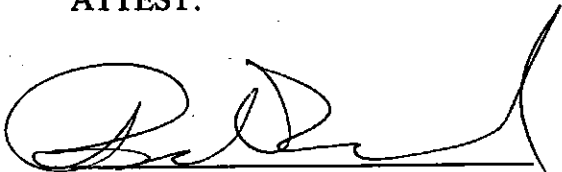
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 6th day of May, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


Richard R. Rulon, President

ATTEST:


Paul A. Leonard, Township Secretary

g:\ud\proj\dreshvac\vacdresh.sou



KEYSTONE SURVEYING COMPANY, INC.

P.O. BOX 264

2139 BRISTOL ROAD

WARRINGTON, PA 18976

(215) 343-6267

DRESHERTOWN ROAD (SOUTH OF SAINT GEORGE'S ROAD)
TO BE VACATED

ALL THAT CERTAIN LOT OF LAND BEING KNOWN AS DRESHERTOWN ROAD (SOUTH OF SAINT GEORGE'S ROAD) (80' WIDE) SITUATE IN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A SUBDIVISION PLAN 1 OF 3, PHASE I OF "DAWSFIELD" PREPARED FOR DAWESFIELD JOINT VENTURE, BY ALON ENGINEERING ASSOCIATES, INC. DATED MARCH 22, 1988, LAST REVISED FEBRUARY 17, 1989, RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, IN AND FOR THE COUNTY OF MONTGOMERY, AT NORRISTOWN, PA, IN PLAN BOOK A 50, PAGE 444.

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF SAINT GEORGE'S ROAD AT A CORNER OF LOT #16 SAID POINT BEING FURTHER LOCATED AS FOLLOWS FROM A POINT ON THE EASTERLY SIDE OF DEVONSHIRE ROAD (50' WIDE)

1. THENCE LEAVING DEVONSHIRE ROAD PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A SOUTHERLY DIRECTION HAVING A RADIUS OF 15 FEET AN ARC DISTANCE OF 23.56 FEET TO A POINT OF TANGENCY ON THE NORTHERLY SIDE OF SAINT GEORGE'S ROAD.
2. THENCE ALONG SAINT GEORGE'S ROAD SOUTH 79 DEGREES 00 MINUTES 00 SECONDS EAST 153.88 FEET TO A POINT.
3. THENCE CROSSING SAINT GEORGE'S ROAD SOUTH 11 DEGREES 00 MINUTES 00 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING:

1. THENCE ALONG SAINT GEORGE'S ROAD SOUTH 79 DEGREES 00 MINUTES 00 SECONDS EAST 120.04 FEET TO A POINT A CORNER OF LOT #15.
2. THENCE LEAVING SAINT GEORGE'S ROAD AND ALONG LOT #15 AND PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A SOUTHERLY DIRECTION HAVING A RADIUS OF 20 FEET AN ARC DISTANCE OF 31.91 FEET TO A POINT OF TANGENCY ON THE EASTERLY SIDE OF DRESHERTOWN ROAD TO BE VACATED.
3. THENCE ALONG SAID DRESHERTOWN ROAD AND ALONG LOT #15 SOUTH 09 DEGREES 35 MINUTES 44 SECONDS WEST 302.81 FEET TO A POINT ON THE WESTERLY SIDE OF EXISTING DRESHERTOWN ROAD (80' WIDE).
4. THENCE ALONG SAME SOUTH 42 DEGREES 16 MINUTES 40 SECONDS WEST 50.03 FEET TO A POINT A CORNER OF LANDS N/L OF WILLIAM L. PAXSON.
5. THENCE ALONG SAME NORTH 47 DEGREES 24 MINUTES 30 SECONDS WEST 63.18 FEET TO A POINT ON THE WESTERLY SIDE OF DRESHERTOWN ROAD TO BE VACATED AT A CORNER OF LOT #16.
6. THENCE PASSING ALONG SAID SIDE OF DRESHERTOWN ROAD AN ARC OF A CURVE TO THE LEFT IN A NORTHERLY DIRECTION PASSING ALONG LOT #16 HAVING A RADIUS OF 685 FEET AN ARC DISTANCE OF 2.98 FEET TO A POINT OF TANGENCY.
7. THENCE ALONG SAME NORTH 09 DEGREES 35 MINUTES 44 SECONDS EAST 310.48 FEET TO A POINT OF CURVATURE.
8. THENCE PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A NORTHERLY DIRECTION HAVING A RADIUS OF 20 FEET AN ARC DISTANCE OF 30.93 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING:

CONTAINING 28,003.5 SQ. FT. OF LAND

EXHIBIT A



AN ORDINANCE
NO. 942

AN ORDINANCE to vacate and abandon a certain right-of-way known and designated as a cul-de-sac portion of Saint George's Road in part 80 feet wide from St. George's Road, east to its termination in Lot 12 along Dreshertown Road in Election District No. 3-3 in the Township of Upper Dublin.

WHEREAS, the Board of Commissioners deems it necessary for the public convenience and for the general benefit and welfare of the public to vacate the said road.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. That a cul-de-sac portion of St. George's Road in part 80 feet wide from St. George's Road, east to its termination in Lot 12 along Dreshertown Road in Election District No. 3-3 in the Township of Upper Dublin as described in Exhibit "A" attached hereto is hereby vacated and abandoned for public use according to the General Road Laws of the Commonwealth of Pennsylvania. Said road shall be deleted from the Township Plan of Streets upon the filing of a Road Report of these proceedings with the Montgomery County Clerk of Courts.

Section 2. Within ten days after passage of this ordinance, notice thereof shall be given by handbills posted in conspicuous places along the portion of the street or highway referenced herein, which notice shall state the fact of the passage or approval of this ordinance and the date thereof.

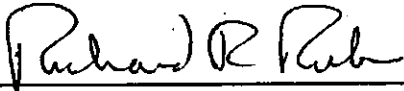
Section 3. Nothing in this Ordinance or in the Code of the Township of Upper Dublin or the Official Map of Streets, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

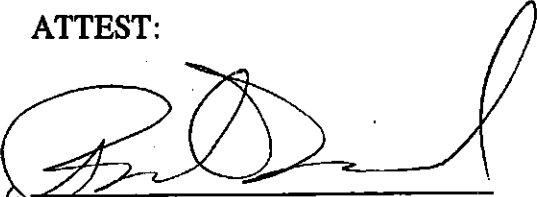
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 6th day of May, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


Richard R. Rulon, President

ATTEST:


Paul A. Leonard, Township Secretary

g:\ud\proj\dreshvac\vacgeorg.ord



KEYSTONE SURVEYING COMPANY, INC.

P.O. BOX 264

2139 BRISTOL ROAD

WARRINGTON, PA 18978

(216) 343-6257

**SAINT GEORGE'S ROAD (CUL-DE-SAC PORTION)
TO BE VACATED**

ALL THAT CERTAIN LOT OF LAND BEING KNOWN AS SAINT GEORGE'S ROAD (CUL-DE-SAC PORTION) TO BE VACATED (80' WIDE) SITUATE IN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A SUBDIVISION PLAN 1 OF 3, PHASE I OF "DAWSFIELD" PREPARED FOR DAWESFIELD JOINT VENTURE, BY ALON ENGINEERING ASSOCIATES, INC. DATED MARCH 22, 1988. LAST REVISED FEBRUARY 17, 1989, RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, IN AND FOR THE COUNTY OF MONTGOMERY, AT NORRISTOWN, PA, IN PLAN BOOK A 50, PAGE 444.

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF SAINT GEORGE'S ROAD IN LINE OF LOT #14 SAID POINT BEING FURTHER LOCATED AS FOLLOWS FROM A POINT ON THE EASTERLY SIDE OF DEVONSHIRE ROAD (50' WIDE)

1. THENCE LEAVING DEVONSHIRE ROAD PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A SOUTHERLY DIRECTION HAVING A RADIUS OF 15 FEET AN ARC DISTANCE OF 23.56 FEET TO A POINT OF TANGENCY ON THE SAID SIDE OF SAINT GEORGE'S ROAD.
2. THENCE ALONG SAINT GEORGE'S ROAD SOUTH 79 DEGREES 00 MINUTES 00 SECONDS EAST 351.23 FEET TO THE POINT OF BEGINNING:

1. THENCE ALONG THE CUL-DE-SAC PORTION OF SAINT GEORGE'S ROAD TO BE VACATED AND ALONG LOT'S #14, #11 AND #13 AND PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A EASTERLY DIRECTION HAVING A RADIUS OF 225 FEET AN ARC DISTANCE OF 229.73 FEET TO A POINT OF TANGENCY
2. THENCE CONTINUING ALONG SAID SAINT GEORGE'S ROAD AND ALONG LOT #13 NORTH 42 DEGREES 16 MINUTES 40 SECONDS EAST 34.92 FEET TO A POINT OF CURVATURE A CORNER OF LOT #12
3. THENCE PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A NORTHERLY DIRECTION PASSING ALONG LOT #12 HAVING A RADIUS OF 20 FEET AN ARC DISTANCE OF 25.62 FEET TO A POINT OF REVERSE CURVE.
4. THENCE PASSING ALONG AN ARC OF A CURVE TO THE RIGHT IN A NORTHERLY TO EASTERLY DIRECTION PASSING ALONG LOT #12 HAVING A RADIUS OF 50 FEET AN ARC DISTANCE OF 152.725 FEET TO A POINT WESTERLY SIDE OF DRESHERTOWN ROAD (80' WIDE)
5. THENCE CONTINUING ALONG DRESHERTOWN ROAD SOUTH 42 DEGREES 16 MINUTES 40 SECONDS WEST 290.32 FEET TO A POINT OF CURVATURE.
6. THENCE PASSING ALONG THAT PORTION OF SAINT GEORGE'S ROAD THAT IS TO REMAIN PASSING ALONG AN ARC OF A CURVE TO THE RIGHT IN A WESTERLY DIRECTION HAVING A RADIUS OF 20 FEET AN ARC DISTANCE OF 29.95 FEET TO A POINT OF REVERSE CURVE.
7. THENCE PASSING ALONG AN ARC OF A CURVE TO THE LEFT IN A WESTERLY DIRECTION HAVING A RADIUS OF 225 FEET AN ARC DISTANCE OF 54.22 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING:

CONTAINING 10,951.6 SQ. FT. OF LAND

(STG)

EXHIBIT A



AN ORDINANCE
NO. 943

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 158 THEREOF, ENTITLED NUISANCES, SECTION 158-1, DEFINITIONS, BY ADDING A DEFINITION FOR THE TERMS "ODORS" AND "NOISE" AND NEW DEFINITIONS RELATED TO NOISE AS A NUISANCE; SECTION 158-8, BY SPECIFICALLY EXEMPTING FACILITIES OWNED OR OPERATED BY THE TOWNSHIP FROM THIS CHAPTER; SECTION 158-9, BY ESTABLISHING THAT EACH DAY A VIOLATION CONTINUES AFTER NOTICE IS A SEPARATE OFFENSE, AND PROVIDING FOR ONE WARNING; BY ESTABLISHING A NEW SECTION 158-11, "ODORS", TO ESTABLISH ODORS AS A NUISANCE AND TO PROVIDE FOR PRIMA FACIE EVIDENCE THEREOF AS A VIOLATION; BY ESTABLISHING A NEW SECTION 158-12, "NOISE", TO PROHIBIT NOISE DISTURBANCE INCLUDING SPECIFIC ACTS, TO PROVIDE FOR PRIMA FACIE EVIDENCE OF A VIOLATION OF THIS CHAPTER, TO PROVIDE CERTAIN EXEMPTIONS, TO PROVIDE FOR VARIANCE CONDITIONS AND A VARIANCE PERMIT; BY AMENDING THE FOLLOWING CODE SECTIONS TO REFERENCE CHAPTER 158 AS RELATED TO NOISES OR ODORS: CHAPTER 61, ENTITLED AMUSEMENT GAMES; SECTION 61-12, OPERATION REQUIREMENTS; COMPLIANCE REQUIRED; SECTION 61-13, TERMINATION, SUSPENSION OR REVOCATION OF LICENSE; CHAPTER 64, ENTITLED ANIMALS; SECTION 64-6, BOARD OF ANIMAL REGULATION; SECTION 64-19, ODORS AND NOISE; CHAPTER 86, ENTITLED DISORDERLY CONDUCT; SECTION 86-1, DEFINITION; UNNECESSARY NOISE PROHIBITED; SECTION 86-2, PROHIBITED ACTIONS; CHAPTER 192, ENTITLED SEWERS; SECTION 192-14, GENERAL DISCHARGE PROHIBITIONS; CHAPTER 255, ENTITLED ZONING; SECTION 255-42, SPECIAL EXCEPTIONS; SECTION 255-61, DEVELOPMENT REQUIREMENTS; PLAN; SECTION 255-68, DEVELOPMENT REQUIREMENTS; PLAN; SECTION 255-76, PERFORMANCE STANDARDS; SECTION 255-96, DEVELOPMENT REQUIREMENTS; SECTION 255-106, NOISES; SECTION 255-107, ODORS; AND SECTION 255-121, DEVELOPMENT REQUIREMENTS; AND BY AMENDING CHAPTER 110, ENTITLED FEES, TO ADD A NEW SECTION 110-20, NOISE VARIANCE PERMIT, TO PROVIDE FOR A PERMIT FEE.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, Section 158-1, Definitions, shall be amended to provide as follows:

§ 158-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMERCIAL AREA - A group of commercial facilities and the abutting public right-of-way and public spaces.

COMMERCIAL FACILITY - Any premises, property, or facility involving traffic in goods or furnishing of services for sale or profit, including but not limited to:

1. Banking and other financial institutions;
2. Dining establishments;
3. Establishments for providing retail or wholesale services;
4. Establishments for recreation and entertainment;
5. Office buildings;
6. Transportation; and
7. Warehouses.

CONSTRUCTION - The erection, repair, alteration, renovation, demolition or removal of any building or structure, and the excavation, filling, grading and regulation of lots in connection therewith.

EMERGENCY - Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage.

EMERGENCY WORK - Any work or action necessary to deliver essential services including, but not limited to, repairing water, gas, electric, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, abating life-threatening conditions, or preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

INDUSTRIAL FACILITY - is any activity and its related premises, property, facilities, or equipment involving the fabrication, manufacture, or production of durable or nondurable goods.

LEGAL HOLIDAY - is any of the following: New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Good Friday, Memorial Day, Flag Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day.

MOTOR VEHICLE - A device for carrying passengers, goods or equipment that is propelled or drawn on land by an engine or motor, including motorcycles.

MULTIDWELLING UNIT BUILDING - A structure or series of connected structures containing two (2) or more dwelling units in which two (2) or more families live independently of each

other as separate housekeeping units, including: twin, duplex, twin duplex and townhouse dwellings, apartment buildings and condominiums.

NOISE - Any sound of such level and duration as to be or tend to be loud, unexpected, disagreeable or injurious to human health or welfare, or which would unreasonably interfere with the enjoyment of life or property throughout the township or in any portions thereof.

NOISE CONTROL ADMINISTRATOR (NCA) - The Code Enforcement Officer, who shall be the official liaison with all municipal departments, and shall be empowered to grant permits for variances.

NOISE DISTURBANCE - Any sound that (a) endangers the safety or health of any person, (b) disturbs a reasonable person of normal sensitivities, or (c) endangers or injures personal or real property.

ODORS - Emissions of odorous gases or other odorous matter in such quantities as to be offensive at boundary lines.

PERSON - Any individual, association, partnership, corporation or institution, and includes any officer, employee, department, agency or instrumentality of a state or any political subdivision of a state. Whenever used in any clause prescribing and imposing a penalty, "person" includes the individual members, partners, officers and managers, or any of them, of partnerships and associations and as for corporations and institutions, the officers and managers thereof or any of them.

POWERED MODEL VEHICLE - Any self-propelled airborne, waterborne or landborne plane, vessel or vehicle which is not designed to carry persons, including but not limited to any model airplane, boat, car or rocket.

PROPERTY BOUNDARY LINE - Either (a) the imaginary line, including its vertical extension, that separates one parcel of real property from another, or (b) the vertical and horizontal boundaries of a dwelling unit that is one in a multidwelling unit building. All areas devoted to public rights-of-way shall be deemed to be across the "property boundary line".

PUBLIC OR COMMON NUISANCE - That which is set up, maintained or continued so as to be injurious to the health or an obstruction to the use of property by interfering with the repose, health, safety or life of any considerable number of persons.

PUBLIC RIGHT-OF-WAY - Any strip of land occupied or intended to be occupied by a street, avenue, boulevard, road, highway, sidewalk, or alley that is leased, owned, or controlled by a governmental entity.

PUBLIC SPACE - Any real property or structures thereon that is owned, leased, or controlled by a governmental entity.

RESIDENTIAL AREA - A group of residential properties and the abutting public rights-of-way and public spaces.

RESIDENTIAL PROPERTY - Property used for human habitation, including but not limited to:

1. Private property used for human habitation;
2. Commercial living accommodations and commercial property used for human habitation;
3. Recreational and entertainment property used for human habitation; and
4. Community service property used for human habitation.

SOUND - The sensation stimulated in the organs of hearing by a vibratory disturbance with frequency in the approximate range between 20 and 20,000 cycles per second. The description of "sound" may include any characteristics of such sound, including duration, intensity and frequency.

WATERS OF THE COMMONWEALTH - Includes all streams and springs and all other bodies of surface or ground water, whether natural or artificial, within the boundaries of the state.

WEEKDAY - Any day, Monday through Friday, that is not a legal holiday.

Section 2. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, Section 158-8, Enforcement, shall be amended to provide as follows:

§158-8. Enforcement.

- A. The Department of Public Health and the duly designated officials of the township shall have the power to prohibit and remove any nuisance and to order the owner, occupant or user of public or private property, by appropriate action, at the expense of such owner, occupant or user, to correct, cease and desist, or remove

such nuisance within such reasonable time as the township official shall determine, in default of which the township may cause the same to be done and collect the cost thereof, together with a penalty of ten percent (10%) of such cost, in the manner provided by law for the collection of municipal claims, or by action of assumpsit, or may seek relief by bill in equity.

- B. Any facility owned or operated by the Township of Upper Dublin is exempt from the provisions of this Chapter. However, the township's policy is to comply with this Chapter to the extent that such compliance would not conflict with other township interests in the health, safety and welfare of the township residents.

Section 3. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, Section 158-9, Violations and penalties, shall be amended to provide as follows:

§ 158-9. Violations and penalties.

- A. Any person or persons violating any of the provisions of this chapter, including but not limited to the owner, occupant or user of the property where the nuisance originates, shall each be liable, upon conviction, to a minimum fine of two hundred dollars (\$200.) for the first offense and of three hundred fifty dollars (\$350.) for each subsequent offense, with no fine to exceed the maximum fine permitted by statute, for each and every offense, in the discretion of the District Justice, together with costs of prosecution in each case. Once a person has been notified by the Township that he is in violation of this chapter, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty.
- B. Subject to the provisions of subsection A, of this section, every person shall be permitted one (1) warning by the Township and a reasonable period of time thereafter to cease and desist the violation, before a citation is issued.

* * * * *
* * * * *

Section 4. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, shall be amended by establishing a new Section 158-11, entitled Odors, to provide as follows:

§ 158-11. Odors.

A. Purpose

The Board of Commissioners, finding that excessive emission of odor is detrimental to the physical, mental and social well-being of the residents as well as to their comfort, living conditions, general welfare, safety and well-being, and is therefore a public health and welfare hazard, hereby finds it necessary to provide for the greater control and more effective regulation of excessive odor and the sources of excessive odor within the township.

B. Prohibited Odors.

The emission of foul, offensive, gaseous or nauseating odors in such quantities as to be offensive, a source of discomfort or hazardous to health, at the boundary lines of the property on which the odor originates, shall constitute a nuisance and shall be subject to enforcement by the provisions of this chapter.

C. Prima facie violation.

Credible testimony in a court of law from five (5) or more residents who are in general agreement as to the times and durations of the odors and who reside in separate residences, including apartments and condominiums, located across a property boundary line from the property on which the source of the odor is generated, that the emission of prohibited odors as described in section (B) above, was a disturbance to their use, occupancy and enjoyment of their property, shall be prima facie evidence of the emission of a prohibited odor.

Section 5. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, shall be amended by establishing a new Section 158-12, entitled Noise, to provide as follows:

§ 158-12. Noise.

A. Purpose

The Board of Commissioners, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the residents as well as to their comfort, living conditions, general welfare, safety and well-being, and are therefore a public health and welfare hazard, hereby finds it necessary to provide for the greater control and more

effective regulation of excessive sound and the sources of excessive sound within the township.

This section is intended to prohibit preventable and unnecessary noise and is not intended, nor shall it be construed, to regulate the usual and customary noise incidental to suburban life. This section may be applied to commercial, industrial and institutional establishments, among others, but when so applied to establishments properly located in commercial, industrial or institutional zones, due consideration shall be given to the zone in which the establishment is located. Further, the customary and natural noise incident to the operation of business, industry or other facilities permitted in the area zoned shall be considered so as not to create an undue hardship upon lawful commercial, industrial, institutional or other establishments.

B. Noise disturbance prohibited.

Any sound of such frequent repetition, level or duration as to be or tend to be injurious to human health or welfare, or which would unreasonably interfere with the enjoyment of life or property throughout the township or in any portions thereof, shall constitute a nuisance.

C. Specific acts prohibited.

Without in any way limiting the provisions of sections (A) or (B) above, the following acts, and the causes thereof, are declared to be noise disturbances and therefore in violation of this chapter.

1. Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, automobile radio, automobile stereo, high fidelity equipment or other device which produces, reproduces or amplifies sound as follows:
 - (a) At any time in such manner as to cause a noise disturbance across a property boundary line or, from Sunday evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m., so as to be plainly audible across a property boundary line;
 - (b) In such a manner as to create a noise disturbance across a property boundary line or at fifty (50) feet from such device, whichever is less, when the

device is operated in or on a motor vehicle, or hand carried, on a public right-of-way or public space; or

- (c) In such manner as to create a noise disturbance to any person other than the operator of the device when operated by any passenger or a common carrier.
2. Yelling and shouting. Engaging in loud or raucous yelling, shouting, hooting, whistling or singing as follows:
 - (a) On the public streets or property from Sunday evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m.; or
 - (b) At any time or place in such a manner as to create a noise disturbance.
 3. Construction. Operating or permitting the operation of any tools or equipment used in construction, drilling, earthmoving, excavating, or demolition work from Sunday evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m., such that the sound therefrom creates a noise disturbance across a property boundary line, except for emergency work. This subsection shall not apply to the use of domestic power tools subject to Subsection (4) hereof.
 4. Domestic power tools. Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool or similar device used outdoors in residential areas, from Sunday evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m., so as to cause a noise disturbance across a property boundary line, except for emergency work.
 5. Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, liquids, garbage cans, refuse, or similar objects, or the pneumatic or pumped loading or unloading of bulk materials in liquid, gaseous, powder, or pellet form, or the compacting of refuse by persons engaged in the business of scavenging or garbage collection, from Sunday

evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m., when the sound therefrom creates a noise disturbance across a property boundary line. This section shall not apply to municipal or utility services in or about the public right-of-way.

6. Animals and birds. Owning, possessing, harboring or controlling any animal or bird which howls, barks, meows, squawks or makes other sounds continuously and/or incessantly for a period of ten (10) minutes or makes such noise intermittently for one-half (1/2) hour or more to the disturbance of any person at any time of the day or night, regardless of whether the animal or bird is situated in or upon private property; provided, however, it shall not be a violation if at the time the animal or bird is making such noise, a person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated or if the animal or bird was caused to make such noise for any other legitimate reason.
7. Powered model vehicles. Operating or permitting the operation of powered model vehicles so as to create a noise disturbance across a property boundary line from Sunday evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m.
8. Vehicle, motorboat or aircraft repairs and testing. Repairing, rebuilding or testing any motor vehicles, motorcycle, motorboat or aircraft in such a manner as to cause a noise disturbance across a property boundary line from Sunday evening until Friday morning between the hours of 10:00 p.m. and 7:00 a.m., and from Friday evening until Sunday morning (or on the evening of a legal holiday) between the hours of 11:00 p.m. and 8:00 a.m.
9. Motor Vehicles
 - (a) Motor vehicles on public rights-of-way. No person shall operate or cause to be operated a motor vehicle or any equipment attached to such vehicle on a public right-of-way, at any time, in such a manner that the sound level emitted by the motor vehicle or any equipment attached to such a vehicle exceeds the level set forth in the Pennsylvania Department of Transportation Regulations.

(b) Standing motor vehicles. No person shall operate or permit the operation of any motor vehicle or any auxiliary equipment attached to such a vehicle for a period longer than fifteen (15) minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion, anywhere within one hundred fifty (150) feet of any residence in such a manner as to cause a noise disturbance across a property boundary line.

(c) Unnecessary horn blowing. No person shall at any time sound the horn or other warning device of a motor vehicle while actually driving such vehicle except when absolutely necessary as a warning or in an emergency.

10. Operating an air-conditioning unit or units and equipment or other types of mechanical equipment or apparatus installed in or attached to buildings or located on premises appurtenant to buildings, to make or produce excessive noise, thereby causing annoyance, inconvenience or detriment to the public or to any other person or persons.

D. Prima facie violation.

Credible testimony in a court of law from five (5) or more residents who are in general agreement as to the times and durations of the noise and who reside in separate residences, including apartments and condominiums, located across a property boundary line from the property on which the source of the noise is generated, that the generation of prohibited noise as described in sections (A), (B) and (C) above, was a disturbance to their use, occupancy and enjoyment of their property, shall be prima facie evidence of the generation of a prohibited noise.

E. Exemptions.

The following sounds are exempt from the provisions of this chapter:

1. Emergency work: sounds caused by the performance of emergency work, or by the ordinary and accepted use of emergency apparatus and equipment, or the generation of sound for the purpose of alerting persons to the existence of an emergency.

2. Municipal and utility services: sound resulting from the repair or replacement of any municipal or

utility installation in or about the public right-of-way.

3. Permitted sounds: any activity which would otherwise cause or constitute a violation of this Chapter, for which an appropriate permit has been obtained from the township.

F. Variance conditions.

1. Any person who owns or operates any stationary noise source may apply to the NCA for a variance from one or more of the provisions of this ordinance. Applications for a permit of variance shall supply information including, but not limited to:
 - a. The nature and location of the noise source for which such application is made;
 - b. The reason for which the permit of variance is requested, including the hardship that will result to the applicant, his/her client, or the public if the permit of variance is not granted;
 - c. The level, duration and repetition intervals of noise that will occur during the period of the variance;
 - d. The section or sections of this chapter for which the permit of variance shall apply;
 - e. A description of interim noise control measures to be taken for the applicant to minimize noise and the impacts occurring therefrom; and
 - f. A specific schedule of the noise control measures that shall be taken to bring the source into compliance with this chapter within a reasonable time.
2. Failure to supply the information required by the NCA shall be cause for rejection of the application.
3. A copy of the permit of variance must be kept on file by the NCA for public inspection.
4. The NCA may charge the applicant a permit fee in the amount set from time to time by the Board of

Commissioners to cover expenses resulting from the processing of the permit variance application.

5. The permit of variance shall extend for a period not to exceed one month at the discretion of the NCA. Permits for longer periods may only be granted by the Board of Commissioners. Any person holding a permit of variance and requesting an extension of time shall apply for a new permit of variance under the provisions of this section.
6. No variance shall be approved unless the applicant presents adequate proof that:
 - a. Noise levels occurring during the period of the variance will not constitute a danger to public health; and
 - b. Compliance with this chapter would impose an unreasonable hardship on the applicant without equal or greater benefits to the public.
7. In making the determination of granting a variance, the NCA shall consider:
 - a. The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property that is caused or threatened to be caused to other persons in the township;
 - b. The social and economic value of the activity for which the variance is sought; and
 - c. The ability of the applicant to apply the best practical noise control measures.
8. No variance shall be granted which would expand the hours set forth herein.
9. A variance may be revoked by the NCA if there is:
 - a. Violation of one or more conditions of the variance;
 - b. Material misrepresentation of fact in the variance application; or
 - c. Material change in any of the circumstances relied on by the NCA in granting the variance.

Section 6. The Code of the Township of Upper Dublin, Chapter 61 thereof, entitled Amusement Games, section 61-12, Operation requirements; compliance required, shall be amended to provide as follows:

§ 61-12. Operation requirements; compliance required.

* * * * *
* * * * *

B. The owner of the game shall maintain good order on the premises at all times. The lack of good order on the premises shall include but not be limited to the following:

- (1) Excessive noise, fighting and rowdy behavior. Excessive noise shall be determined in accordance with Section 158-12 of this Code.

* * * * *
* * * * *

Section 7. The Code of the Township of Upper Dublin, Chapter 61 thereof, entitled Amusement Games, section 61-13, Termination, suspension or revocation of license, shall be amended to provide as follows:

§ 61-13. Termination, suspension or revocation of license.

* * * * *
* * * * *

B. All licenses issued pursuant to the provisions of this chapter are subject to suspension or revocation by the Township Manager upon any of the following occurrences:

* * * * *
* * * * *

- (3) The existence of a nuisance to the general public, to persons residing in the vicinity or business located in the vicinity resulting from loitering by persons on or near the premises in which the license holder's amusement games are located or any loud or unreasonable noise caused by the said amusement games or person playing the said amusement games. The existence of a nuisance and/or excessive noise shall be determined in accordance with Chapter 158 of this Code.

Section 8. The Code of the Township of Upper Dublin, Chapter 64 thereof, entitled Animals, Section 64-6, Board of Animal Regulation, shall be amended to provide as follows:

§ 64-6. Board of Animal Regulation.

* * * * *
* * * * *

- B. The Board shall also have the power, with the consent of the Township Commissioners, to make such rules and regulations as it shall deem necessary to carry out the purpose of this Article and, on request of the Township Health Enforcement Officer, to determine whether any person is violating any provisions of the Article or the rules and regulations adopted hereunder. No regulations of the Board of Animal Regulation shall take effect until approved by the Board of Commissioners. In making such determination, the Board shall consider the following standards:

* * * * *
* * * * *

- (4) The permittee shall maintain premises so as to eliminate offensive odors or excessive noise. The existence of offensive odors and/or excessive noise shall be determined in accordance with Chapter 158 of this Code.

* * * * *
* * * * *

Section 9. The Code of the Township of Upper Dublin, Chapter 64 thereof, entitled Animals, Section 64-19, Odors and noise, shall be amended to provide as follows:

§ 64-19. Odors and noise.

- A. No person shall keep or harbor any animal in the township so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health or safety of the public. The existence of offensive odors and/or excessive noise shall be determined in accordance with Chapter 158 of this Code.

Section 10. The Code of the Township of Upper Dublin, Chapter 86 thereof, entitled Disorderly Conduct, Section 86-1, Definition; unnecessary noise prohibited, shall be amended to provide as follows:

§ 86-1. Definition; unnecessary noise prohibited.

* * * * *
* * * * *

- C. Unnecessary noises, as used in Subsections A and B above, shall be determined in accordance with Section 158-12 of this Code.

Section 11. The Code of the Township of Upper Dublin, Chapter 86 thereof, entitled Disorderly Conduct, Section 86-2, Prohibited actions, shall be amended to provide as follows:

§ 86-2. Prohibited actions.

Without in any manner intending to limit or restrict the generality of the above definition of and prohibition against disorderly conduct, the following are hereby declared to constitute disorderly conduct by reason of excessive noise, when such noise levels attain those proscribed by Section 158-12 of this Code:

* * * * *
* * * * *

Section 12. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Section 192-14, General discharge prohibitions, shall be amended to provide as follows:

§ 192-14. General discharge prohibitions.

* * * * *
* * * * *

- B. No user shall introduce or cause to be introduced into a POTW the following:

* * * * *
* * * * *

- (11) Noxious or malodorous liquids (including automobile antifreeze), gases, solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life or to prevent entry into the sewers for maintenance or repair. A substance will be determined to be malodorous and/or a public nuisance in accordance with Chapter 158 of this Code.

* * * * *
* * * * *

Section 13. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-42, Special exceptions, shall be amended to provide as follows:

§ 255-42. Special exceptions.

* * * * *
* * * * *

B. No use authorized as a special exception shall be granted unless the applicant shall show that the proposed use complies with the following:

* * * * *
* * * * *

(3) Day camp.

* * * * *
* * * * *

(i) Adequate facilities shall be provided to control noise, eliminate physical hazards and provision made for activities during inclement weather periods. Excessive levels of noise are determined in accordance with Section 158-12 of this Code.

* * * * *
* * * * *

Section 14. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-61, Development requirements; plan, shall be amended to provide as follows:

§ 255-61. Development requirements; plan.

The general plan for an office center shall be executed in accordance with the following essential conditions:

* * * * *
* * * * *

Q. All materials, including trash, supplies, rubbish, refuse, etc., shall be stored within the buildings. They shall not be handled so as to give rise to smoke, odor or litter. An odor violation will be determined in accordance with Chapter 158 of this Code.

* * * * *
* * * * *

Section 15. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-68, Development requirements; plan, shall be amended to provide as follows:

§ 255-68. Development requirements; plan.

The general plan for a Motel - Motor Inn - Motor Lodge District shall be executed in accordance with the following essential conditions:

* * * * *
* * * * *

- R. All materials, including trash, supplies, rubbish, refuse, etc., shall be stored within the buildings. They shall not be handled so as to give rise to smoke, odor or litter. An odor violation will be determined in accordance with Chapter 158 of this Code.

Section 16. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-76, Performance Standards, shall be amended to provide as follows:

§ 255-76. Performance standards.

- A. Control of noise. At no point on the boundary of a residential district shall the level of sound from a recreational use be such as to disturb the residential environment of the adjacent residences. A violation of this section will occur when the level of sound is determined to be excessive in accordance with the provisions of Section 158-12 of this Code.

Section 17. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-96, Development requirements, shall be amended to provide as follows:

§ 255-96. Development requirements.

No permit for the erection or use of any building within the district shall be issued until the following conditions are met:

* * * * *
* * * * *

D. Provisions are made to store all materials, including trash, supplies, rubbish, refuse, etc., within the building. They shall not be handled so as to give rise to smoke, odor or litter. An odor violations will be determined in accordance with Chapter 158 of this Code.

* * * * *
* * * * *

Section 18. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-106, Noises, shall be amended to provide as follows:

§ 255-106. Noises.

At no point on the property boundary line shall noise be other than as permitted by the provisions and regulations set forth in Chapter 158, Section 158-12 of this Code.

Section 19. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-107, Odors, shall be amended to provide as follows:

§ 255-107. Odors.

There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at property boundary lines. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. The guide for determining the quantity of offensive odors shall be established by the provisions set forth in Chapter 158 of this Code.

Section 20. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Section 255-121, Development requirements, shall be amended to provide as follows:

§ 255-121. Development requirements.

* * * * *
* * * * *

F. Any site proposed for a mobile home development shall not be subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare. Odor and excessive noise violations will be determined in accordance with Chapter 158 of this Code.

Section 21. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, shall be amended to add a new section 110-20, as follows:

§110-20. Noise Variance Permit.

In accordance with Chapter 158, Nuisances, applicants for a Noise Variance Permit shall pay permit fee of twenty-five dollars (\$25).

Section 22. Nothing in this Ordinance or in Chapters 61, 64, 86, 110, 158, 192 or 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters prior to the adoption of this amendment.

Section 23. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 24. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *13th* day of *May*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



RICHARD R. RULON, PRESIDENT

ATTEST:



PAUL A. LEONARD, SECRETARY

ud/ord/noise5.slg

AN ORDINANCE

NO. 944

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 25, MANAGER, SECTION 25-4, BOND, BY RESCINDING THE REQUIREMENT THAT THE MANAGER BE REQUIRED TO GIVE A BOND TO THE TOWNSHIP BEFORE ENTERING UPON HIS DUTIES.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 25 thereof, entitled **Manager**, Section 25-4, Bond, shall be amended to provide as follows:

Chapter 25

MANAGER

* * * * *
* * * * *

§ 25-4. Bond.

Before entering upon his duties, the Manager shall not be required to give a bond to the township.

Section 2. Nothing in this Ordinance or in Chapter 25 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 25 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

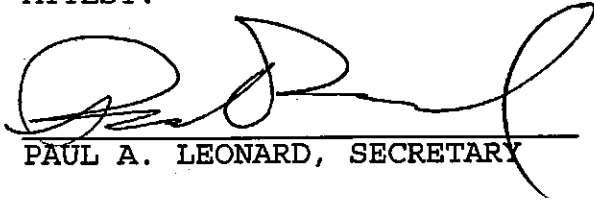
ENACTED AND ORDAINED this 13th day of *May*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



RICHARD R. RULON, PRESIDENT

ATTEST:



PAUL A. LEONARD, SECRETARY

AN ORDINANCE
NO. 945

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE III, "PARKING REGULATIONS", SECTION 23.1 "PARKING PERMIT PROGRAM" TO DESIGNATE THAT CURBSIDE PARKING ON THE FOLLOWING STREET SHALL BE SUBJECT TO THE REGULATIONS OF THIS PROGRAM FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 1998: LOCH ALSH AVENUE, NORTH AND SOUTH SIDES, FROM FORT WASHINGTON AVENUE TO THE 309 EXPRESSWAY OVERPASS.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, "Parking Regulations" shall be amended by adding thereto the following section:

ARTICLE III
Parking Regulations

* * * * *

§233-23.1 Parking permit program.

* * * * *

C. Designation of permit parking areas.

* * * * *

(2) Permit parking areas enumerated. The following shall be permit parking areas during the times indicated:

(a) Until June 30, 1998, parking without a permit shall be unlawful between the hours of 7:00 a.m. and 3:00 p.m., Mondays through Fridays, except on legal holidays on Loch Alsh Avenue, north and south sides, from Fort Washington Avenue to the 309 Expressway Overpass.

* * * * *

Section 2. Nothing in this Ordinance or in Section 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Section 233 prior to the adoption of this amendment.

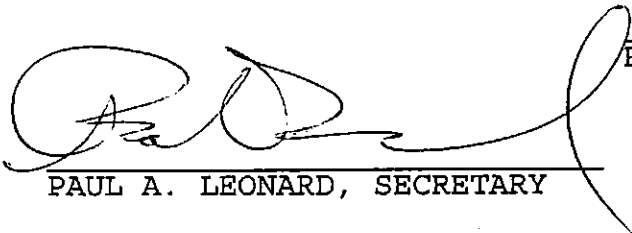
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 2nd day of August, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



RICHARD R. RULON, PRESIDENT

g:\ud\ord\vehtraf\parkperm.ord

AN ORDINANCE

NO. 946

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-56, "TIME LIMIT PARKING" BY ESTABLISHING A TWO-HOUR PARKING LIMIT BETWEEN THE HOURS OF 7:00 A.M. TO 3:00 P.M., MONDAY THROUGH FRIDAY ON CERTAIN DESIGNATED STREETS, OR PORTION'S THEREOF IN AN AREA GENERALLY SURROUNDING UPPER DUBLIN HIGH SCHOOL.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-56, Time Limit Parking, shall be amended to provide as follows:

§ 233-56. Schedule XV: Time Limit Parking.

In accordance with the provisions of §233-23, no person shall park a vehicle or allow the same to remain parked upon any of the streets or parts thereof described below, between the hours specified, for longer than the time indicated below:

Name of Street	Side	Time Limit; Hours/Days	Location
Donna Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Hawthorne Lane to and including the cul-de-sac
Farm Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Loch Alsh Avenue to Schiavone Drive
Ft. Washington Ave.	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Susquehanna Road to Highland Avenue
Hawthorne Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Ft. Washington Avenue to Goodman Dr.
Hoffman Road	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Loch Alsh Avenue to Heather Road

Lake Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Loch Alsh Avenue to Cedar Road
Loch Alsh Avenue	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From 309 Expressway Overpass to Cedar Road
Thomas Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Fort Washington Avenue to Kenyon Drive
Tressler Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Hawthorne Lane to Shaw Drive

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *12th* day of *August*, 1997.

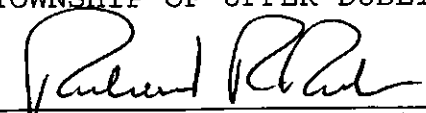
BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

g:\ud\ord\vehtraf\2hrpark.ord



RICHARD R. RULON, PRESIDENT

AN ORDINANCE

NO. 947

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 255, ZONING, ARTICLE I, SECTION 255-7, "DEFINITIONS", BY ADDING SEVERAL DEFINITIONS RELATIVE TO THE OPEN SPACE PRESERVATION DISTRICT; ARTICLE VII, "RESIDENTIAL DISTRICTS", SECTION 255-43, "A-RESIDENTIAL DISTRICT", BY ADDING A NEW SUBSECTION PROVIDING THAT ALL A-RESIDENTIAL PARCELS MAY BE DEVELOPED IN ACCORDANCE WITH THE PROVISIONS FOR AN OPEN SPACE PRESERVATION DISTRICT, AND THAT ALL DEVELOPMENT IN THE A-RESIDENTIAL DISTRICT BE CALCULATED PURSUANT TO THE DEVELOPABLE ACREAGE CALCULATIONS; AND BY ADDING A NEW ARTICLE XXVIII TO ESTABLISH AND OUTLINE THE REQUIREMENTS FOR AN OPEN SPACE PRESERVATION DISTRICT, INCLUDING GOALS, PERMITTED USES, APPLICATION SUBMISSION, NEIGHBORHOOD STANDARDS, COMMON OPEN SPACE STANDARDS, RESTRICTIONS ON OWNERSHIP AND MAINTENANCE OF COMMON FACILITIES, CALCULATIONS FOR SITE CAPACITY INCLUDING DEVELOPABLE ACREAGE AND DENSITY, DIMENSIONAL STANDARDS AND OPTIONS, AND PHASING.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, "Definitions", shall be amended by adding the following definitions in alphabetical order:

ARTICLE I

* * * * *
* * *

§255-7. Definitions.

* * * * *
* * *

BUILDING COVERAGE - The maximum horizontal covered area of building at or above grade.

* * *

COMMON FACILITIES - All the real property and improvements set aside for the common use and enjoyment of the residents, including, but not limited to, buildings, open land, private roads, parking areas, walkways, recreation areas, landscaped areas, drainage easements, and any utilities that service more than one unit, such as sewer and water facilities.

* * *

DEVELOPABLE ACREAGE - All land is defined as "developable acreage" except land area located within existing road ultimate rights-of-way, noncontiguous land; one hundred percent (100%) of floodplain, wetlands, ponds and lakes; fifty percent (50%) of slopes from 15 to 25 percent; eighty-five percent (85%) of slopes over twenty-five percent (25%); and fifty percent (50%) of existing utility rights-of-way.

* * *

ESTATE LOT - A large, privately-owned lot comprising all or part of an area of open land. The purpose of the estate lot is to provide surrounding residents with visual access to open land, while keeping the land under private ownership and maintenance. Only a small portion of the estate lot may be developed; the remainder may be farmed or left in its natural state. Public access to estate lots is not required.

* * *

HOMEOWNERS ASSOCIATION - A community association combining individual homeownership with shared use or ownership of common property and facilities. The homeowner owns the lot, including the interior and exterior of the individual home, while the association owns and maintains the common facilities.

* * *

NEIGHBORHOOD - Under Open Space Preservation District, a development consisting of between 5 and 25 single-family detached dwellings surrounded by open land.

* * *

NON-CONTIGUOUS LAND - Land separated by roads, or railroads, or land where the connecting link is less than 50 feet wide.

* * *

OPEN LAND - Under Open Space Preservation District, that portion of the tract that is set aside for the protection of sensitive natural features, farmland, scenic views, and other unique features. Open land may be accessible to the residents of the development and the township, or it may contain areas of farmland or estate lots which are not accessible to the public.

Section 2. The Code of the Township of Upper Dublin, Chapter 255, thereof, entitled Zoning, Article VII, "Residential Districts", section 255-43, "A-Residential District", shall be amended by adding the following subsections:

§255-43. A-Residential District.

* * * * *

C. Open Space Preservation District Overlay Option.

All parcels located in the A-Residential District may be developed in accordance with the provisions of Article XXVIII of this chapter providing for an Open Space Preservation District.

D. Calculation of Site Capacity. Development in the A-Residential District shall be regulated by a calculation of site capacity according to the Developable Acreage concept. The applicant shall determine the developable acreage using the following method, and submit sufficient evidence in the form of plans and data to verify the calculations:

1. Developable Acreage Calculations:

a. From the gross acreage of the site subtract the following:

- a. Existing road ultimate right-of-way
- b. Non-contiguous land
- c. 100% of floodplain land
- d. 100% of wetlands
- e. 100% of ponds or lakes
- f. 50% of slopes from 15-25 percent
- g. 85% of slopes over 25 percent
- h. 50% of existing utility rights-of-way

b. The balance constitutes the total developable acreage.

c. In the calculations above, the following shall apply:

a. Land separated by roads or railroads, or land where the connecting link is less than 50 feet wide is non-contiguous land.

b. The calculated 100-year floodplain shall be used where available, otherwise alluvial soils shall be used.

c. Where two or more categories overlap, the overlapping acreage shall be counted only once using the most restrictive classification.

d. Utility corridors owned in fee simple by the utility shall not be counted towards the applicant's land area.

2. Density Calculation.

a. To determine the number of units permitted on a given site, multiply the developable acreage by 1.68 dwelling units per developable acre.

Section 3. The Code of the Township of Upper Dublin, Chapter 255, thereof, entitled Zoning, shall be amended by adding a new Article XXVIII as follows:

**ARTICLE XXVIII
OPEN SPACE PRESERVATION DISTRICT**

§255-205. Legislative Intent.

In the interest of the public health, safety and welfare, the provisions of this Article are intended to:

A. Permit residential development in the form of small, compact neighborhoods of single-family detached homes in an open space setting, located and designed to reduce the perceived intensity of development, preserve natural features and farmland, and provide privacy and neighborhood identity.

B. Preserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplain and wetlands, by setting them aside from development.

C. Preserve scenic views and minimize perceived density, by minimizing views of new development from existing roads.

D. Preserve natural and scenic features and historic resources.

E. Provide greater design flexibility and efficiency in the siting of services and infrastructure, by reducing the length of roads, utility runs, and the amount of paving required for residential development.

F. Create compact neighborhoods with direct visual access to open land, with amenities in the form of neighborhood open space, and with a strong neighborhood identity.

G. Reduce erosion and sedimentation by the retention of existing vegetation, and the minimization of development on steep slopes.

H. Create new woodlands through natural succession and reforestation where appropriate, and to encourage the preservation and improvement of habitat for various forms of wildlife.

I. Preserve areas of the township with productive agricultural soils for continued or future agricultural use, by preserving blocks of land large enough to allow for efficient farm operations.

J. Provide for the creation, retention and protection of historic sites and open space areas within the township.

K. Provide for the preservation and maintenance of open land within the township to achieve the above-mentioned goals and for active or passive recreational use by residents.

L. Implement the goals of the township's Open Space Environmental Resource Protection Plan adopted November 9, 1994.

§255-206. District Established.

The Open Space Preservation District is an overlay district on specifically designated residentially-zoned areas of the township. All property within a designated residential district used or intended to be used in conjunction with the exercise of the open space preservation district overlay option, shall comply with the provisions of this article. A parcel of land to be developed shall be in single ownership or shall be the subject of an application filed jointly by all the owners of the entire tract, who shall stipulate that the entire tract will be developed in accordance with the approved plan.

§255-207. Permitted Uses.

A. Single-Family Detached Dwellings. Standard single-family detached dwellings are permitted under the neighborhood design standards herein, at a maximum density of 1.68 dwelling units per developable acre, with open land comprising at least thirty percent (30%) or forty percent (40%) of the tract, depending on the minimum lot size selected.

B. Open land comprising a portion of a residential development, as specified above and according to the requirements of Section 255-210.

C. The following non-residential uses:

1. Agricultural activities of the following types:

a. The cultivation and harvesting of crops and related farm products;

b. Orchards, nurseries, greenhouses, and related horticultural uses.

2. Open space uses, primarily passive in nature, including wildlife sanctuary, forest preserve, nature

center, and similar uses.

3. Parks and recreation areas for non-intensive uses, including golf course (excluding driving range or miniature golf), picnic areas, playing fields, and similar uses.

D. Accessory uses on the same lot with and customarily incidental to any permitted use.

§255-208. Application Submission.

The initial application for a subdivision under the Open Space Preservation District shall meet the township's requirements for preliminary plans, as found in the Subdivision and Land Development chapter. The application shall also address:

A. Visual Resources. Scenic views onto the tract from surrounding roads and public areas, as well as views of scenic features from within the tract.

B. Cultural and Historic Resources. Descriptions of historic character of buildings and structures, if applicable.

§255-209. Neighborhood Standards.

A. Design Standards. The following standards apply to all residential developments in the Open Space Preservation District, except for estate lots:

1. All lots shall be grouped into neighborhoods which shall contain at least five, but no more than 25 lots, and are surrounded by open land.

2. The maximum or minimum number of lots in a neighborhood may be increased or decreased, and neighborhoods may be assembled into larger groupings with the approval of the Board of Commissioners. However, the applicant must demonstrate that such an alternative plan is more appropriate for the tract in question, and will meet both the general intent and design standards of this Article, rather than being intended solely for economic savings.

3. Neighborhoods are defined by the outer perimeter of contiguous lotted areas or abutting roads, and may contain lots, roads and neighborhood open space.

4. A plan may contain one or more neighborhoods.

5. The outer boundaries of each neighborhood shall meet the setback requirements specified in Section 255-213(C), Dimensional Standards.

6. Neighborhoods shall be located on areas of the tract which are relatively free of sensitive environmental features. At a minimum, neighborhoods shall not encroach upon:

- a. Floodplain or wetlands.
- b. Lands already designated by the township for open space.

7. Disturbance to woodlands, hedgerows, mature trees or other significant vegetation shall be minimized.

8. Neighborhoods shall be defined and separated by open land in order to provide direct access to open space and privacy to individual yard areas. Neighborhoods may be separated by roads if the road right-of-way is designed as a parkway and meets the setback requirements set forth in Section 255-213(C).

9. Views of neighborhoods from exterior roads shall be minimized by the use of changes in topography, existing vegetation or additional landscaping.

10. All lots in a neighborhood shall take access from interior roads, rather than roads exterior to the tract.

11. All lots in a neighborhood shall be not more than 30 feet from open space or other open land on the tract. Such open space or open land shall be either immediately adjacent to the lot or directly across a road from the lot.

B. Open Space Standards. A neighborhood with ten or more residential lots must provide neighborhood open space at a minimum rate of 1,000 square feet per lot, in compliance with the following standards:

1. The open space shall be central to the neighborhood it serves.

2. The open space shall have a minimum of 100 feet of road frontage and a minimum average width of 35 feet.

3. The open space shall be configured as a green or parkway.

- a. A green shall be located in a central position in the neighborhood, and shall be surrounded by streets and/or buildings lots on at least three sides. It shall be designed and landscaped as a space for common neighborhood use.

b. A parkway is a narrow strip of open space surrounded by streets on all sides, and generally intended for a smaller neighborhood. It shall be designed as a space for neighborhood use.

4. The open space may contain stormwater detention basins or parking areas, but these shall not be included in the required 1,000 square feet per lot.

5. Neighborhood open space shall count towards meeting the open space requirement of the Open Space Preservation District.

C. A neighborhood with less than ten residential lots must be adjacent to common open land, but is not required to provide internal neighborhood open space as outlined in Section 255-209(B) above.

§255-210. Common Open Space Standards.

Under the neighborhood standards, either thirty percent (30%) or forty percent (40%) of each tract is required to be set aside as protected common open space, depending on the minimum lot size selected. This open land area shall meet the following standards:

A. Permitted Uses. Common open space shall be available for use by those having an ownership interest in the tract as developed. Portions of the common open space may be designated for use by the general public. The following uses are permitted in common open space areas:

1. Conservation of open land in its natural state (for example, woodland, fallow field, or managed meadow).

2. Agricultural uses and farm buildings.

3. Neighborhood open space as specified in Section 255-209(B).

4. Passive recreation including, but not limited to, trails, picnic areas, community gardens, lawn areas.

5. Active recreation areas such as golf courses, playing fields, playgrounds and courts, meeting the setback requirements set forth in Section 255-213(C).

6. Municipal water and sewer facilities.

7. Easements for drainage, access, sewer or water lines, or other public purposes.

8. Stormwater management facilities for the proposed development, or for a larger area in compliance

with a watershed stormwater management plan.

9. Parking areas of ten or fewer spaces where necessary to serve active recreation facilities.

10. Above-ground utility and road rights-of-way, except that their land areas shall not count toward the required minimum open land requirement.

11. Estate lots, meeting the following standards:

a. A minimum size of 2 acres, of which a maximum of one acre may be developed with a single-family detached dwelling and customary accessory uses. Only the undeveloped portion of the estate lot may be used to meet the minimum open land requirement.

b. The one acre of the estate lot that may be developed shall include any portion of the site not left in its natural state or used for agricultural purposes, all dwellings, accessory buildings and structures, paved areas, lawns and gardens.

c. The developed area of the estate lot shall meet the Neighborhood Setback standards listed in Section 255-213(C), with the exception of subsections (4) and (5).

d. Estate lots shall be restricted by permanent easement against further subdivision.

e. Dwellings on estate lots shall be counted toward the maximum density permitted on a tract.

f. Dwellings on estate lots shall be sited according to the same principals as neighborhoods per Section 255-210. Specifically, dwellings shall not encroach on environmentally sensitive areas, and should not infringe upon scenic views from exterior roads or from neighborhoods.

B. Design Standards. Open land areas shall be located and designed to:

1. Protect site features identified in the inventory and analysis as having particular value, in compliance with the intent of this Article.

2. Maximize common boundaries with open land on adjacent tracts.

C. Preservation. Common open space shall be restricted in perpetuity from further subdivision and/or land development by deed restriction, conservation easement or other agreement in a form acceptable to the Township Solicitor and duly recorded in the office of the Recorder of Deeds of Montgomery County.

D. Access. Safe and convenient pedestrian and maintenance access shall be provided to open land areas. In addition:

1. Each neighborhood shall provide one centrally located access point per 25 lots, a minimum of 50 feet wide.

2. Access to open land used for agriculture may be appropriately restricted for public safety and to prevent interference with agricultural operations.

E. Prohibited Uses. The following are prohibited in open land areas:

1. Use of motor vehicles except within approved driveways and parking areas. Maintenance, law enforcement, emergency, and farm vehicles are permitted, as needed.

2. Cutting of healthy trees, regrading, topsoil removal, altering, diverting, or modifying water courses or bodies, except in compliance with a land management plan for the tract in question conforming to customary and applicable township standards of forestry, erosion control, and engineering.

F. Modification of Natural Features. Natural features shall generally be maintained in their natural condition, but may be modified to improve their appearance, functioning, or overall condition, as recommended by experts in the particular area being modified. Permitted modifications may include:

1. Reforestation
2. Woodland management
3. Meadow management
4. Buffer area landscaping
5. Streambank protections
6. Wetlands management

§255-211. Ownership and Maintenance of Common Facilities and Open Land.

A. Purpose. To ensure adequate planning for operation and maintenance of open land, recreation facilities, sewage facilities, water supply facilities, stormwater management

facilities, common parking areas and driveways, private streets, and any other common or community facilities (hereinafter referred to as common facilities).

B. Ownership. The following methods may be used, either individually or in combination, to own common facilities, however, open land must be initially offered for dedication to the township. Common facilities shall not be transferred to another entity except for transfer to another method of ownership permitted under this section, and then only when there is no change in the common facilities or in the open space ratio of the overall development. Ownership methods shall conform to the following:

1. Fee Simple Dedication to the Township. Upper Dublin Township may, but shall not be required to, accept any portion of the common facilities, provided that:

a. Any common facilities shall be freely accessible to the residents of the township;

b. There shall be no cost to the township involved; and

c. The township agrees to and has access to maintain such facilities.

2. Dedication of Easements to the Township or County. Upper Dublin Township or Montgomery County may, but shall not be required to, accept easements for public use of any portion of the common facilities. In such cases, the facility remains in the ownership of the individual or homeowners association while the easements are held in public ownership. The county shall accept such easements only in accordance with Act 442, "The Open Space Acquisition Act," and county plans. In addition, the following regulations shall apply:

a. There shall be no cost of acquisition to the township or the county.

b. Any such easements for public use shall be accessible to the residents of the township.

c. A satisfactory maintenance agreement shall be reached between the owner and the township or the county.

3. Homeowners Association. Common facilities may be held in common ownership by a homeowners association, subject to all of the provisions for homeowners associations set forth in Article VII of the Pennsylvania

Municipalities Planning Code (Planned Residential Development). In addition, the following regulations shall be met:

a. The applicant shall provide to the township a description of the organization, including its by-laws, and all documents governing ownership, maintenance, and use restrictions for common facilities. These items must be submitted to the township prior to the issuance of any use and occupancy permit.

b. The homeowners association shall be established by the owner or applicant and shall be operating, with financial subsidization by the owner or applicant, if necessary, before the sale of any dwelling units in the development.

c. Membership in the homeowners association shall be mandatory for all purchasers of dwelling units in the development and their successors and assigns.

d. The homeowners association shall be responsible for maintenance and insurance of common facilities.

e. Written notice of any proposed transfer of common facilities by the homeowners association or the assumption of maintenance for common facilities must be given to all members of the homeowners association and to the township no less than 30 days prior to such event.

f. The homeowners association shall have or hire adequate staff to administer, maintain and operate such common facilities.

4. Transfer to a Private Conservation Organization. With permission of the township, an owner may transfer either the fee simple title, with appropriate deed restrictions running in favor of the township, or easements to a private non-profit conservation organization provided that:

a. The organization is acceptable to the township and is a bona fide conservation organization with perpetual existence;

b. The conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions;

c. A maintenance agreement acceptable to the township is established between the owner and the organization.

C. Maintenance and Operation of Common Facilities.

1. The applicant shall, at the time of preliminary plan submission, provide a plan for maintenance and operation of common facilities. Such plan shall:

a. Define ownership;

b. Establish necessary regular and periodic operation and maintenance responsibilities;

c. Estimate staffing needs, insurance requirements, and associated costs, and define the means for funding on an on-going basis from year to year. Such funding plan shall include means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.

d. At the township's discretion, the applicant may be required to escrow sufficient funds for the maintenance and operation costs of common facilities for up to one year.

2. In the event that the organization established to maintain common facilities, or any successor organization thereto, fails to maintain all or any portion of the common facilities in reasonable order and condition, the township may, in accordance with Article VII of the Pennsylvania Municipalities Planning Code (Planned Residential Development), assume responsibility of maintenance, in which case any escrow funds may be forfeited and any permits may be revoked or suspended.

The township may enter the premises and take corrective action. The costs of such corrective action may be charged to the property owner or homeowners association and may include administrative costs and penalties as stipulated in Article XXVI of this Chapter. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the township in the office of the Prothonotary of Montgomery County.

§255-212. Calculation of Site Capacity.

Open Space Preservation District development shall be regulated by a calculation of site capacity according to the Developable Acreage concept. The applicant shall determine the developable acreage using the following method, and submit sufficient evidence in the form of plans and data to verify the calculations:

A. Developable Acreage Calculations:

1. From the gross acreage of the site subtract the following:

- a. Existing road ultimate right-of-way
- b. Non-contiguous land
- c. 100% of floodplain land
- d. 100% of wetlands
- e. 100% of ponds or lakes
- f. 50% of slopes from 15-25 percent
- g. 85% of slopes over 25 percent
- h. 50% of existing utility rights-of-way

2. The balance constitutes the total developable acreage.

3. In the calculations above, the following shall apply:

- a. Land separated by roads or railroads, or land where the connecting link is less than 50 feet wide is non-contiguous land.
- b. The calculated 100-year floodplain shall be used where available, otherwise alluvial soils shall be used.
- c. Where two or more categories overlap, the overlapping acreage shall be counted only once using the most restrictive classification.
- d. Utility corridors owned in fee simple by the utility shall not be counted towards the applicant's land area.

B. Density Calculation.

1. To determine the number of units permitted on a given site, multiply the developable acreage by 1.68 dwelling units per developable acre.

2. When calculating the number of permitted dwelling units, any units expressed as a fraction shall be rounded

down to the nearest whole number. For example, if the density calculation yields 7.8 dwelling units, only 7 units will be permitted per developable acre.

§255-213. Dimensional Standards.

A. Standard Single-Family Detached Dwellings.

Single family detached dwellings may be built at a maximum density of 1.68 dwellings per developable acre according to one of the following alternatives.

1. Alternative One.

a) Minimum lot size	9,000 sq.ft.
b) Minimum lot width (at building line)	60 ft.
c) Minimum front yard	30 ft.
d) Minimum side yard	10 ft. each
e) Minimum rear yard	25 ft.
f) Height (maximum)	
Principal building	35 ft.
Accessory building	20 ft.
g) Maximum building coverage (% of lot area)	18%
h) Maximum impervious coverage (% of lot area)	30%
i) Minimum common open space (% of gross tract acreage)	40%

2. Alternative Two.

a) Minimum lot size	12,000 sq.ft.
b) Minimum lot width (at building line)	80 ft.
c) Minimum front yard	35 ft.
d) Minimum side yard	10 ft. each (aggregate of 25 ft.)
e) Minimum rear yard	30 ft.
f) Height (maximum)	
Principal building	35 ft.
Accessory building	20 ft.
g) Maximum building coverage (% of lot area)	18%
h) Maximum impervious coverage (% of lot area)	30%
i) Minimum common open space (% of gross tract acreage)	30%

B. Estate Lot Standards. The following standards apply to single-family detached dwellings on estate lots located in open land areas, in conjunction with neighborhood development. These standards also apply to non-residential uses under Section 255-208(D).

1. Minimum Estate Lot Size
 - a. Tract size of less than 20 acres 2 acres
 - b. Tract size of 20 acres or more 4 acres
2. Maximum developed area (Lot width and setbacks pertain to developed area of lot) 1 acre
3. Minimum lot width: 150 feet
4. Minimum front yard: 40 feet
5. Minimum side yard: 25/60 aggregate
6. Minimum rear yard: 40 feet
7. Maximum building coverage: 15% of developed area

C. Neighborhood Setbacks. The outer boundaries of all neighborhoods shall meet the following setbacks. The boundary is defined as the outer edge of lots abutting open land, or of roads adjacent to the fronts of those lots.

1. From all external road ultimate rights-of-way 100 feet
2. From all tract boundaries 50 feet
3. From cropland or pasture land 100 feet
4. From other residential neighborhoods within the development 100 feet
5. From wetlands, floodplain or watercourses 25 feet
6. From active recreation areas such as courts or playing fields 150 feet

7. All setback areas along roads shall be landscaped according to the standards of the Subdivision and Land Development Chapter in order to preserve scenic views and integrate the neighborhood into the surrounding landscape.

8. Setback standards may be reduced by the Board of Commissioners under the following circumstances:

a. Setback from roads may be reduced to a minimum of 50 feet if the applicant can demonstrate that existing vegetation and/or topography form an effective visual buffer along these roads.

b. All other setbacks may be reduced to half of the requirement specified above if the applicant can demonstrate that reduced setbacks improve the plan's compliance with the Neighborhood Design Standards set forth in Section 255-209(A) and with the intent of this Article.

c. Setback from all tract boundaries may be reduced and/or eliminated from the requirements specified above if the applicant can demonstrate that the reduced setback from all tract boundaries improves the plan's compliance with the neighborhood design standards set forth in Section 255-209(A) and with the intent of this article.

§255-214. Sewage and Water Facilities.

A. All development within the Open Space Preservation District shall be provided with public water and sewage treatment services.

§255-215. Phasing.

Development under the standards of this Article may be phased and estate lots may be subdivided prior to the neighborhood development, in accordance with a unified development plan for the entire tract and the following requirements:

A. An inventory and analysis of the entire tract shall be completed in accordance with Section 255-209, Application Submission.

B. The unified development plan for the tract shall be approved as a sketch plan, and shall be made a part of the binding development agreement between the applicant and the township.

C. When estate lots are subdivided prior to neighborhood development, the following standards shall apply:

1. If neighborhood development is desired in the future, the plan must be designed so that sufficient land area is set aside in a suitable configuration for that purpose.

2. The maximum density permitted within the neighborhood development shall be based upon the acreage of the original tract, minus the dwelling units on the estate lots.

3. The estate lots shall be restricted from further subdivision by permanent easement when they are created.

4. Any future neighborhood development shall be consistent with the approved sketch plan and development agreement.

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be

construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

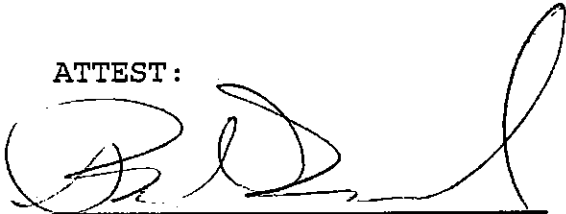
Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force from and after its approval as required by law.

ORDAINED AND ENACTED this 12th day of August, 1997.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

ATTEST:



Paul A. Leonard, Secretary
[ud\ord\cluster6.dra]

By: Richard R. Rulon
Richard R. Rulon, President

AN ORDINANCE
NO. 948

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 110, FEES, SECTION 110-13, SUBDIVISION AND LAND DEVELOPMENT, TO REMOVE THE REQUIREMENT FOR ROAD IMPROVEMENT CONTRIBUTION; SECTION 110-17, ZONING, TO REMOVE THE PROVISION REQUIRING AN ANNUAL INSPECTION FEE FOR DAY CAMPS; AND TO ESTABLISH A NEW SUBSECTION 110-20, ENTITLED DAY CAMPS, REQUIRING A ONE HUNDRED DOLLAR (\$100) ANNUAL INSPECTION FEE FOR DAY CAMPS.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 110, Fees, Section 110-13, "Subdivision and land development", shall be amended to provide as follows:

§110-13. Subdivision and land development.

* * * * *
* * * * *

E. Road Improvement contribution.

- (1) For the construction of all new residential dwelling units, three hundred fifty dollars (\$350.) per dwelling unit.
- (2) For new commercial, shopping center, industrial and office building construction, fifty cents (\$0.50) per square foot of total floor area. For existing buildings, fifty cents (\$0.50) per square foot for additions, renovations and alterations resulting in the installation of additional parking places.

Section 2. The Code of the Township of Upper Dublin, Chapter 110, Fees, Section 110-17, "Zoning", shall be amended to provide as follows:

§110-17. Zoning.

In accordance with Chapter 255, Zoning, the following fees shall be charged:

- A.** An applicant for a change of zoning shall make payment of a fee of one thousand dollars (\$1,000).

* * * * *
* * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 110, Fees, shall be amended by adding a new subsection 110-20, entitled "Day Camps", to provide as follows:

§110-20. Day Camps.

The annual inspection fee for day camps shall be one hundred dollars (\$100).

Section 4. Nothing in this Ordinance or in Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110 prior to the adoption of this amendment.

Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *9th* day of *Sept.*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


RICHARD R. RULON, PRESIDENT

ATTEST:


PAUL A. LEONARD, SECRETARY

g:\ud\ord\fees1.ord

ORDINANCE

NO. 949

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 168, PARKS AND RECREATION AREAS, SECTION 168-2, RULES AND REGULATIONS, SUBSECTION M, BY PROHIBITING THE DUMPING OF HOUSEHOLD, CONSTRUCTION, COMMERCIAL OR LANDSCAPE DEBRIS IN RECEPTACLES OR ON PARKLAND FOR REMOVAL BY THE TOWNSHIP; BY ESTABLISHING A NEW SUBSECTION S-1, PROHIBITING THE USE OF PARK LAND FOR THE PURPOSE OF A GOLF DRIVING RANGE; BY ESTABLISHING A NEW SUBSECTION U-1, PROHIBITING THE USE OF ANY PARK FACILITY OR SECTION OF A PARK FACILITY FOR COMMERCIAL OR PROFIT MAKING ACTIVITIES WITHOUT A SPECIAL PERMIT ISSUED BY THE TOWNSHIP; AND BY ESTABLISHING A NEW SUBSECTION W, PROHIBITING THE USE OF PARK LAND FOR ANY PURPOSE OTHER THAN WHICH IT WAS INTENDED WITHOUT A SPECIAL PERMIT ISSUED BY THE TOWNSHIP.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 168, **Parks and Recreation Areas**, Section 168-2, "Rules and regulations" shall be amended to provide as follows:

§ 168-2. Rules and regulations.

The following rules and regulations are set forth for the use of the parklands in the Township of Upper Dublin:

* * * * *
* * * * *

M. No person shall scatter or drop or leave litter except in receptacles provided for that purpose. No dumping of household, construction, commercial or landscape debris in receptacles or on parkland for removal by the township is permitted.

* * * * *
* * * * *

S-1. No person shall use park land for the purpose of a golf driving or practice range.

* * * * *
* * * * *

U-1. Use of any park facility or section of a park facility for commercial or profit making activities without a special permit issued by the township is prohibited.

* * * * *
* * * * *

W. All public parks and recreational areas including, but not limited to, fields, tennis and basketball courts, trails and pavilions shall be used only for their intended purpose and no other unless a special permit has been issued by the township.

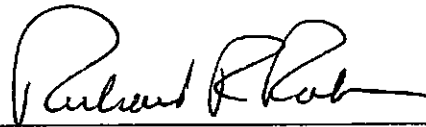
Section 2. Nothing in this Ordinance or in Chapter 168 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 168 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 9th day of *Sept.*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Richard R. Rulon, President

Attest:



Paul A. Leonard, Secretary

AN ORDINANCE
NO. 950

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 207, STREETS AND SIDEWALKS, ARTICLE VI, SIDEWALK CONSTRUCTION, SECTION 207-37, CONSTRUCTION STANDARDS, BY CHANGING THE MINIMUM COMPRESSIVE STRENGTH OF ALL CONCRETE CURBS AND CONCRETE SIDEWALKS FROM ONE THOUSAND (1,000) POUNDS PER SQUARE INCH TO THREE THOUSAND THREE HUNDRED (3,300) POUNDS PER SQUARE INCH.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 207, **Streets and Sidewalks**, Article VI, "Sidewalk Construction", Section 207-37, "Construction standards", shall be amended to provide as follows:

§ 207-37. Construction standards.

Curbs and sidewalks constructed in accordance with the requirements of the ordinances of the Township of Upper Dublin shall be as follows:

* * * * *
* * * * *

- C. All concrete curbs and concrete sidewalks shall be constructed of concrete having a minimum compressive strength of three thousand three hundred (3,300) pounds per square inch when tested at twenty-eight (28) days; the costs of such a test or tests shall be borne by the owner, except that the requirement of the test may be waived when concrete is supplied by a producer of concrete employing a registered professional engineer certifying the minimum strength of each batch of concrete manufactured.

Section 2. Nothing in this Ordinance or in Chapter 207 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 207 prior to the adoption of this amendment.

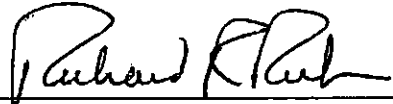
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court

of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

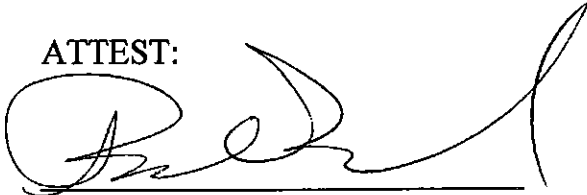
Approved by the Board this *9th* day of *Sept*, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Richard R. Rulon, President

ATTEST:



Paul A. Leonard, Secretary

g:\ud\ord\streets.ord

AN ORDINANCE
NO. 951

AN ORDINANCE AUTHORIZING THE PARTICIPATION OF UPPER DUBLIN TOWNSHIP IN THE DELAWARE VALLEY MUNICIPAL HEALTH COOPERATIVE FOR THE PURPOSE OF STUDYING THE FEASIBILITY OF CREATING A HEALTH INSURANCE TRUST PURSUANT TO THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW.

The Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania does hereby **ENACT** and **ORDAIN**:

Section 1. That the President and Secretary of Upper Dublin Township are hereby authorized to execute the Intergovernmental Cooperation Agreement and any other agreements necessary for its participation in the Delaware Valley Municipal Health Insurance Cooperative. The Intergovernmental Cooperation Agreement is attached hereto as Exhibit "A" and incorporated herein by reference.

The agreement attached hereto is on file for inspection and review at the Upper Dublin Township Municipal Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania 19034. The agreement attached hereto may be subsequently modified or amended but in no event shall such amendments or modifications materially adversely affect the right of the Upper Dublin Township to participate in the Delaware Valley Municipal Health Insurance Cooperative.

Section 2. That participation of Upper Dublin Township in the Delaware Valley Municipal Health Insurance Cooperative is authorized for the purpose of studying the feasibility of creating a municipal health insurance trust and taking such action as necessary to create the trust if it is feasible to do so.

Section 3. As set forth in the Intergovernmental Cooperation Agreement and as otherwise stated herein, the following conditions apply to the participation of Upper Dublin Township in the Delaware Valley Municipal Health Insurance Cooperative:

1. That each participating municipality must meet the admission and eligibility requirements set forth therein;

2. That each participating municipality agrees to pay all contributions when due as provided in the Intergovernmental Cooperation Agreement and any By-Laws thereafter adopted by the Cooperative;
3. That each participating municipality uses its best efforts to provide appropriations for the payment of any contributions required to achieve the purposes and objectives of the Cooperative;
4. That each participating municipality cooperate fully in achieving the purposes and objectives of the Cooperative;
5. That each participating municipality designate a Director as its representative on the Board of Directors; and
6. That each participating municipality comply with all other conditions of the Intergovernmental Cooperation Agreement.

Section 4. That Upper Dublin Township agrees to participate in the Delaware Valley Municipal Health Insurance Cooperative and thereafter may withdraw for any reason whatsoever provided that it has fulfilled all its financial obligations to the Cooperative upon withdrawal.

Section 5. The effective date of the participation of Upper Dublin Township in the Delaware Valley Municipal Health Insurance Cooperative will be no later than September 10, 1997.

Section 6. Each participating municipality delegates to the Board of Directors of the Delaware Valley Municipal Health Insurance Cooperative the powers enumerated in the Intergovernmental Cooperation Agreement and By-Laws.

Section 7. All contributions paid by Upper Dublin Township shall be made with funds appropriated by the Township for that purpose.

Section 8. The organizational structure of the Cooperative shall consist of a Board of Directors and an Executive Committee selected by the Board of Directors in accordance with the Intergovernmental Cooperation Agreement and By-Laws.

Section 9. The funds required for the operation of the Cooperative shall be provided by the participating municipalities through annual appropriations.

Section 10. The Delaware Valley Municipal Health Insurance Cooperative is empowered to enter into contracts for policies of group insurance and employee benefits, including social security for any of its employees.

Section 11. As a condition of participating in the Delaware Valley Municipal Health Insurance Cooperative, Upper Dublin Township agrees to comply with all the terms and conditions in the attached Intergovernmental Cooperation Agreement.

Section 12. This Ordinance is being enacted pursuant to the provisions of Intergovernmental Cooperation Law, Act of July 12, 1972, No. 180, as amended, 53 P.S. §481, et seq.

ENACTED AND ORDAINED this 9th day of September, 1997.

**BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP**

By: 
Richard R. Rulon, President

Attest:


Paul A. Leonard, Secretary

AN ORDINANCE

NO. 952

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES", BY ESTABLISHING A "NO PARKING" REGULATION ON BOTH SIDES OF ARGYLE AVENUE FROM DOUGLASS STREET EAST FOR 300 FEET.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-54, "Parking Prohibited at All Times", shall be amended to provide as follows:

§ 233-54. Schedule XIII: Parking Prohibited at All Times.

Name of Street	Side	Location
	* * * * *	
Argyle Avenue	Both	From Douglass Street to 300 feet east on Argyle Avenue
	* * * * *	

Section 3. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

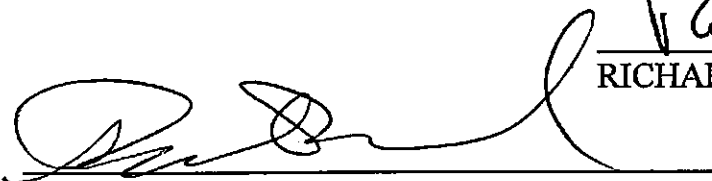
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

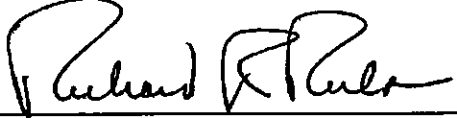
ENACTED AND ORDAINED this 9th day of September, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



RICHARD R. RULON, PRESIDENT

g:\ud\ord\vehtrafnopark7.sig

AN ORDINANCE
NO. 953

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 212 THEREOF, ENTITLED SUBDIVISION AND LAND DEVELOPMENT, ARTICLE VI, PLAN SUBMISSION REQUIREMENTS AND PROCESSING PROCEDURES, SECTION 212-43, "PRELIMINARY PLAN REQUIREMENTS", TO REQUIRE SUBMISSION OF TEN (10) PLANS OF THE SIZE ELEVEN BY SEVENTEEN (11 x 17) INCHES OR FIFTEEN BY EIGHTEEN (15 x 18) INCHES; AND SECTION 212-45, "FINAL PLAN" TO REQUIRE SUBMISSION OF TEN (10) PLANS OF THE SIZE ELEVEN BY SEVENTEEN (11 x 17) INCHES OR FIFTEEN BY EIGHTEEN (15 x 18) INCHES.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements, Section 212-43, "Preliminary Plan Requirements", shall be amended to provide as follows:

§ 212-43. Preliminary plan requirements.

* * * *

A. Drafting standards.

* * * *

- (4) The sheet or sheets shall be one (1) of the following sizes: fifteen by eighteen (15 x 18) inches, eighteen by thirty (18 x 30) inches, twenty-four by thirty-six (24 x 36) inches or thirty by forty-two (30 x 42) inches. If more than one (1) sheet is necessary, each sheet shall be the same size and consecutively numbered to show its relation to the total number of sheets comprising the plan (i.e., Sheet No. 1 of 5).

In addition, ten (10) copies of the plan shall be submitted in one (1) of the following sizes: eleven by seventeen (11 x 17) inches or fifteen by eighteen (15 x 18) inches.

* * * *

§ 212-45. Final plan.

* * * *

C. Record plan.

- (1) Drafting standards. The same standards shall be required for a record plan as for the preliminary plan and, in addition for recording purposes, the plans shall be placed on sheets sizes fifteen by eighteen (15 x 18) inches, eighteen by thirty (18 x 30) inches and twenty-four by thirty-six (24 x 36) inches. All lettering and lines shall be drawn so as to still be legible should the plan be reduced to half size.

In addition, ten (10) copies of the plan shall be submitted in one (1) of the following sizes: eleven by seventeen (11 x 17) inches or fifteen by eighteen (15 x 18) inches.

* * * *

Section 3. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

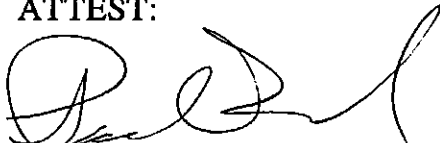
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 14th day of October, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



RICHARD R. RULON, PRESIDENT

g:\ud\ord\subdiv.pln

AN ORDINANCE
NO. 954

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 212 THEREOF, ENTITLED SUBDIVISION AND LAND DEVELOPMENT, ARTICLE VI, PLAN SUBMISSION REQUIREMENTS AND PROCESSING PROCEDURES, SECTION 212-47, "PLAN PROCESSING PROCEDURES", TO CHANGE THE TIME WITHIN WHICH THE TOWNSHIP SHALL ACT ON A TENTATIVE SKETCH FROM FORTY (40) DAYS TO SIXTY (60) DAYS; AND CHANGING VARIOUS SECTIONS OF ARTICLE VI TO DELETE REFERENCE TO THE FORMER "PER " COMMITTEE.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-47, "Plan Processing Procedures", shall be amended to provide as follows:

§ 212-47. Plan Processing Procedures.

* * * * *

J. The Township Planning, Environment and Economic Development Committee shall act on a tentative sketch within sixty (60) days after filing with the Township. The Board of Commissioners shall act on a preliminary or final plan within ninety (90) days following the next regularly scheduled meeting of the Board or, if that meeting is more than thirty (30) days following the filing of the revised plan, then ninety (90) days following the 30th day after filing. The following optional consequences shall result from the action of the Board of Commissioners:

- (1) The PEED Committee will comment on a tentative sketch and advise the applicant. No formal action is taken by the Board on a tentative sketch.

* * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-47, "Plan Processing Procedures", shall be amended to provide as follows:

* * * * *

(G) Schedule of plan processing steps.

(1) The following number of copies of each plan shall be submitted with the application to the township:

(a) Tentative sketch. A minimum of sixteen (16) copies of the tentative sketch shall be submitted for distribution by the township as follows:

Distribution	Number of Copies
---------------------	-------------------------

Township:

PEED (Planning, Environment and Economic Development Committee)	3
---	---

* * * * *

(b) Preliminary Plan.

[1] A minimum of sixteen (16) copies shall be submitted for distribution by the township as follows:

Distribution	Number of Copies
---------------------	-------------------------

Township:

PEED (Planning, Environment and Economic Development Committee)	3
---	---

* * * * *

(c) Final plan.

[1] Improvement construction and record plan. A minimum of seven (7) copies shall be submitted for distribution by the township as follows:

Distribution	Number of Copies
---------------------	-------------------------

Township:

Engineer	2
----------	---

PEED Committee	1
----------------	---

* * * * *

Police Department	1
-------------------	---

* * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-41, "Plans Required for Approval", shall be amended to provide as follows:

* * * * *

C. Minor subdivision plan (required). A minor subdivision plan as described in §212-44 is required for all applicable subdivisions. A determination will be made by township officials, consisting of the Township Manager, Engineer and Solicitor and the Chairman of the Township PEED Committee (Planning, Environment and Economic Development) as to when a minor subdivision plan should be required in accordance with the criteria for a minor subdivision.

* * * * *

Section 4. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or

any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 14th day of October, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

g:\ud\ord\planproc.ord


RICHARD R. RULON, PRESIDENT

AN ORDINANCE
NO. 955

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 158 THEREOF, ENTITLED NUISANCES, SECTION 158-1, DEFINITIONS, BY AMENDING SECTION 158-8, "ENFORCEMENT" TO CLARIFY THAT THE POLICE DEPARTMENT MAY ENFORCE THIS CHAPTER.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, Section 158-8, Enforcement, shall be amended to provide as follows:

- A. The Department of Public Health, the Police Department, and the duly designated officials of the township shall have the power to prohibit and remove any nuisance and to order the owner, occupant or user of public or private property, by appropriate action, at the expense of such owner, occupant or user, to correct, cease and desist or remove such nuisance within such reasonable time as the township official shall determine, in default of which the township may cause the same to be done and collect the cost thereof, together with a penalty of 10% of such cost, in the manner provided by law for the collection of municipal claims, or by action of assumpsit, or may seek relief by bill in equity.

* * * * *
* * * * *

Section 2. Nothing in this Ordinance or in Chapter 158 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters prior to the adoption of this amendment.

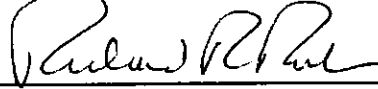
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or

unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

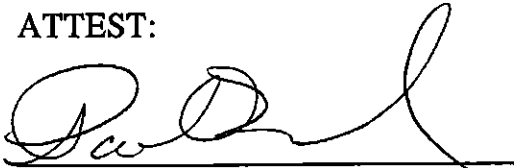
ENACTED AND ORDAINED this 14th day of October, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



RICHARD R. RULON, PRESIDENT

ATTEST:



PAUL A. LEONARD, SECRETARY

ud/ord/nuisadd1.sig

ORDINANCE

NO. 956

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255 THEREOF, ENTITLED ZONING, ARTICLE XIII, INSTITUTIONAL DISTRICTS, SECTION 255-88, "USE REGULATIONS", TO ADD A SUBSECTION TO PERMIT AN ORGANIZATION OR AGENCY WHICH PROVIDES AN EMERGENCY MEDICAL SERVICE ON BEHALF OF THE TOWNSHIP WHEN AUTHORIZED AS A CONDITIONAL USE; AND SECTION 255-7, "DEFINITIONS", TO DEFINE EMERGENCY MEDICAL SERVICES, AND OTHER RELATED TERMS.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIII, Institutional Districts, Section 255-88, "Use regulations", shall be amended to provide as follows:

§ 255-88. Use regulations.

* * * * *

- D. The following uses are permitted as a conditional use when authorized by the Board of Commissioners in accordance with the provisions of Article XXV:

* * * * *

- (4) A building may be constructed or converted for emergency medical services use subject to the following provisions:
- (a) The building(s) will comply with the lot, yard and bulk requirements for the institutional district as set forth in §255-89.
 - (b) The property shall conform to any impervious cover limitations of the institutional zoning district.
 - (c) The organization or agency which provides the emergency medical services must maintain tax-exempt status under Section 501 (C)(3) or (4) of the Internal Revenue Code, as amended.

- (d) A minimum two-mile separation distance shall be provided between like emergency medical service facilities.
- (e) Outdoor lighting must be restricted to eliminate glare onto surrounding properties.
- (f) One parking space must be provided for each 200 square feet of office area. Additional parking and maneuvering space for volunteers and emergency medical equipment must be provided based upon the number or size of the vehicles anticipated. The required parking must be provided on all weather surface.
- (g) Land-based sirens shall not be operated. The Board of Commissioners may impose further restrictions to eliminate noise from the facility or the emergency medical services vehicles to prevent a public nuisance.
- (h) Signage shall be limited to that otherwise permitted in the institutional zoning district.
- (i) All emergency medical services vehicles, except those immediately available for use, shall be stored at all times in a fully enclosed building.
- (j) No motor repair or body work may be performed at the site. Routine maintenance may be performed, but only within a fully enclosed building.
- (k) Buffering shall be provided in accordance with the requirements of the institutional zoning district. Fencing may also be required for public safety or to avoid a public nuisance. Access drives may penetrate the buffer.
- (l) The applicant shall demonstrate that any increase in traffic and any use of abutting streets by emergency medical services vehicles shall not adversely impact local traffic conditions or represent a danger to the community.
- (m) The emergency medical services vehicles shall have direct access onto a primary or secondary street, as set forth on the Official Township Map of Streets.

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, General Provisions, Section 255-7, "Definitions", shall be amended to provide as follows:

§ 255-7. Definitions.

* * * * *

ADVANCED LIFE SUPPORT - The advanced prehospital and interhospital emergency medical care of serious illness or injury by appropriately trained health professionals and by certified emergency medical technician paramedics.

* * * * *

AMBULANCE SERVICE - An entity which regularly engages in the business or service of providing emergency medical care and transportation of patients. This term includes mobile advanced and basic life support services that may or may not transport patients, and excludes the transportation of patients for non-emergency medical services.

* * * * *

BASIC LIFE SUPPORT SERVICES - The prehospital or interhospital emergency medical care and management of illness or injury performed by specially trained and certified or licensed personnel.

* * * * *

EMERGENCY MEDICAL SERVICES - The services utilized in responding to the needs of an individual for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury, including ambulance services and including other services provided for in the Emergency Medical Services Act, act of July 3, 1985, P.L. 164, no. 45, as amended 35 P.S. §6921 et seq.

* * * * *

Section 3. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

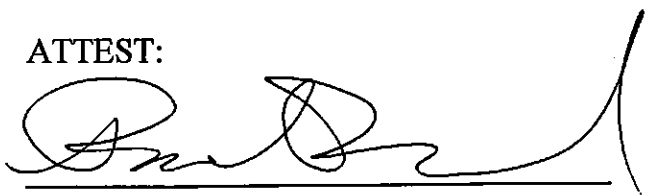
ENACTED AND ORDAINED this 5th day of November, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



RICHARD R. RULON, PRESIDENT

ATTEST:



PAUL A. LEONARD, SECRETARY

g:\ud\ord\ambulanc.sig

AN ORDINANCE
NO. 957

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 76, BUILDINGS, NUMBERING OF, SECTION 76-4, NEW CONSTRUCTION, BY CHANGING THE PERSON WHO ASSIGNS STREET NUMBERS FROM THE BUILDING INSPECTOR TO THE DIRECTOR OF PUBLIC WORKS.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 76 , **Buildings, Numbering of**, Section 76-4, "New construction", shall be amended to provide as follows:

§ 76-4. New construction.

In all cases of new construction, or upon request, the Director of Public Works shall assign a street number at the time the building permit is issued, and such number shall be displayed within thirty (30) days after construction is commenced, or within thirty (30) days before the building is ready for occupancy, whichever date shall be earlier.

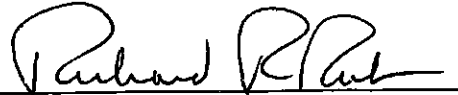
Section 2. Nothing in this Ordinance or in Chapter 76 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 76 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 11th day of November, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Richard R. Rulon, President

Attest:



Paul A. Leonard, Secretary

g:\udford\newconst.sig

AN ORDINANCE

NO. 958

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 117, FIRE PREVENTION, BY ADDING A NEW SECTION 117-5, ENTITLED "HAZARDOUS SUBSTANCES", TO INCLUDE RELEVANT DEFINITIONS; PROVISIONS FOR THE ABATEMENT OF A HAZARDOUS SUBSTANCE DEPOSIT OR INDUSTRIAL ACCIDENT, BY A RESPONSIBLE PERSON OR BY THE TOWNSHIP; PROVISIONS FOR COLLECTION BY THE TOWNSHIP OF COSTS RELATED TO THE ABATEMENT OR CLEAN-UP; AND PROVISIONS FOR ENFORCEMENT.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 117, thereof entitled Fire Prevention, shall be amended to add a new section 117-5 as follows:

§117-5. Hazardous substances.

A. Definitions. For the purpose of this chapter, the following shall be defined:

ABATE or ABATEMENT - The removal and disposal of hazardous substances or substances that are potentially dangerous to the public health and welfare at large, in accordance with applicable Federal, State or local laws or regulations and in such a way as to prevent damage to persons, property, or the environment, or danger to the public health, safety and welfare, and shall include, but not be limited to actions necessary to monitor, assess, and evaluate such danger or damage.

DEPOSIT - Any spilling, leaking, pumping, pouring, emptying, discharging, injecting, escaping, leaching, dumping or disposing.

EMERGENCY SERVICES BOARD - Representatives serving in an advisory capacity to the Upper Dublin Board of Commissioners pursuant to the Pennsylvania "Emergency Management Services Code", as amended, 35 Pa. C.S. §7101 et seq. or any more recent amendment thereto, and pursuant to the provisions of the Upper Dublin Township Code, Chapter 11, with responsibilities including the preparation and maintenance of an Emergency Management Plan for the Township of Upper Dublin.

HAZARDOUS SUBSTANCE - Includes any solid, liquid or gas that has a degree of hazard rating in health, flammability or reactivity of 2, 3, or 4 as ranked by NFPA 704, 1987 Edition, or future equivalent publications published for the National Fire protection Association, and/or flammable, combustible or corrosive liquid; poisonous, toxic, radioactive, oxidizing or explosive material; flammable solid or unstable (reactive) chemical as defined in the most recent BOCA Fire Prevention Code Edition adopted by this Code.

INDUSTRIAL ACCIDENT - Any incident that occurs from the storage, transportation, use, manufacturing, processing or discharging of any substance potentially dangerous to the public health and welfare at large, including a hazardous substance, that necessitates:

(1) Intervention by the Upper Dublin Township Police Department, Fire Department or any of the emergency agencies or services which may assist Upper Dublin Township, including but not limited to fire companies or rescue squads operating in Upper Dublin Township or the Upper Dublin Township Emergency Services Board or emergency response agencies employed by Upper Dublin Township.

(2) The need for clean-up and/or abatement measures and any related services to be performed by Township employees, emergency agencies or services, resulting in expense to the Township.

PERSON - An individual, firm, corporation, association, partnership, joint venture or other private or commercial entity.

PUBLIC THOROUGHFARE - State, County or Township bridges, highways, streets and navigable waterways or any other roadway or water course owned by a governmental unit, or trafficway as defined in the Pennsylvania Motor Vehicle Code.

RESPONSIBLE PERSON - The person who owns or leases the premises on which an industrial accident or hazardous substance deposit occurs shall be responsible for abatement of same and shall bear all related costs, including administrative costs and attorneys fees. In the event an industrial accident or hazardous substance deposit occurs during transportation on a public thoroughfare or during a delivery, the person who owns or has custody or control of the vehicle transporting the hazardous or potentially dangerous substance shall be jointly responsible and jointly bear all costs related to the abatement of such incident with the person who owns or has custody of the hazardous or potentially dangerous substance involved in the industrial accident or hazardous deposit.

B. Abatement.

1. **By Responsible Person.** Except in case of an emergency or imminent danger to the public health, safety or welfare, the Fire Marshall, Assistant Fire Marshall or Code Enforcement Officer shall serve notice upon the Responsible Person. The notice shall sufficiently describe the condition found and shall require the abatement thereof within ten (10) days of the mailing of the notice. If the Responsible Person cannot be located, it shall be sufficient to forward notice to the Responsible Person's last known address and to post a copy of such notice at the site of the industrial accident or hazardous substance deposit.

2. **By Township.** Should any Responsible Person fail, neglect or refuse to abate such industrial accident or hazardous substance deposit to the satisfaction of the Township's Emergency Management Coordinator or his designee, or if the Township's Emergency Management Coordinator or his designee shall determine that the nature of the condition poses an immediate threat to the public health, safety and welfare, and the Responsible Person is unable or unwilling to take immediate steps to abate such condition, the Township shall act to abate the said hazardous substance deposit or industrial accident, and any cost of abatement incurred by the Township shall be paid by the Responsible Person.

C. Cost.

1. In the event that any person undertakes, either voluntarily or upon order of the Upper Dublin Township Emergency Services Board, Fire Marshall or other Township officials to clean-up or abate the effects of an industrial accident or hazardous substance deposit, the Upper Dublin Township Emergency Services Board or other Township officials may take such action as is necessary to supervise or verify the clean-up or abatement. Liability to the Township for all costs incurred as a result of such supervision or verification shall be upon the Responsible Person in accordance with the provisions above.

2. For the purpose of this Section, costs related to abatement of an industrial accident or hazardous substance deposit shall include, but are not limited to, the following: expenses incurred by Police, Fire and/or Emergency Medical Services; actual labor costs of Upper Dublin Township personnel, including benefits and administrative overhead; costs of consultants or others preparing reports concerning the incident; costs of equipment operations; costs of materials obtained directly by the Township; cost of any contractual labor and materials for clean-up and/or abatement; engineering costs, attorneys' fees and all costs imposed upon the Township of Upper Dublin connected with the industrial accident.

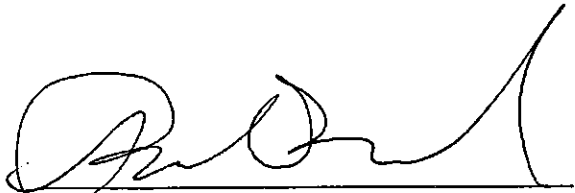
It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 11th day of November, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY
ord\hazmat.sig



RICHARD R. RULON, PRESIDENT

AN ORDINANCE

NO. 959

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 18, FIRE BOARD AND DEPARTMENT, ARTICLE II, FIRE DEPARTMENT, TO AMEND SECTIONS 18-7 AND 18-8 TO PROVIDE FOR AN OFFICIALLY RECOGNIZED FIRE COMPANY; TO ADD A NEW SECTION 18-9 TO AUTHORIZE ACTIVITIES OF THE FIRE COMPANY; AND TO ADD A NEW SECTION 18-10 TO AUTHORIZE ACTIVITIES OF OFFICERS AND MEMBERS OF THE FIRE COMPANY.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 18 thereof, entitled Fire Board and Department, Article II, Fire Department, shall be amended as follows:

**ARTICLE II
Fire Department**

§18-7. Fire Department Established and Fire Company Recognized.

The Fire Department of Upper Dublin Township shall consist of the Fort Washington Fire Company No. 1 and any additional companies as the Board of Commissioners may from time to time receive into the Department (hereinafter "Fire Company").

The Fire Company, organized and existing in the Township of Upper Dublin, Montgomery County, Pennsylvania, is hereby designated as the officially recognized Fire Company for the Township.

§18-8. Appropriations.

The Township Commissioners shall appropriate annually to each Fire Company which is a recognized member of the Fire Department, such sum or sums as may be, in the judgment of the Commissioners, considered proper.

§18-9. Authorized Activities of the Fire Company.

(a) The Fire Company is hereby authorized to provide such services to the Township as may be necessary for the protection of property and persons situate therein, which include but are not limited to, the extinguishment and prevention of loss of life and property from fire, automobile accidents, medical emergencies, hazardous materials incidents, and other dangerous situations.

(b) The Fire Company may also provide non-emergency and public service functions, including but not limited to, removing water from property after storms, and assisting in the removal, abatement and prevention of damage or injury to persons or property whether through natural or man-made causes.

(c) The Fire Company may also conduct and participate in such training activities and drills, either within or outside of the Township, as may be deemed necessary by the officers of the recognized fire company to maintain proficiency in providing service as outlined in paragraphs (a) and (b) above.

(d) The Fire Company may also respond to calls and provide services to municipalities outside of the Township.

§18-10. Authorized Activities of Members of the Fire Company.

In addition to actually participating in the activities of the Fire Company as authorized above, or in going to or returning from any authorized activity, the members of the Fire Company are also authorized to do the following:

(a) Engage in any type of drill, training, ceremony, practice, test or parade when duly called for or authorized by an officer or officers of the Fire Company;

(b) Engage in fundraising activities for the Fire Company when authorized by an officer or officers of the Fire Company; and

(c) Engage in the performance of any other duty or activity authorized by an officer of the Fire Company.

Section 2. Nothing in this Ordinance or in Chapter 18 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 18 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

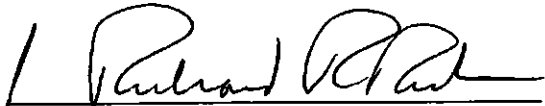
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 11th day of November, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


PAUL A. LEONARD, SECRETARY
udlordfireco.sig


RICHARD R. RULON, PRESIDENT

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1998.

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT, HEREINAFTER SET FORTH, DURING 1998.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1: That for the expenses for the fiscal year 1998 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	9,783,410
Receipts from Taxes of Prior Years	46,000
Other Revenue and Receipts	<u>7,608,651</u>
TOTAL ESTMATED RECEIPTS AND CASH	17,438,061

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT	
Administration and Finance	1,123,463
Treasurer and Tax Collector	19,315
Library	471,834
Municipal Buildings	<u>222,185</u>
TOTAL	1,836,797
PROTECTION TO PERSON AND PROPERTY	
Police	3,000,254
Fire	<u>945,381</u>
TOTAL	3,945,635

SEWER	
Conveyance	672,255
Treatment	1,464,940
Capital	1,325,675
Debt Service	<u>650,000</u>
	TOTAL
	4,112,870
SANITATION	1,935,700
NON EXPENDABLE TRUSTS	14,100
HIGHWAY MAINTENANCE	1,960,277
DEBT SERVICE	910,820
CAPITAL PROJECTS	
General Capital	1,207,777
Open Space	<u>290,635</u>
	TOTAL
	1,498,412
PARKS AND RECREATION	905,573
CODE ENFORCEMENT	295,527
COMMUNITY CONTRIBUTIONS	<u>22,350</u>
	TOTAL APPROPRIATIONS
	17,438,061

SECTION 2: An estimate of the specific items making up the amounts appropriated to the respective departments is on file in the office of the Township of Upper Dublin, Montgomery County, Pennsylvania.

SECTION 3: That an Ordinance, or part of an Ordinance, conflicting with this Ordinance be and the same is hereby repealed insofar as the same affects this Ordinance.

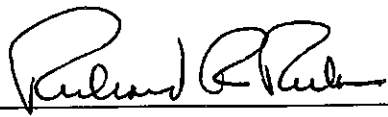
SECTION 4: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.


SECTION 5: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 1998.

ENACTED AND ORDAINED THIS 11th day of December 1997.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Richard R. Rulon, President

ATTEST: 
Paul A. Leonard, Secretary

ORDINANCE NO. 961

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1998 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 1998 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 1998 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 1998 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 1998 FOR FIRE HYDRANTS, AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1998, as follows:

Tax rate for General Purposes, the sum of	1.339 mils
on each dollar of assessed valuation, or the sum of	13.39 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for General Purposes	1.339	13.39

SECTION 2: Tax Rate for Debt Service

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1998, as follows:

Tax rate for Debt Service, the sum of	0.376 mils
on each dollar of assessed valuation, or the sum of	3.760 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Debt Service	.376	3.760

SECTION 3: Tax Rate for Fire Protection

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1998, as follows:

Tax rate for Fire Protection, the sum of	0.221 mils
on each dollar of assessed valuation, or the sum of	2.210 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Fire Protection	.221	2.210

SECTION 4: Tax Rate for Parks and Recreation

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1998, as follows:

Tax rate for Parks and Recreation, the sum of	0.346 mils
on each dollar of assessed valuation, or the sum of	3.460 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Parks and Recreation	.346	3.460

SECTION 5: Assessment for Fire Hydrants

That the cost and maintenance of fire hydrants for fire protection is hereby distributed by a special assessment for the fiscal year 1998, as follows:

Special assessment for fire hydrants, the sum of	0.025 mils
on each dollar of assessed valuation, or the sum of	0.250 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Special Assessment for Fire Hydrants	.025	0.250

SECTION 6: Discounts and Penalties

All taxpayers shall be entitled to a discount of two per centum (2%) from the amount of tax levied upon property, upon making payment of amount of such tax within sixty (60) days of the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes charged against them within one hundred twenty (120) days of the date of the tax notice, shall be charged a penalty of ten per centum (10%) of the amount of the tax, which penalty shall be added to the taxes by the tax collector and collected as provided by law.

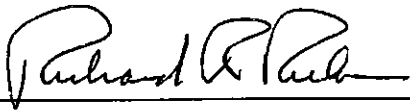
SECTION 7: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

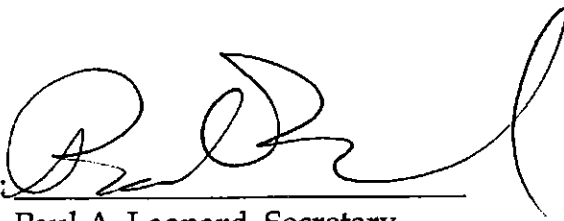
SECTION 8: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 9: This Ordinance shall take effect and be in force from and after January 1, 1998.

ENACTED AND ORDAINED THIS 11th day of December 1997.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
Richard R. Rulon, President

ATTEST: 
Paul A. Leonard, Secretary

ORDINANCE
NO. 962

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 11, EMERGENCY SERVICES BOARD, TO CLARIFY WHO SHALL BE APPOINTED AS REPRESENTATIVES TO THE BOARD; CHAPTER 18, FIRE BOARD AND DEPARTMENT, TO CHANGE THE CHAPTER TITLE TO "FIRE DEPARTMENT", AND TO DELETE ALL REFERENCES TO THE FIRE BOARD; CHAPTER 142, LIBRARY, TO CLARIFY THAT THERE SHALL BE SIX MEMBERS OF THE LIBRARY BOARD OF DIRECTORS, AND TO DESIGNATE THE LIBRARY DIRECTOR AS A PERMANENT MEMBER OF THE BOARD; CHAPTER 32, PARKS AND RECREATION ADVISORY BOARD, TO DELETE THIS CHAPTER IN ITS ENTIRETY; CHAPTER 39, PLANNING AGENCY, TO ESTABLISH A TERM OF THREE YEARS FOR THE SEVEN BOARD MEMBERS; CHAPTER 195, SHADE TREES, TO ESTABLISH JULY FIRST AS THE STARTING DATE FOR ALL TERMS ON THE SHADE TREE COMMISSION; AND CHAPTER 255, ZONING, TO ESTABLISH A THREE MEMBER ZONING HEARING BOARD WITH ONE ALTERNATE MEMBER, ALL TO SERVE THREE YEAR TERMS.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 11, Emergency Services Board, shall be amended as follows:

* * * * *
* * * * *

§11-2. Composition.

A. The Emergency Services Board shall consist of representatives of the following agencies or bodies, who shall serve for an indefinite term at the pleasure of the agency, except in the case of elected or appointed township officials, who shall serve until such time as their successors shall qualify:

Agency	Representative
Board of Commissioners	Members of the Public Safety, Works and Services Committee
Upper Dublin School District	One representative
Police Department	Chief of Police

Fire Department

The Fire Board

Ambulance Services

One representative from each ambulance service serving the Township

* * * * *
* * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 18, Fire Board and Department, shall be amended to change the title of the Chapter to: "Fire Department", and to delete all of Article I, Fire Board, which includes the following sections:

- 18-1. Establishment; composition;
- 18-2. Powers and Duties;
- 18-3. Meeting Report;
- 18-4. Rules and Regulations;
- 18-5. Fire Marshall;
- 18-6. Duties of the Fire Marshall.

Section 3. The Code of the Township of Upper Dublin, Chapter 142, Library, Article II, Board of Directors, shall be amended as follows:

* * * * *
* * * * *

§142-9. Composition.

The affairs of the public library in Upper Dublin Township established by this chapter or any amendments thereto, or both, shall be under the control of the said Library Board of Directors to be composed of six (6) members, with the Library Director serving as a permanent member of the Library Board. The Board of Commissioners of the township shall appoint the members and fill any vacancies occurring from any cause. All appointments to fill the places of those whose terms expire shall be for a term of three (3) years. Vacancies shall be filled for the unexpired terms. All members of the Library Board shall serve until their successors have been appointed. No member of this Library Board shall receive any salary for his or her services as such.

Section 4. The Code of the Township of Upper Dublin, Chapter 32, Parks and Recreation Advisory Board, shall be deleted in its entirety.

Section 5. The Code of the Township of Upper Dublin, Chapter 39, Planning Agency, shall be amended as follows:

* * * * *
* * * * *

§39-2. Planning Agency Advisory Board.

The Board of Township Commissioners may appoint an advisory committee of seven (7) residents of the township to be known as the "Planning Agency Advisory Board". Board members shall serve three (3) year terms, with two (2) (or three (3)) members commencing a new term every two years. The Board of the Township Commissioners may, at their discretion, from time to time, submit to the advisory committee any questions or proposal relating to any of the matters or things concerned with township planning, zoning, etc., for study, review and recommendation to the Board of Commissioners.

Section 6. The Code of the Township of Upper Dublin, Chapter 195, Shade Trees, shall be amended as follows:

* * * * *
* * * * *

§195-3. Composition; appointments; terms; vacancies.

- A. The Commission shall be composed of five (5) residents of the township who are appointed by the Board and who shall serve without compensation.
- B. Each member shall serve a term of five (5) years. All initial terms shall commence on the first day of July following the appointment. The initial appointments shall be made for staggered terms so that the term of one (1) member shall expire each year.
- C. Vacancies on the Shade Tree Commission shall be filled by the Board for the unexpired term.

* * * * *
* * * * *

Section 7. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article XIII, Zoning Hearing Board, shall be amended as follows:

* * * * *
* * * * *

§255-172. Membership; terms; vacancies; alternates.

- A. The membership of the Board shall consist of three (3) residents of the township appointed by resolution by the Board of Commissioners. The terms of office of the Zoning Hearing Board shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. If the three-member Board is changed at a future date to a five-member Board, the members of the existing three-member Board shall continue in office until their term of office would expire under prior law and the Board of Commissioners shall appoint two (2) additional members to the Board with terms scheduled to expire in accordance with the provisions of this section. The Board shall promptly notify the Board of Commissioners of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the township.
- B. The Board of Commissioners shall appoint by resolution one (1) resident of the township to serve as an alternate member of the Board. The term of office of an alternate member shall be three (3) years. When seated pursuant to the provisions of 53 P.S. §10906, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Act and as otherwise provided by law. Alternates shall hold no other office in the township, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board nor be compensated pursuant to 53 P.S. §10907 unless designated as a voting alternate member pursuant to 53 P.S. §10906.

Section 8. Nothing in this Ordinance or in Chapters 11, 18, 142, 32, 39, 195 and 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 11, 18, 142, 32, 39, 195 and 255 prior to the adoption of this amendment.


Section 9. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 10. This Ordinance shall take effect and be in force as of January 1, 1998.

ENACTED AND ORDAINED this 9th day of December, 1997.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

ud\ord\advisebd.sig



RICHARD R. RULON, PRESIDENT

ORDINANCE NO. 963

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN DURING THE YEAR 1998.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

SECTION 1. A workshop of the Commissioners of the Township of Upper Dublin for the year 1998 shall be held on the first Tuesday of each month at 7:00 PM., local time.

SECTION 2. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for the year 1998 shall be held on the second Tuesday of each month unless the same shall be a legal holiday, in which case the meeting will be held on the next regular business day following, at 7:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meeting for the year 1998 shall be held on the first Tuesday of each month immediately following the workshop meeting at 7:00 PM, local time.

SECTION 4. The Commerce & Interior Committee meeting for the year 1998 shall be held on the fourth Tuesday of each month at 6:30 PM, local time.

SECTION 5. The Finance Committee meeting for the year 1998 shall be held on the third Tuesday of April, July and October at 7:30 PM, local time.


SECTION 6. The public is welcome to attend all meetings, and participation by the public is welcome.

SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Attest


Paul A. Leonard, Secretary


H. William Gift, President

AN ORDINANCE

NO. 964

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 110, FEES, SECTION 110-10, SEWERS, TO CHANGE THE SEWER USAGE RATE FEE IN THE UPPER DUBLIN TOWNSHIP SEWER DISTRICT FROM TWO DOLLARS AND FIFTY CENTS (\$2.50) TO TWO DOLLARS AND SIXTY CENTS (\$2.60) PER ONE THOUSAND GALLONS OF WATER; AND TO CHANGE THE ANNUAL RATE FOR NONMETERED PROPERTIES WITH PRIVATE WELLS FROM TWO HUNDRED AND EIGHTY FIVE DOLLARS (\$285) TO TWO HUNDRED AND NINETY TWO DOLLARS (\$292).

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 110, thereof entitled Fees, section 110-10, Sewers, shall be amended as follows:

§110-10. Sewers.

In accordance with Chapter 192, Sewers, the following fees shall be charged:

* * * * *

B. Upper Dublin Township District.

- (1) Commencing January 1, 1998 the annual sewer rental for properties located in the Upper Dublin Township sewer system shall be assessed as follows:

* * * * *

- (b) Usage rate: \$2.60 per 1,000 gallons of water usage; provided, however, that credit of 5% of actual consumption shall be given to all residential users.

- (2) Those properties served by the sewer system but with nonmetered private wells shall pay an annual rental of \$292.

Section 2. Nothing in this Ordinance or in Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 10th day of February, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

BY: 

H. William Gift, President

ATTEST:

BY: 

Paul A. Leonard, Secretary

udfordsewrate.sig

ORDINANCE
NO. 965

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 142, LIBRARY, TO CLARIFY THAT THERE SHALL BE SEVEN MEMBERS OF THE LIBRARY BOARD OF DIRECTORS.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 142, Library, Article II, Board of Directors, shall be amended as follows:

* * * * *
* * * * *

§142-9. Composition.

The affairs of the public library in Upper Dublin Township established by this chapter or any amendments thereto, or both, shall be under the control of the said Library Board of Directors to be composed of seven (7) members. The Board of Commissioners of the township shall appoint the members and fill any vacancies occurring from any cause. All appointments to fill the places of those whose terms expire shall be for a term of three (3) years. Vacancies shall be filled for the unexpired terms. All members of the Library Board shall serve until their successors have been appointed. No member of this Library Board shall receive any salary for his or her services as such.

Section 2. Nothing in this Ordinance or in Chapter 142 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 142 prior to the adoption of this amendment.

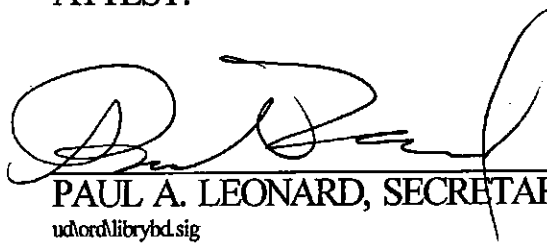
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 16 day of MARCH, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY
udord\librybd.sig



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE
NO. 966

AN ORDINANCE TO VACATE AND ABANDON A CERTAIN RIGHT-OF-WAY KNOWN AND DESIGNATED AS A PORTION OF JACKSON AVENUE 50 FEET WIDE, FROM A POINT 75 FEET NORTHEAST FROM THE CENTER POINT OF THE INTERSECTION OF JACKSON AVENUE AND CHESTNUT AVENUE, NORTHEAST FOR 450 FEET TO A POINT OF TERMINATION, IN ELECTION DISTRICT NO. 5-1 IN THE TOWNSHIP OF UPPER DUBLIN, SAID RIGHT-OF-WAY BEING DIRECTLY ADJACENT TO THE NORTH HILLS COMMUNITY CENTER.

WHEREAS, the Board of Commissioners deems it to be necessary for the public convenience and for the general benefit and welfare of the public to vacate the said road.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. That a portion of Jackson Avenue 50 feet wide, from a point 75 feet northeast from the center point of the intersection of Jackson Avenue and Chestnut Avenue, northeast for 450 feet to a point of termination as described in Exhibit "A" and shown on plan marked Exhibit "B", both attached hereto, is hereby vacated and abandoned for public use according to the General Road Laws of the Commonwealth of Pennsylvania. Said portion of road shall be deleted from the Township Plan of Streets upon the filing of a report of these proceedings and the said portion of street shall be deleted from the Township list of streets.

Section 2. Within ten days after passage of this Ordinance, notice thereof shall be given by handbills posted in conspicuous places along the street or highway referenced herein, which notice shall state the fact of the passage or approval of this Ordinance and the date thereof.

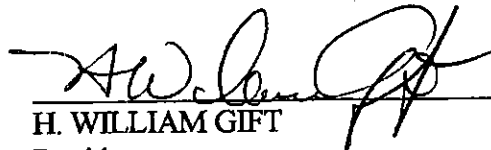
Section 3. Nothing in this Ordinance or in the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Township Code prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 14th day of April, 1998.

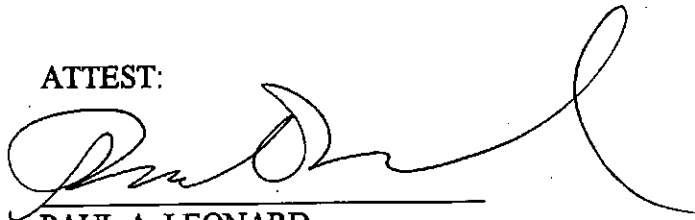
BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



H. WILLIAM GIFT

President

ATTEST:



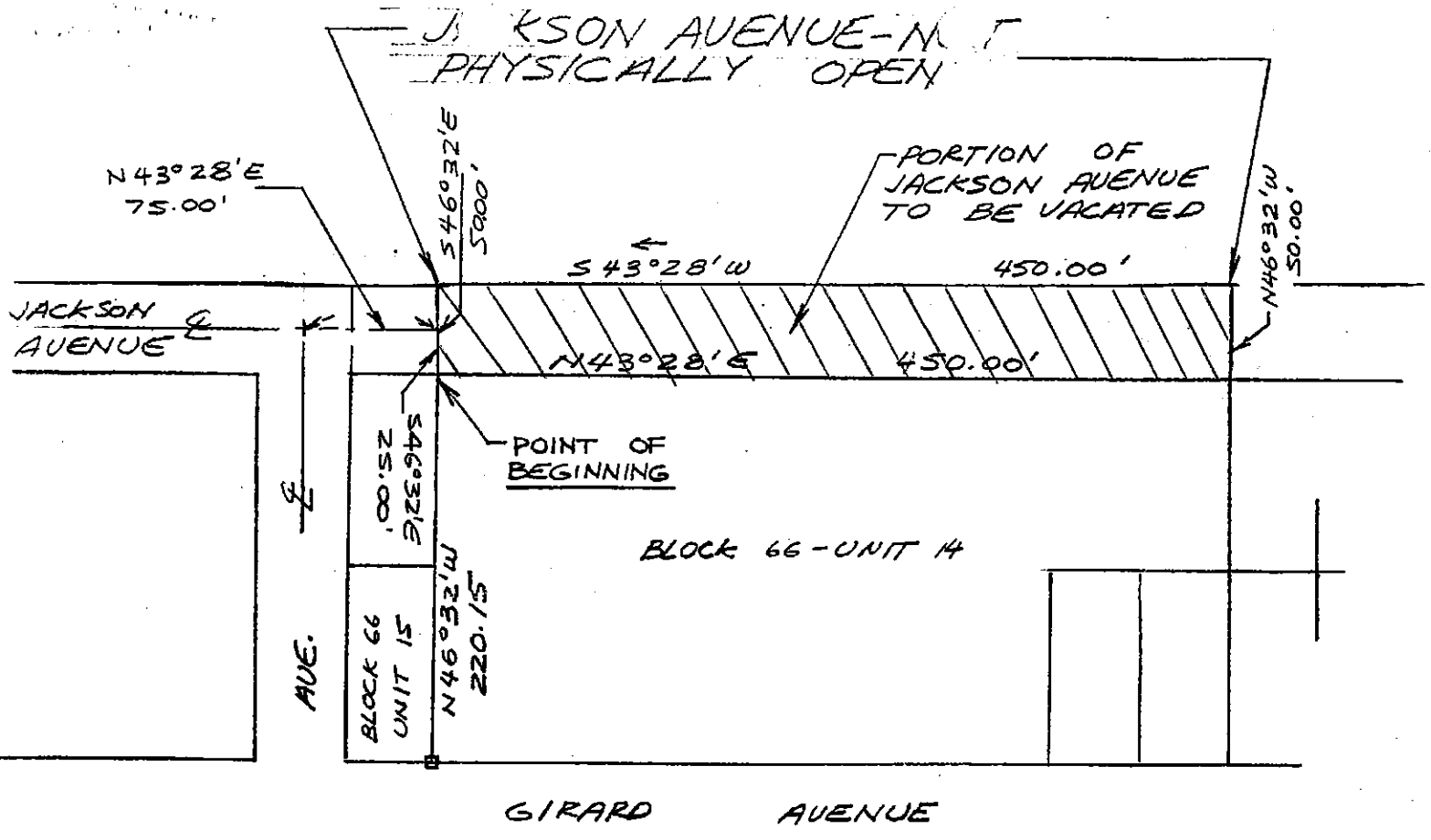
PAUL A. LEONARD
Secretary

PORTION OF JACKSON AVENUE TO BE VACATED

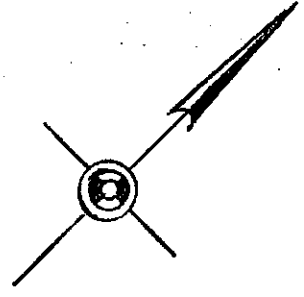
ALL THAT CERTAIN lot or strip of ground known as a portion of Jackson Avenue as shown on "Plan of a portion of Jackson Avenue to be Vacated" prepared by Upper Dublin Township, dated March 19, 1998, SITUATE in the Township of Upper Dublin, Montgomery County, Pennsylvania, bound and described as follows to wit:

BEGINNING at a point on the Southeast side of Jackson Avenue, said point being located the following two (2) courses and distances from the point of intersection of the centerline of Jackson Ave. (50 feet wide) and the centerline of Chestnut Avenue (50 feet wide) 1) North Forty Three Degrees Twenty Eight Minutes East (N43°28'E) Seventy Five and No One Hundredths feet (75.00') to a point 2) South Forty Six Degrees Thirty Two Minutes East (S46°32'E) Twenty Five and No One Hundredths feet (25.00') **THENCE** from said point of beginning North Forty Three Degrees Twenty Eight Minutes East (N43° 28'E) Four Hundred Fifty and No One Hundredths feet (450.00') to a point, **THENCE** North Forty Six Degrees Thirty Two Minutes West (N46° 32'W) Fifty and No One Hundredths feet (50.00') to a point, **THENCE** South Forty Three Degrees Twenty Eight Minutes West (S43° 28'W) Four Hundred Fifty and No One Hundredths feet (450.00') to a point, **THENCE** South Forty Six Degrees Thirty Two Minutes East (S46° 32'E) Fifty and No One Hundredths feet (50.00') to the first mentioned point and place of beginning.

Intending to describe a portion of the physically unopened Jackson Avenue which abuts the property of Upper Dublin Township. Containing 22,500 square feet more or less.



CHESTNUT



MONTGOMERY COUNTY PARCEL NUMBERS

- 54-00 08863 00-2
- 54-00 08866 00-8
- 54-00 07387 00-2

REF. PLAN OF NORTH HILLS
COMMUNITY CENTER, BY
UPPER DUBLIN TOWNSHIP,
LAST REV.: 4/23/80

PLAN OF "PORTION OF
JACKSON AVENUE TO BE
VACATED"
SITUATE IN
UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY
PENNSYLVANIA

SCALE: 1" = 100 FT. DATE: 3/19/9.

EXHIBIT "B"

AN ORDINANCE
NO. 967

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233 THEREOF, ENTITLED VEHICLES AND TRAFFIC, ARTICLE VIII, SCHEDULES, SECTION 233-50, STOP INTERSECTIONS, BY ADDING THERETO A "STOP" REGULATION ON INVERNESS AVENUE AT THE INTERSECTION OF BELLAIRE AVENUE.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, Schedules, Section 233-50, Stop Intersections, shall be amended to provide as follows:

Stop Sign On	Direction of Travel	At Intersection of
Inverness Avenue	Both	Bellaire Avenue

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 14 day of APRIL, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


PAUL A. LEONARD, SECRETARY
g:\ud\ord\vehtraf\stop1.ord


H. WILLIAM GIFT, PRESIDENT

ORDINANCE NO. 968
OF THE BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF UPPER DUBLIN,
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE THAT AUTHORIZES THE INCURRENCE OF NON-ELECTORAL DEBT BY THE TOWNSHIP OF UPPER DUBLIN ("TOWNSHIP") BY THE ISSUANCE OF A GENERAL OBLIGATION NOTE, SERIES OF 1998, IN THE PRINCIPAL AMOUNT OF \$5,500,000; APPROVES A CAPITAL PROJECT; APPROVES THE NEGOTIATED SALE OF THE 1998 NOTE TO THE DELAWARE VALLEY REGIONAL FINANCE AUTHORITY; APPROVES THE SUBSTANTIAL FORMS OF THE 1998 NOTE AND RELATED LOAN AGREEMENT AND AUTHORIZES EXECUTION AND DELIVERY OF ALL NECESSARY DOCUMENTS; STATES THE AMORTIZATION SCHEDULE AND MAXIMUM ANNUAL DEBT SERVICE PAYMENTS FOR THE 1998 NOTE; PLEDGES THE FULL FAITH, CREDIT, AND TAXING POWER OF THE TOWNSHIP FOR THE TIMELY PAYMENT OF THE DEBT SERVICE; CREATES A SINKING FUND AND APPOINTS A SINKING FUND DEPOSITORY; AUTHORIZES THE APPLICATION TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZES ADVERTISEMENT OF ENACTMENT; AND REPEALS INCONSISTENT ORDINANCES.

WHEREAS, the Board of Commissioners has determined to undertake a capital project (the "1998 Project"), consisting of (i) the construction of improvements to the Township's wastewater treatment plant and (ii) the payment of the costs incurred to issue the Township's General Obligation Note, Series of 1998 (the "1998 Note"); and

WHEREAS, the incurrence of non-electoral debt by the Township is necessary to fund the 1998 Project; and

WHEREAS, the proposed increase of non-electoral debt, together with the non-electoral and lease rental debt presently outstanding, will not cause the constitutional or statutory debt limitations of the Township to be exceeded;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF SAID BOARD OF COMMISSIONERS THAT:

SECTION 1. APPROVAL OF THE 1998 PROJECT, ESTIMATED USEFUL LIFE OF THE 1998 PROJECT, AND AUTHORIZATION OF THE 1998 NOTE

The Township hereby authorizes and approves the 1998 Project. The estimated weighted average useful life of the improvements which comprise the 1998 Project exceeds 25 years, and the amortization period of the 1998 Note will not exceed the estimated weighted average useful life of the 1998 Project. The Township hereby authorizes and directs the incurring of non-electoral debt aggregating \$5,500,000 to fund the 1998 Project under the provisions of the *Local Government Unit Debt Act* (the "Act"). The Township has obtained realistic cost estimates for the 1998 Project through bid prices or professional estimates from persons qualified by experience to provide such estimates.

SECTION 2. APPROVAL OF THE PURCHASE PROPOSAL

The Board of Commissioners and the Township, after due deliberation and investigation, hereby determine that a private sale by negotiation of the 1998 Note is in the best financial interest of the Township. The 1998 Note shall be sold at negotiated sale in accordance with the terms of a Purchase Proposal submitted by the Delaware Valley Regional Finance Authority ("DVRFA"), attached hereto as Exhibit I (the "Purchase Proposal"). The DVRFA's Purchase Proposal for the 1998 Note at a price of \$5,500,000 is hereby accepted. The Township shall be responsible for paying the DVRFA's costs of issuance in an amount not to exceed \$22,000 as directed by the DVRFA's Program Administrator upon the issuance of the 1998 Note. The 1998 Note shall be purchased by the DVRFA on or about July 10, 1998, or in such installments and/or

at such other times as the President of the Board of Commissioners and the DVRFA's Program Administrator shall determine.

SECTION 3. APPROVAL OF THE FORMS OF THE 1998 NOTE AND LOAN AGREEMENT AND AUTHORIZATION TO EXECUTE AND DELIVER ALL NECESSARY DOCUMENTS

The forms of the 1998 Note and Loan Agreement attached to the Purchase Proposal are hereby approved. The President or Vice President and the Secretary are hereby authorized to execute and deliver the Promissory Note and Loan Agreement, in the forms attached to the Purchase Proposal, but with such alterations, deletions and additions as the President or Vice President may approve (such approval to be conclusively established by the execution of the Loan Agreement and the Promissory Note by the President or Vice President). The President or Vice President and the Secretary also are hereby authorized (i) to execute and deliver such other certificates, instruments, and agreements (including those required by any institution issuing any municipal bond insurance policy, letter of credit, or similar instrument securing the DVRFA's Bonds) as may be necessary or beneficial to the issuance of the 1998 Note, and (ii) to take all other actions that may be necessary or beneficial to issue the 1998 Note.

SECTION 4. AMORTIZATION SCHEDULE AND MAXIMUM ANNUAL DEBT SERVICE PAYMENTS

The indebtedness of the 1998 Note shall be evidenced by one Note in the par amount of FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000). The 1998 Note shall bear interest at the floating rate specified in the Loan Agreement and Promissory Note. The principal amortization schedule and maximum annual debt service payments as defined in the Promissory Note and Loan Agreement for the 1998 Note (based upon the maximum interest rate of 25%) are set forth on the following page:

**Township of Upper Dublin
Principal Amortization Schedule and
Maximum Annual Debt Service at 25% Interest Rate**

<u>Year Ending</u>	<u>Principal Payment (1)</u>	<u>Maximum Interest Rate</u>	<u>Maximum Interest Payment (2)</u>	<u>Maximum Annual Debt Service</u>
25-Jul-99	\$ 172,000.00	25%	\$ 1,375,000.00	\$ 1,547,000.00
25-Jul-00	180,000.00	25%	1,332,000.00	1,512,000.00
25-Jul-01	188,000.00	25%	1,287,000.00	1,475,000.00
25-Jul-02	197,000.00	25%	1,240,000.00	1,437,000.00
25-Jul-03	206,000.00	25%	1,190,750.00	1,396,750.00
25-Jul-04	216,000.00	25%	1,139,250.00	1,355,250.00
25-Jul-05	226,000.00	25%	1,085,250.00	1,311,250.00
25-Jul-06	237,000.00	25%	1,028,750.00	1,265,750.00
25-Jul-07	248,000.00	25%	969,500.00	1,217,500.00
25-Jul-08	260,000.00	25%	907,500.00	1,167,500.00
25-Jul-09	272,000.00	25%	842,500.00	1,114,500.00
25-Jul-10	284,000.00	25%	774,500.00	1,058,500.00
25-Jul-11	298,000.00	25%	703,500.00	1,001,500.00
25-Jul-12	312,000.00	25%	629,000.00	941,000.00
25-Jul-13	326,000.00	25%	551,000.00	877,000.00
25-Jul-14	342,000.00	25%	469,500.00	811,500.00
25-Jul-15	358,000.00	25%	384,000.00	742,000.00
25-Jul-16	375,000.00	25%	294,500.00	669,500.00
25-Jul-17	392,000.00	25%	200,750.00	592,750.00
25-Jul-18	411,000.00	25%	102,750.00	513,750.00
Total	<u>\$ 5,500,000.00</u>		<u>\$ 16,507,000.00</u>	<u>\$ 22,007,000.00</u>

(1) Principal is amortized to provide level debt service at an interest rate of 4.70%.

(2) Interest is payable on the 25th day of the month.

SECTION 5. PLEDGE OF FULL FAITH, CREDIT, AND TAXING POWER

The 1998 Note is hereby declared to be a general obligation of the Township. The Township irrevocably pledges its full faith, credit, and taxing power to unconditionally guarantee (i) the full and prompt payment of interest and principal due on the 1998 Note and (ii) the full and prompt payment of any other charges, including the Administrative Fees and Expenses (if

any), or any deficiencies of reserves due under the Loan Agreement for the 1998 Note. The Township covenants to include all amounts due and payable under the 1998 Note in the budget of the fiscal year in which such amounts are due and payable, and, unless appropriated and paid from sewer revenues or other sources, covenants to appropriate amounts from its taxes and other general revenues and punctually to pay or cause to be paid any amounts that are due and payable under the 1998 Note.

SECTION 6. SINKING FUND DEPOSITORY

The Board of Commissioners hereby finds and acknowledges that under the terms of the Loan Agreement for the 1998 Note and the Indenture for the DVRFA's 1997 Series Bonds, and that simultaneously with the delivery of the 1998 Note, Commerce Bank/Pennsylvania, National Association, or its successors, the Trustee of the 1997 Series Bonds ("DVRFA's Trustee"), shall serve and is hereby appointed as Sinking Fund Depository, shall maintain separate accounts, subaccounts and subfunds for Repayments (as defined in the Loan Agreement) to be made by the Township until such 1998 Note is paid in full, and shall also serve as paying agent for the 1998 Note. These accounts, subaccounts and subfunds shall, collectively, constitute the "Sinking Fund" required by the Act for the 1998 Note. The Board of Commissioners hereby authorizes, empowers, and directs all proper Township officials to contract with the DVRFA's Trustee (to the extent any further contract is deemed necessary) to serve as Sinking Fund Depository for the 1998 Note.

SECTION 7. AUTHORIZATION TO SUBMIT STATEMENTS TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

The President of the Board of Commissioners and Secretary of the Township are hereby authorized to prepare, execute, and submit to the Department of Community and Economic Development ("DCED") the debt statement required by Section 8110 of the *Act*, and to execute and submit to DCED the proceedings that authorize the incurrence of non-electoral debt, any statements or certificates required to qualify the 1998 Note as self-liquidating debt, and any other documents required by the *Act* or DCED.

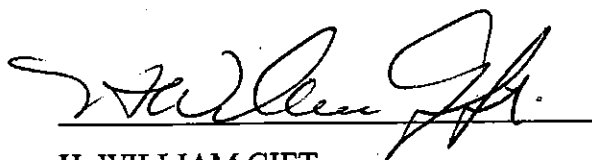
SECTION 8. LEGAL ADVERTISEMENTS

The advertisement of the enactment of this Ordinance, as required by the *Act*, in *The Intelligencer Record*, a newspaper of general circulation in the Township, is hereby approved, ratified, and confirmed. The advertisement is hereby directed within fifteen (15) days following the day of final enactment.

SECTION 9. CONFLICTING ORDINANCES

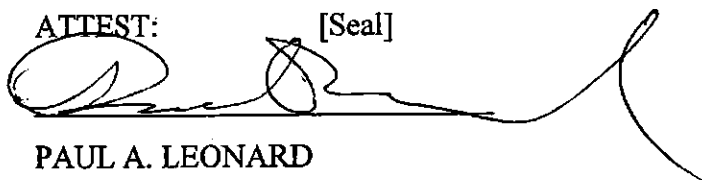
All ordinances or parts of ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.

IN WITNESS WHEREOF, we, the undersigned authorized officials of the Township of Upper Dublin, Commonwealth of Pennsylvania, have hereunto set our signatures and affixed hereto the Seal of the Township this 9th day of June, 1998.



H. WILLIAM GIFT
President of the Board of Commissioners
Township of Upper Dublin, Pennsylvania

ATTEST: [Seal]



PAUL A. LEONARD
Secretary
Township of Upper Dublin, Pennsylvania

**Notice of Fixed Rate Conversion
Township of Upper Dublin
1998 General Obligation Note**

Pursuant to Section 4.01 of the Loan Agreement, the Delaware Valley Regional Finance Authority ("DVRFA") hereby submits the Loan Fixed Rate that would apply to the Fixed Rate Conversion Request submitted by the Township of Upper Dublin ("Participant") for its 1998 General Obligation Note ("1998 Note"). The Loan Fixed Rate shall be effective on July 10, 1998. Interest payments shall be payable monthly, and principal shall be payable annually. The schedule of Repayments, not including Finance Charges, if any, that may be assessed, is set forth below.

Loan Fixed Rate Repayments

<u>Year Ending</u>	<u>Principal Payment</u>	<u>Fixed Interest Rate</u>	<u>Interest Payment (1)</u>	<u>Total Repayments (2)</u>
25-Jul-99	\$ 172,000.00	4.596%	\$ 263,312.50 (3)	\$ 435,312.50
25-Jul-00	180,000.00	4.596%	244,874.88	424,874.88
25-Jul-01	188,000.00	4.596%	236,602.08	424,602.08
25-Jul-02	197,000.00	4.596%	227,961.60	424,961.60
25-Jul-03	206,000.00	4.596%	218,907.48	424,907.48
25-Jul-04	216,000.00	4.596%	209,439.72	425,439.72
25-Jul-05	226,000.00	4.596%	199,512.36	425,512.36
25-Jul-06	237,000.00	4.596%	189,125.40	426,125.40
25-Jul-07	248,000.00	4.596%	178,232.88	426,232.88
25-Jul-08	260,000.00	4.596%	166,834.80	426,834.80
25-Jul-09	272,000.00	4.596%	154,885.20	426,885.20
25-Jul-10	284,000.00	4.596%	142,384.08	426,384.08
25-Jul-11	298,000.00	4.596%	129,331.44	427,331.44
25-Jul-12	312,000.00	4.596%	115,635.36	427,635.36
25-Jul-13	326,000.00	4.596%	101,295.84	427,295.84
25-Jul-14	342,000.00	4.596%	86,312.88	428,312.88
25-Jul-15	358,000.00	4.596%	70,594.56	428,594.56
25-Jul-16	375,000.00	4.596%	54,140.88	429,140.88
25-Jul-17	392,000.00	4.596%	36,905.88	428,905.88
25-Jul-18	<u>411,000.00</u>	4.596%	<u>18,889.56</u>	<u>429,889.56</u>
Total	<u>\$5,500,000.00</u>		<u>\$3,045,179.38</u>	<u>\$8,545,179.38</u>

(1) Interest is payable on the 25th day of each month commencing July 25, 1998.

(2) Does not include Monthly Finance Charge, if any is assessed.

(3) Interest is accrued from July 10, 1998.

The Participant acknowledges, pursuant to Section 6.01 of the Loan Agreement, that the Participant may prepay all or a portion of the 1998 Note that is subject to the Loan Fixed Rate by

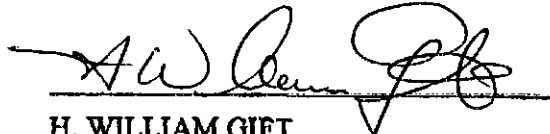
giving at least thirty days of notice to the DVRFA; however, the Participant shall pay the costs, if any, associated with the liquidation or termination of the respective Fixed Rate Swap used by DVRFA to provide the Loan Fixed Rate to the Participant.

IN WITNESS WHEREOF, the undersigned authorized officer of the Program Administrator of the Delaware Valley Regional Finance Authority and the undersigned authorized official of the Township of Upper Dublin hereby accept the terms of the Notice of Fixed Rate Conversion and have hereunto set our signatures this 10th day of June, 1998.

Delaware Valley Regional Finance Authority
Calhoun, Baker Inc.
Program Administrator

LUCIEN B. CALHOUN
President

Township of Upper Dublin, Pennsylvania



H. WILLIAM GIFT
President of the Board of Commissioners

UPPER DUBLIN TOWNSHIP
ORDINANCE NO. 969

AN ORDINANCE PROVIDING FOR THE DESIGN, LAYING OUT, CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN FROM THE MAIN ENTRANCE TO THE TANNERIE WOOD DEVELOPMENT, IN THE SHOULDER OF SUSQUEHANNA ROAD, ON THE NORTHEAST SIDE FOR 290 FEET, CROSSING THE CARTWAY OF SUSQUEHANNA ROAD FOR 30 FEET, AND NORTHWESTERLY ALONG THE SHOULDER OF SUSQUEHANNA ROAD FOR 465 FEET. CONTAINING 780 FEET OF NEW SANITARY SEWER MAIN MORE OR LESS. PROVIDING FOR 7 NEW LATERAL CONNECTIONS TO SERVICE 6 EXISTING DWELLINGS AND ONE VACANT BUILDING LOT ALONG WITH THE CONDEMNATION OF RIGHT OF WAY AND PERMANENT AND TEMPORARY EASEMENTS ACROSS PRIVATE PROPERTY TO ACCOMMODATE SAID SEWERS AND FACILITIES; PROVIDING FOR THE PAYMENT OF COSTS OR CONSTRUCTION BY ASSESSMENT BY THE BENEFIT METHOD; PROVIDING FOR THE LIENING OF PROPERTY SUBJECT TO ASSESSMENT; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, in accordance with Article XIX of the First Class Township Code of the commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, it is deemed to be in the best interest of the residents of the Township and the health and welfare of the community to arrange for such facilities to be constructed and installed; and

WHEREAS, in accordance with Article XXV of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to collect by installment the cost of sewer improvements.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, does hereby ENACT AND ORDAIN that:

Section I. SANITARY WASTEWATER SEWER FACILITIES

- (A) A public sanitary sewer collection line shall be constructed to extend an existing 8" sanitary sewer main from the main entrance to the Tannerie Wood Development, in the shoulder of Susquehanna Road, on the Northeast side for 290 feet, crossing the cartway of Susquehanna Road for 30 feet, and Northwesterly along the shoulder of Susquehanna Road for 465 feet. Containing 780 feet of new sanitary sewer main more or less. Providing for 7 new lateral connections to service 6 existing dwellings and one vacant building lot, SITUATE in Upper Dublin Township, Montgomery County, Pennsylvania, in accordance with plans to be prepared by an engineering firm to be retained for such purpose by the Board of Commissioners (hereinafter "Engineer"), and shall be interconnected to the existing sanitary wastewater sewer system in place in the Township (hereinafter "the project").
- (B) The Board of Commissioners is hereby authorized to condemn temporary construction easements and permanent easements for rights of way over and across privately owned lands if found necessary for the construction of such sewers and to pay just compensation therefor.

SECTION II. ASSESSMENT OF COSTS

- (A) The costs of construction and installation of the sewer system, aforesaid, shall be assessed as provided by law upon the several abutting properties benefited, improved and accommodated by the said sewer system.
- (B) The officers of the Township are authorized and directed to execute and file a petition to the Court of Common Pleas of Montgomery County, Pennsylvania, for the appointment of viewers to assess benefits, as provided by law.
- (C) Upon completion of the said Project and determination of all costs in connection therewith, the Engineer shall deliver the same in writing to the Township Manager.
- (D) Upon confirmation of the report of the viewers, the Township Manager shall make out bills for the amounts assessed against each abutting property benefited by the Project and a notice of assessment, which shall be forthwith served on all the owners

of each property not less than thirty (30) days prior to the due date specified on such bill for the payment of each such assessment, either by personal service on the owner or his or its agent, or left on the assessed premises, or by registered or certified mail.

- (E) If any assessment shall remain unpaid at the expiration of thirty (30) days following the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from the thirtieth (30th) day after the service of the notice, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five percent (5%) of the amount of such assessment, together with interest and costs as provided by law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

ENACTED AND ORDAINED this 9th day of JUNE, 1998.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By:


H. William Gift, President

Attest:


Paul A. Leonard, Secretary

AN ORDINANCE
NO. 970

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE III, "PARKING REGULATIONS", SECTION 23.1 "PARKING PERMIT PROGRAM" TO DESIGNATE THAT CURBSIDE PARKING ON THE FOLLOWING STREET SHALL BE SUBJECT TO THE REGULATIONS OF THIS PROGRAM FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 1999: LOCH ALSH AVENUE, NORTH AND SOUTH SIDES, FROM FORT WASHINGTON AVENUE TO THE 309 EXPRESSWAY OVERPASS.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, "Parking Regulations" shall be amended by adding thereto the following section:

ARTICLE III
Parking Regulations

233-23.1 Parking permit program.

C. Designation of permit parking areas.

- (2) Permit parking areas enumerated. The following shall be permit parking areas during the times indicated:
 - (a) Until June 30, 1999, parking without a permit shall be unlawful between the hours of 7:00 a.m. and 3:00 p.m., Mondays through Fridays, except on legal holidays on Loch Alsh Avenue, north and south sides, from Fort Washington Avenue to the 309 Expressway Overpass.

Section 2. Nothing in this Ordinance or in Section 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Section 233 prior to the adoption of this amendment.


Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *9th* day of *June*, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


H. WILLIAM GIFT, PRESIDENT


PAUL A. LEONARD, SECRETARY
ud\ord\vehtraf\highschoolpermitparkingord

AN ORDINANCE
NO. 977

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 35, ENTITLED PENSIONS, BY DELETING THEREFROM ARTICLE I, "POLICE PENSION PLAN AND PENSION FUND", IN ITS ENTIRETY.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 35, thereof entitled Pensions, Article I, "Police Pension Plan and Pension Fund", shall be deleted in its entirety. Chapter 35, §1 through §24 shall be marked as "Reserved" for future use.

Section 2. Nothing in this Ordinance or in Chapter 35 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 35 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 4 day of JULY, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


H. WILLIAM GIFT, PRESIDENT


PAUL A. LEONARD, SECRETARY

g:\gen\polpens\Police Pension Plan.ord

AN ORDINANCE

NO. 970

AN ORDINANCE of the Township of Upper Dublin amending Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, to: change the name of the district to EC Employment Center District; to restate the Intent of the District, principally to expand its concept from that of an Industrial Campus to a mixture of industrial, office, institutional and recreational uses; to allow animal hospitals, veterinary offices, the use of automated teller machines, hotels (but not within 500 feet of a residential use), schools, places of worship, eat-in restaurants, limited commercial retail, office buildings generally and public and private recreation land and facilities as a matter of right; to permit museums by conditional use; to eliminate reference to Heliports; to eliminate the prohibition against the roasting of coffee, spices and soybeans; to prohibit the storage of flammable or explosive liquids, solids or gases within 200 feet of a residential district; to permit the Board of Commissioners to require a traffic impact study (with requirements as set forth) for new buildings or additions of 10,000 sq.ft or more to existing buildings and for all conditional uses, and to require review of the traffic study by the Township traffic engineer, with the cost to be reimbursed to the Township; to require the installation of stormwater management facilities and the dedication of easements necessary to direct or control stormwater; to require a minimum lot size of 2 acres in this district; to provide other specific lot, yard and bulk regulations; and to establish standards for the grant of conditional uses in this district.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1: Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, shall be amended by changing the name of the District to EC Employment Center District, and by amending Sections 255-101, 255-102, 255-103, 255-104 to provide as follows:

ARTICLE XVI
EC Employment Center District

255-101. Intent

In expansion of the declaration of legislative intent contained in Article I, Section 255-2, of this chapter, it is hereby declared to be the intent of this Article, with respect to the EC Employment Center District, to:

- A. Create a vibrant, mixed-use District which contributes toward the economic vitality of Upper Dublin Township.
- B. Encourage the redevelopment of under-utilized or vacant buildings.
- C. Promote a range of activities such as exhibitions and conferences with supporting hotel, service and retail uses.
- D. Allow for industrial, office, institutional, and recreational development with controls to limit air, land and water pollution, noise emissions, and traffic congestion.
- E. Provide for selected commercial development within office buildings or other buildings, and on stand-alone sites.
- F. Provide protection to people and buildings from fire, offensive noise, vibrations, odors, and other nuisances through strict performance standards.
- G. Ensure that site development design includes stormwater management measures, both on-site and as part of area-wide controls.
- H. Ensure adequate buffering of adjacent districts and land uses.
- I. Ensure safe pedestrian access from buildings to streets and transit stops.
- J. Support the creation of a bicycle trail to serve existing and future development in the District.
- K. Support the use and growth of transit service within the District.

- L. Ensure safe and efficient vehicle access.

255-102. Uses permitted by-right.

The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings or premises for the following uses and no other:

- A. Any industrial use not specifically excluded, which meets the provisions of this Article.
- B. Dwelling quarters for watchmen and caretakers employed on the premises.
- C. Medical facilities, animal hospitals and the offices of veterinarians.
- D. Banks and automated teller machines.
- E. Hotels, as long as the lot on which the hotel is located is not situate within 500 feet of a parcel zoned or used for residential purposes.
- F. Schools.
- G. Places of worship.
- H. Restaurants, both stand-alone and as part of any other building in the District. The term "restaurant" as used in this Chapter does not include drive-in or drive-through facilities; only facilities that provide food for patrons to eat on the premises or to pick-up inside and take off the premises to eat.
- I. Commercial/Retail uses when located on the ground floor of any building in the EC District and limited to 750 sq. ft. in area. This limit does not apply to commercial uses within an exhibition center.
- J. Office buildings.
- K. Public and private recreation lands or facilities.

255-103. Uses permitted by conditional use.

One (1) or a combination of the following uses are permitted by conditional use in accordance with the standards for approval under Section 255-117.2 and under Article XXV of this chapter:

- A. Museum.

- B. A personal care facility, assisted living center or nursing home provided the Board of Commissioners determines that:
 - 1. Such use is consistent with Section 255-101, Intent.
 - 2. Such use will not adversely affect the health, safety or welfare of the neighborhood.
 - 3. Parking is provided in accordance with Article XIX of this chapter.
 - 4. Buffer and screening requirements required for a life care complex in INST - Institutional District shall be complied with unless waived by the Board of Commissioners.
 - 5. The density of the building does not exceed 12 dwelling units per acre.
 - 6. The plans must comply with the development requirements for multiple dwelling development in Article VIII hereof.

- C. Licensed day care center.

- D. An exhibition center, provided that the Board of Commissioners determines that:
 - 1. Such use is consistent with Section 255-101, Intent.
 - 2. Such use will not adversely affect the health, safety or welfare of the neighborhood.
 - 3. Adequate provision has been made to accommodate increased traffic on public streets.
 - 4. The Board of Commissioners may limit the total square footage of gross floor area of an exhibition center based on the legislative intent of the EC Employment Center District and the standards and criteria contained in Article XXV, Conditional Use by Board of Commissioners.

255-104. Prohibited uses.

Prohibited uses include, but are not limited to, the following:

- A. Abattoir
- B. Acetylene gas manufacture and/or storage
- C. Acid manufacture (hydrochloric, nitric, picric, sulphuric sulphurous carbolic)
- D. Ammonia, bleaching powder or chlorine manufacture
- E. Ammunition manufacture and/or storage
- F. Arsenal
- G. Asphalt manufacture or refining
- H. Blast or reverberatory or foundry
- I. Bone distillation
- J. Celluloid manufacture
- K. Cement, including cement mixing plant, lime, gypsum or plaster of paris manufacture
- L. Coal distillation
- M. Coke ovens
- N. Creosote treatment or manufacture
- O. Dead animal and offal reduction
- P. Distillation of bones, coal petroleum, refuse grain or wood
- Q. Distillation of tar
- R. Drop hammer
- S. Explosives, fireworks and gunpowder manufacture or storage
- T. Fat rendering
- U. Fertilizer manufacture
- V. Forge plant
- W. Hog farm
- X. Kiln, except fired by oil, gas or electricity and having a maximum capacity of two hundred (200) cubic feet
- Y. Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals or offal
- Z. Oilcloth or linoleum manufacture
- AA. Ore reduction
- BB. Petroleum or kerosene refining, distillation or derivation of byproducts and/or storage
- CC. Potato works
- DD. Power forge [riveting, hammering, punching, chipping, drawing, rolling or

tumbling of iron, steel, brass, copper, (except as a necessary incident or manufacture of which those processes form a minor part and which are carried on without objectional noise outside the plant and permitted as a special exception)]

EE. Reduction of fish and animal products and vegetable oils

FF. (Reserved)

GG. Rolling mill

HH. Steel furnace, blooming or rolling mill

II. Stockyards

JJ. Tar distillation or manufacture

Section 2. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-111, Outdoor storage and waste disposal, shall be amended by the addition of paragraph D, to provide as follows:

255-111. Outdoor storage and waste disposal.

* * * * *

D. Flammable or explosive liquids, solids or gases may not be placed or stored within two hundred (200) feet of a residential zoning district.

Section 3. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-114, Traffic control, shall be amended to provide as follows:

255-114. Traffic control.

All development in the EC District shall be designed to safely permit vehicles to enter and exit the property. A traffic impact study may be required by the Board of Commissioners for new buildings or building additions of 10,000 sq. ft. or greater, and shall be required for all conditional uses.

If a traffic study is required by the Board of Commissioners, the Board of Commissioners reserves the right to request its own Traffic Engineer to review and comment on the applicant's traffic study. The expense for such review will be payable by the applicant to the Township.

If the Board of Commissioners requires an applicant to submit a traffic study

(whether pursuant to subdivision and land development or conditional use approval) the traffic study must meet the requirements outlined in Section 255-116.2 of this Chapter.

The Board of Commissioners may also require the applicant to submit to the Township an emergency plan for ingress and egress of personnel for any use to be located within a floodplain.

Section 4. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, shall be amended by adding thereto a new Section 255-114.1, Stormwater management, to provide as follows:

255-114.1. Stormwater management.

All development will be subject to the provisions of the Subdivision and Land Development Code as well as all stormwater management provisions in the Township Code. In addition to installing facilities to control runoff caused by any development, applicants shall offer easements for dedication to the township where, in the view of the township, such easements are necessary to direct or detain stormwater to the benefit of the entire EC District.

Section 5. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-115, Lot, yard and bulk requirements, shall amended to provide as follows:

255-115. Lot, yard and bulk regulations.

A. Area and yard regulations.

- (1) Tract area. No EC Employment Center District shall be less than ten (10) acres.
- (2) Minimum lot size. Two (2) acres.
- (3) Minimum lot width. Two hundred (200) feet, measured at the building setback line.

(4) Yard requirements.

- (a) Front yard. The required minimum depth of a front yard shall be fifty (50) feet, except where a building takes access from a street, on the opposite side of which the land is zoned residential, in which case the front yard shall be one hundred (100) feet.
- (b) Side yards. The required minimum depth of a side yard shall be fifty (50) feet.
- (c) Rear yards. The required minimum depth of a rear yard shall be fifty (50) feet.
- (d) Exceptions for side and rear yards. Where a side or rear yard abuts a residential zoning district, the required minimum depth of the abutting yard shall be one hundred (100) feet.. No side or rear yard setback shall be required from a property line which abuts a railroad right-of-way.
- (e) Maintenance of yards and open areas All yards and open areas (except for the portion provided for driveways and parking as herein provided) shall be planted in grass and shrubbery or trees and be maintained by the owner or tenants in a careful and prudent manner.

B. Building regulations.

- (1) Building coverage. The maximum building coverage shall be twenty percent (20%) of the square foot area of the lot plus two and one-half percent (2.5 %) per acre multiplied by the lot area in acres, not to exceed forty percent (40%). For example:
 - a) Lot area of two (2) acres: twenty percent (20%) plus five percent (5%) [two times two and one-half (2 x 2.5)] equals twenty-five percent (25%).
- (2) Impervious surface. The maximum impervious surface of a lot shall not exceed sixty percent (60%) for office buildings, and sixty-five

percent (65%) for all other uses. Where feasible, pervious paving surfaces shall be used.

- (3) Gross floor area. For office buildings, based on the outside perimeter of the building, total gross floor area shall not exceed 11,000 sq. ft. per acre of lot area.
- (4) Plans for any change in use of lots or buildings, or a portion of a lot or building, shall be submitted to the township for approval by the Board of Commissioners.
- (5) Height regulations. The maximum height of buildings in the Employment Center district is as follows:

Office buildings	50 feet, maximum 4 stories
Nursing homes, assisted living centers, and personal care facilities	45 feet, maximum 3 stories
Hotels	60 feet, maximum 4 stories
All other buildings	35 feet

The height of a building may be increased above the main roof to accommodate the following:

- a) Parapets, but not in excess of three (3) feet in mean height.
- b) A structure or structures limited to ten (10) feet in height and utilizing not more than ten percent (10%) of the roof area only for elevator penthouses and air conditioning, heating or ventilating equipment, provided such equipment is screened from public view.

Any portion of a multi-story building erected above thirty (30) feet shall be erected within a recession plane beginning at the height limit as fixed herein and receding at the rate of one (1) foot of recession for each one (1) foot of additional height.

- (6) Pedestrian and trail improvements shall be made by the applicant, including offering bike trail right-of-way for dedication, constructing

frontage sidewalks and sidewalk connections to buildings, and providing areas for bus stops, where needed.

Section 6. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-116, Parking, shall be amended to provide as follows:

255-116. Parking.

- A. **Parking.** No parking shall be permitted within the required yard area abutting a residentially zoned district. Parking shall be set back fifty (50) feet from the right-of-way opposite non-residential districts and twenty-five (25) feet from the side or rear property line adjacent to non-residential districts. No setback shall be required for parking areas which abut a railroad right-of-way.
- B. **Multilevel parking.** Multilevel parking shall be considered a building for setback and definitional purposes. The footprint of a multilevel parking area shall be included in calculation of impervious surface coverage, but shall not be included in calculating the permitted building coverage on the premises.
- C. **(Reserved)**
- D. **Reserve parking.** Required parking may be held in reserve if the applicant can show, to the satisfaction of the Board of Commissioners, that the additional parking will not be needed, subject to the following maximum percentages: 25% for office buildings and exhibition centers; 50% for all other uses. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces normally required shall be fully designed and the area which is proposed to be eliminated shall be shown on the land development plan as "parking reserve area." The parking reserve area shall be planted with vegetative cover and integrated into the site's landscaping plan. Such area shall be required to be developed as designed if and when the Zoning Officer determines the need therefore.
- E. In addition to the parking requirements outlined in this Section, any

additional parking requirements that are applicable in Article XIX of this Chapter shall be met.

Section 7. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, shall be amended by the addition of Sections 255-116.1, Commercial signs, and 255-116.2, Standards for Conditional Use Approval, to provide as follows:

255-116.1. Commercial signs.

Commercial signs and sign illumination within the EC Employment Center District shall be regulated by Article XXI of this Chapter.

255-116.2. Standards for Conditional Use Approval

- A. Traffic impact study. All conditional uses shall prepare a traffic impact study for review by the township officials and consultants. The objective of the traffic impact study is to provide the township enough information to properly determine:
- (1) The impact generated by the proposed development on the township road network.
 - (2) The capital improvements to existing transportation facilities that will be needed because of additional traffic volumes generated by the proposed land development in order to maintain the existing level of service.
 - (3) The traffic safety problems that may be generated by the proposed land development.
- B. Minimum contents. As a minimum, the impact study should include the following:
- (1) Existing twenty-four-hour and peak hour traffic volume data for streets providing direct access to the proposed land development and for all impacted adjacent streets and intersections. The township may request data for other locations if warranted.

- (2) Estimates of the total number of vehicle trips to be generated by the proposed land development for a typical twenty-four-hour period and typical a.m. and p.m. peak periods. Data shall be collected for a minimum two-hour period during a normal, weekday, non-holiday period for both a.m. and p.m. peaks.
- (3) Assignment of future twenty-four-hour and peak-hour volumes to the streets that will serve the proposed land development based on the estimates from Subsection 1(b) above and estimate of normal growth in overall traffic volumes. The impact study must include traffic estimates from other nearby land developments.
- (4) Projected twenty-four-hour and peak-hour turning movement data for all access points proposed for the land development.
- (5) Capacity analyses of major intersections in the township which will be impacted by the additional volumes generated by the proposed land development.
- (6) Data about existing accident levels at these intersections categorized by accident type for each intersection.
- (7) Descriptions of, and cost estimates for the improvements to roads, streets and intersections that will be required in order to avoid problems of traffic congestion and traffic safety that might be generated by traffic from the proposed land development, including all locations which will have an expected peak-hour increase of fifty percent (50%) or more or carry ten percent (10%) or more of traffic to the proposed development.
- (8) Cost estimate of any proposed improvements that will be required.
- (9) Description of any actions proposed or offered by the applicant to alleviate any burdens caused by the impact of the proposed land development on the transportation network. Such actions may include ridesharing (carpooling or vanpooling), transit service and flexible work hours.
- (10) Provisions for transit stops.

(11) Written text to interpret the information and data presented in terms of the aforementioned objectives.

C. Organization of report. The traffic impact study findings should be labeled as consecutively numbered exhibits and properly referenced throughout the text of the documents. The report shall be written in a manner and style that clearly focus the information, data and analysis on the issues mentioned above. Sources of all data must be appropriately documented. The name and title of the preparer is required. The preparer must be a licensed engineer experienced in transportation.

Section 8. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, LIM Limited Industrial District, Section 255-117, Submittal of plans; review; approval, shall be amended to provide as follows:

255-117. Submittal of plans; review; approval.

A. Plans for any subdivision, land development, or change of use in the EC Employment Center District shall be submitted to the township prior to the issuance of any zoning permit or certificate of occupancy as provided in Article XXIV, and such plans shall include, but not be limited to the following:

- (1) A plot plan of the lot showing the location of all present and proposed buildings, drives, parking lots, waste disposal fields and other constructional features on the lot; and all buildings, streets, alleys, highways, streams and other topographical features of the lot and within two hundred (200) feet of any lot line.
- (2) Architectural plans for any proposed buildings.
- (3) A description of any industrial operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, fire hazard or safety hazard.
- (4) Engineering and architectural plans for the handling and disposal of sewage and industrial waste.

- (5) Engineering and architectural plans for the handling of any excess traffic congestion, noise, glare, air pollution, water pollution, fire hazard or safety hazard.
- (6) Designation of the fuel proposed to be used and any necessary architectural and engineering plans for controlling smoke.
- (7) The proposed number of shifts to be worked and the maximum number of employees on each shift.
- (8) Any other data or evidence that the Board of Commissioners may require.

B. (Reserved)

C. (Reserved)

D. As a guide for recommendations by the committee responsible for planning and for final approval or disapproval by the Township Commissioners on any EC Employment Center plan, the following provisions shall be considered:

- (1) The plan is consistent with the purpose of this chapter to promote the health, safety, morals and the general welfare of the township.
- (2) The appropriate use of property adjacent to the area included in the plan will be safeguarded.
- (3) The development will consist of an harmonious grouping of buildings, service and parking areas, circulation and open spaces, planned as a single unit, in such manner in such manner as to constitute a safe, efficient and convenient site.
- (4) The uses to be included are limited to those permitted by this Article.
- (5) There is adequate provision made for safe and efficient pedestrian and vehicular traffic circulation within the boundaries of the site.

- (6) Provision is made for safe and efficient ingress and egress to and from public streets and highways serving the site without undue congestion to or interference with normal traffic flow within the township.
- (7) Adequate off-street parking and loading space is provided in accordance with Sections 255-117 and Article XIX of this Chapter.
- (8) All buildings within the development shall be served by a central sanitary sewage disposal system.
- (9) If the development is to be carried out in progressive stages, each stage shall be so planned that the foregoing requirements and intent of this chapter shall be fully complied with by the development at the completion of any stage.

Section 9. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article XIX, "Off-Street Parking and Loading", Section 255-135, Required spaces, is hereby amended to provide as follows:

§ 255-135. Required spaces.

- C. For any of the following uses, required parking spaces shall be all-weather and shall be paved, and such parking spaces shall be located on the same lot therewith except as provided in §255-136 below:

- (5) Office building or wholesale establishment:
 - (a) For any office or wholesale establishment not located in the EC Employment Center District, the following provisions shall apply: one parking space for every 250 square feet of gross floor area. Up to 60% of this required parking area may be placed in reserve and left unpaved upon a showing by the owner that such parking area is not required for the use of the building

contemplated. Such reserve parking area may not be provided in an area that would not otherwise be usable for parking because of the requirements of this chapter or any other ordinance. The owner will be required to pave such reserve parking area or any part of it upon inspection by the Zoning Officer showing that the parking area is overburdened and that additional parking area is required.

- (b) For any office or wholesale establishment located in the EC Employment Center District, there shall be one parking space for every 250 square feet of gross floor area, and the parking spaces shall be provided in compliance with §255-117.

* * * * *

Section 10. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article XXI, "Signs", Section 255-155, LIM Limited Industrial Districts, is hereby amended as follows:

§ 255-155 EC Employment Center Districts.

- A. In EC Employment Center Districts, the following signs shall be permitted and no other:
 - (1) Any sign permitted in any other district, provided that the use to which it refers is permitted in the EC Employment Center District.

* * * * *

Section 11. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article XXI, "Signs", Section 255-157 is hereby amended as follows:

§ 255-157. Illumination.

Sign illumination shall be governed by the following:

* * * * *

B. In Commercial Districts, Shopping Center Districts, Office Center Districts, Motel Districts and Employment Center Districts, any permitted sign may be illuminated subject to the following:

- (1) No sign shall be illuminated by any type of illumination, whether internal or external, before 7:00 a.m., local time, nor later than one-half (1/2) hour after the time at which the premises is closed to the public, except when authorized by special exception by the Zoning Hearing Board. In such case the Zoning Hearing Board shall consider the recommendation of the Department of Public Safety of the Township of Upper Dublin as to whether such illumination is necessary for the protection of persons and property.

* * * * *

Section 12. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article IV, Accessory Buildings, Structures and Uses, Section 255-30.1 is hereby amended as follows:

§ 255-30.1. Cellular communications antennas.

* * * * *

B. User regulations.

* * * * *

- (3) A cell site with antenna that is either not mounted on an existing structure or is more than 15 feet higher than the structure in which it is mounted is permitted by special exception as follows:

- (a) On property used for municipal purposes in any zoning district; and

- (b) In the following designated zoning districts:

CR-L and CR-I	Commercial
INST	Institutional
EC	Employment Center

OC
SC

Office Center
Shopping Center

Section 13. The Code of the Township of Upper Dublin, Chapter 212, Subdivision and Land Development, Article IV, "Design Standards", Section 212-32 "Landscaping" is hereby amended to change the references to "LIM Limited Industrial" in Table 1 (Minimum Planting Requirements) and Table 2 (Screen Buffer Requirements) to reference "EC Employment Center."

Section 14. Nothing in this Ordinance or in Chapter 255 or Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 or Chapter 212 prior to the adoption of this amendment.

Section 15. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 16. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 14 day of July, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


PAUL A. LEONARD, SECRETARY


H. WILLIAM GIFT, PRESIDENT

P:\UD\PROJ\ECDIST\062298signature

AN ORDINANCE

NO. 913

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN BY ADDING A NEW CHAPTER 206, "STORMWATER MANAGEMENT", TO INCLUDE ARTICLE I, "GENERAL PROVISIONS"; ARTICLE II "DEFINITIONS"; ARTICLE III "STORMWATER MANAGEMENT REQUIREMENTS"; ARTICLE IV "STORMWATER MANAGEMENT PLAN REQUIREMENTS"; ARTICLE V "ADMINISTRATION"; AND ARTICLE VI "SCHEDULES FOR DESIGN AND CONSTRUCTION STANDARDS".

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin shall be amended to add Chapter 206 "Stormwater Management" which Chapter shall provide as follows:

STORMWATER MANAGEMENT

INDEX

ARTICLE I	General Provisions
206-01.	Title
206-02	Statement of findings
206-03.	Purpose
206-04.	Statutory authority
206-05.	Applicability
206-06.	Repealer
206-07.	Severability
206-08.	Compatibility with other code requirements

ARTICLE II

Definitions

206-09. General

206-10. Terms

ARTICLE III

Stormwater Management Requirements

206-11. General requirements

206-12. Water quality requirement

206-13. Groundwater recharge requirement

206-14. Stormwater design standards and criteria

ARTICLE IV

Stormwater Management Plan Requirements

206-15. General requirements for drainage plans

206-16. Exemptions

206-17. Stormwater management plan contents

206-18. Plan submission

206-19. Plan review and approval

206-20. Modification of plans

206-21. Resubmission of dis-approved stormwater management plan

206-22. Permit requirements and procedures

206-23. Application requirements

206-24. Application for permit

206-25. Modification of plans

207-26. Expiration and renewal

206-27. Suspension and revocation

ARTICLE V Administration

- 206-28. Schedule of inspections
- 206-29. Financial and maintenance guarantees
- 206-30. Right of entry
- 206-31. Notification
- 206-32. Public nuisance
- 206-33. Penalties
- 206-34. Appeals

ARTICLE VI Schedules for Design and Construction Standards

- 206-35. Schedule I: General performance standards
- 206-36. Schedule II: Detention facility design
- 206-37. Schedule III: Stormwater conveyance system
- 206-38. Schedule IV: Water Quality and Groundwater Recharge BMP's

**ARTICLE I
General Provisions**

§206-1. Title.

This Chapter shall be known as the "Upper Dublin Township Stormwater Management Ordinance".

§206-2. Statement of findings.

The Board of Commissioners of Upper Dublin Township finds that:

- A. Inadequate management of stormwater runoff from development in a watershed increases flood flows and velocities, erodes and/or silts stream channels, pollutes water, overloads existing drainage facilities, undermines floodplain management in downstream communities, reduces groundwater recharge, and threatens public health and safety.

- B. A comprehensive and reasonable program of stormwater management regulations is fundamental to the public health, safety, and welfare and to the protection of the citizenry and environment.

§206-3. Purpose.

The purpose of this Chapter is to promote public health, safety and welfare within the Township of Upper Dublin by minimizing the damages described in Section 206-2(A), of this Chapter by provisions designed to:

- A. Manage stormwater runoff created by development activities.
- B. Maintain and/or improve existing water quality of streams, watercourses and impoundment's by preventing the additional loading of various stormwater runoff pollutants into the stream system and enhancing base flow as much as possible.
- C. Maximize potential groundwater recharge throughout the watershed in an attempt to maintain the existing hydrologic regime.
- D. Preserve existing natural drainage ways and watercourses.
- E. Provide for proper maintenance of all stormwater management facilities.

§206-4. Statutory authority.

The township is empowered to regulate land use and development activities that affect stormwater runoff by the authority of The Stormwater Management Act of October 4, 1978, P.L. 864 (Act 167), as amended 32 P. S. Section 680.1 et seq., and the First Class Township Code, P.L. 1206, Act of June 24, 1931, as amended, 53 P.S. Section 55101, et seq.

§206-5. Applicability.

The following activities are defined as "Regulated Activities" and shall be regulated by this Chapter:

- A. Land development
- B. Subdivision
- C. Any development involving the construction of new or additional impervious or semi-pervious surfaces (driveways, parking lots, etc.)
- D. Construction of new buildings or additions to existing buildings or structures
- E. Diversion or piping of any natural or man-made stream channel
- F. Installation of stormwater systems or appurtenances thereto

Any public works activity conducted by the township, its employees or agents is exempt from the definition of a "Regulated Activity". The township's policy, however, is to comply with this Chapter to the extent that such compliance would not conflict with other township interests in the health, safety and welfare of the township residents.

§206-6. Repealer.

Any part of the Township Code inconsistent with any of the provisions of this Chapter is hereby repealed to the extent of the inconsistency only.

§206-7. Severability.

Should any section or provision of this Chapter be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Chapter.

§206-8. Compatibility with other code requirements.

Approvals issued pursuant to this Chapter do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance.

**ARTICLE II
Definitions**

§206-9. General.

Unless otherwise expressly stated, the following terms, for the purpose of this Chapter, shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include the feminine gender, and words of feminine gender include masculine gender.
- B. The words "includes" or "including" shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
- C. The words "shall" and "must" are mandatory; the words "may" and "should" are permissive.
- D. The words "used or occupied" include the words "intended, designed, maintained, or arranged to be used or occupied".

§206-10. Terms.

ACCELERATED EROSION - The removal of the surface of the land through the combined action of man's activity and the natural processes of a rate greater than would occur because of the natural process alone.

AGRICULTURAL ACTIVITIES - The work of producing crops and raising livestock including tillage, plowing, discing, harrowing, pasturing and installation of conservation measures. Construction of new buildings or impervious areas is not considered agricultural activities.

APPLICANT - A landowner, as herein defined, or agent of the landowner, who has filed an application for a stormwater management permit.

BEST MANAGEMENT PRACTICE (BMP) - Structural and non-structural measures that temporarily store or treat stormwater runoff to reduce flooding, remove pollutants, provide for infiltration, or offer environmental amenities.

BIORETENTION AREA - Stormwater management measure which involves the shallow, temporary ponding of stormwater runoff in areas which has been prepared with well-drained soils and native vegetation.

BUILDING - Any structure, either temporary or permanent, having walls and a roof, designed or used for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

CHANNEL EROSION - The widening, deepening, and headward cutting of small channels and waterways due to erosion caused by moderate to large floods.

CISTERN - An underground reservoir or tank for storing rainwater.

CONSERVATION DISTRICT - The Montgomery County Conservation District.

CULVERT - A pipe, conduit, or similar structure including appurtenant works which carries surface water.

DAM - An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semi-fluid, or a refuse bank, fill, or structure for highway, railroad, or other purposes which does or may impound water or another fluid or semi-fluid.

DEDICATION - The deliberate donation of property by its owner for general public use.

DEP - The Pennsylvania Department of Environmental Protection or its successor agencies.

DESIGN STORM - The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24-hour), and used in computing stormwater management control systems.

DETENTION BASIN - A stormwater storage area with a controlled release rate which is essentially dry while not in use for flood control purposes.

DEVELOPER - Any landowner, agent of such landowner, or tenant who, with the permission of such landowner makes or causes to be made a subdivision of land or a land development, or who undertakes a Regulated Activity as defined herein.

DEVELOPMENT - Any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations and the subdivision of land.

DEVELOPMENT SITE - The specific tract of land for which a Regulated Activity is proposed.

DOWNSLOPE PROPERTY LINE - That portion of the property line of the lot, tract, or parcels of land being developed which is located such that all overland or pipe flow from the site would be directed towards it.

DRAINAGE EASEMENT - A right granted by a landowner to a grantee, allowing the use of private land for stormwater management purposes.

DRAINAGE FACILITY - any ditch, pipe, culvert, storm sewer, stream, channel, swale, conduit or structure designed, intended or constructed for the purpose of diverting surface water from or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision or land development.

DRAINAGE PERMIT - A permit issued by the township after the stormwater management plan has been approved. Said permit is issued prior to or with the final township approval.

DRY WELL - Below-grade stormwater retention structures that are open at the base, allowing water to percolate to the underlying soil.

EARTH DISTURBANCE - Any activity including, but not limited to, construction, mining, timber harvesting, and grubbing which alters, disturbs, and exposes the existing land surface.

EROSION - The removal or wearing away of surface materials by the action of natural elements including water, winds and ice.

EROSION AND SEDIMENT POLLUTION CONTROL PLAN - A plan, which designates measures to be employed to minimize, accelerated erosion and sedimentation.

EXISTING CONDITIONS - The initial condition of a project site prior to the proposed construction, earth disturbance, or filling. If the initial condition of the site is undeveloped land, the land use shall be considered as "meadow" unless the natural land cover is proven to generate lower curve numbers or Rational "C" value, such as forested lands.

FEMA - Federal Emergency Management Agency.

FILL - (Verb) Any act by which earth, sand, gravel, rock or any other material is deposited, placed, pushed, dumped, pulled, transported or moved to a new location, and shall include the conditions resulting therefrom.

(Noun) Sand, gravel, earth or other material placed or deposited to form an embankment or raise the elevation of the land surface. The term includes material used to replace an area with aquatic life with dry land or to change the bottom elevation of a regulated water of this Commonwealth.

FLOOD - A general but temporary condition of partial or complete inundation of normally dry land areas from the overflow of streams, rivers, and other waters of this commonwealth.

FLOODPLAIN - The area along a natural watercourse which is periodically overflowed by water therefrom, as defined in the Township Code, Chapter 255, Zoning, Article XXII, Floodplain Conservation District.

FLOODWAY - The channel of a watercourse and those portions of the adjoining floodplains, which are reasonably required to carry and discharge the 100-year frequency, flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed (absent evidence to the contrary) that the floodway extends from the watercourse to 50 feet from the top of the bank of the watercourse.

FREEBOARD - A vertical distance between the elevation of the design high water and the top of the spillway. The space is required as a safety margin in a pond or a basin.

GRADE -

- A. (Noun) A slope of a street, pipe, culvert, channel, or natural ground, specified in percent (%) and shown on plans as specified herein.
- B. (Verb) To finish the surface of a roadbed, top of embankment, or bottom of excavation.

- C. GRADE, EXISTING - The vertical elevation of the ground surface prior to earthmoving or filing.
- D. GRADE, FINAL - The final vertical elevation of the ground after development.

GRASSED WATERWAY - A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water.

GROUNDWATER - The water beneath the surface of the ground, consisting largely of surface water that has seeped down; the source of water in springs and wells.

GROUNDWATER RECHARGE - Replenishment of the water beneath the surface of the ground, consisting largely of surface water that has seeped down; the source of water in springs and wells.

GROUNDWATER RECHARGE DESIGN STORM - Benchmark rainfall event used as a basis for establishing compliance with the groundwater recharge requirement of the ordinance: 0.75-inch, 24-hour rainfall

IMPERVIOUS SURFACE - A surface which prevents the percolation of water into the ground.

IMPOUNDMENT - A retention or detention basin designed to retain stormwater runoff and release it at a controlled rate.

INFILTRATION STRUCTURES - A structure designed to direct runoff into the ground, (e.g., seepage pits, seepage trench).

LAND DEVELOPMENT - any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - 1. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure; or
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.

- C. Any activity regulated as development in accordance the Municipalities Planning Code and any amendments thereto.

LAND DISTURBANCE - Any activity involving grading, tilling, digging, or filling of ground or stripping of vegetation or any other activity that causes an alteration to the natural condition of the land.

LANDOWNER - The legal, beneficial or equitable owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

MANNING EQUATION - A method for calculation of flow velocity (e.g., feet per second) and flow rate (e.g., cubic feet per second) in open channels based upon channel shape, roughness, depth of flow, and slope. "Open channels" may include closed conduits so long as the flow is not under pressure.

MUNICIPALITIES PLANNING CODE - Pennsylvania Municipalities Planning Code, act of July 31, 1968, P.L. 805, no. 247, as reenacted and amended December 31, 1988, P.L. 1329, no 170, as amended, 53 P.S. §10101 et seq., and any further amendments thereto.

MUNICIPALITY - The Township of Upper Dublin, Montgomery County, Pennsylvania.

NONPOINT SOURCE POLLUTION - Pollution that enters a waterway or body from diffuses origins in the watershed and does not result from discernible, confined, or discrete conveyances.

NRCS - Natural Resource Conservation Service (previously known as the SCS, Soil Conservation Service).

OPEN CHANNEL - A drainage element in which stormwater flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainageways, swales, streams, ditches, canals and pipes flowing partly full.

OUTFALL - point where water flows from a conduit, stream, or drain.

OUTLET - Points of water disposal from a stream, river, lake, tidewater or artificial drain.

PEAK DISCHARGE - The maximum rate of flow of storm runoff at a given point and time resulting from a specified storm event.

PERSON - An individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.

PIPE - A culvert, closed conduit, or similar structure (including appurtenances) that conveys stormwater.

RATIONAL METHOD (FORMULA) - A rainfall-runoff relation used to estimate peak flow.

REGULATED ACTIVITIES - Actions or proposed actions which impact upon proper management of stormwater runoff and which are governed by this Chapter as specified in Section 206-5.

RETENTION BASIN - A stormwater storage area with a controlled release rate and which maintains a constant water level while not in use for flood storage.

RETENTION VOLUME - The combined storage volume provided by BMPs on a site for the retention and eventual infiltration of rainfall.

RETURN PERIOD - The average interval, in years, within which a storm event of a given magnitude can be expected to recur. For example, the 25-year return period rainfall would be expected to recur on the average once every 25 years. See "Storm Frequency".

RISER - A vertical pipe extending from the bottom of a pond or basin that is used to control the discharge rate from the pond or basin for a specified design storm.

ROOFTOP DETENTION - Temporary ponding and gradual release of stormwater falling directly onto a flat roof surface by incorporating controlled flow roof drains into building designs.

RUNOFF - The surface water discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SEDIMENT - Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

SEDIMENT BASIN - A barrier, dam, retention or detention basin designed to retain sediment.

SEDIMENT POLLUTION - The placement, discharge, or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measure and control facilities in accordance with the requirements of this Chapter.

SEDIMENTATION - The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

SEEPAGE PIT/SEEPAGE TRENCH - An area of excavated earth filled with loose stone or similar material and lined with filter fabric into which surface water is directed for infiltration into the

ground.

SEMI-PERVIOUS SURFACE - A surface such as turf, stone, porous paving, or other material which allows some percolation of water into the ground.

SHEET FLOW - Runoff which flows over the ground surface as a thin, even layer not concentrated in a channel.

SINGLE ENTITY - An association, public or private corporation, partnership, firm, trust, estate or any other legal entity empowered to own real estate exclusive of an individual lot owner.

SOIL COVER COMPLEX METHOD - A method of runoff computation developed by the Natural Resource Conservation Service which is based upon relating soil type and land use/cover to a runoff parameter called a Curve Number.

SOIL GROUP, HYDROLOGIC - A classification of soils by the Natural Resource Conservation Service into four runoff potential groups. The groups are distinguished by letters A through D. The soils represent a range of drainage capabilities from A soils that are very permeable and produce little runoff to D soils, which are not very permeable and produce much more runoff.

SPILLWAY - A depression in the embankment of a pond or basin which is used to pass peak discharge greater than the maximum design storm controlled by the pond or basin.

STORM FREQUENCY - The number of times that a given storm event occurs or is exceeded on the average in a stated period of years. See "Return Period".

STORM SEWER - A system of pipes or other conduits which carries intercepted surface runoff, street water and other waters, or drainage, but excludes domestic sewage and industrial wastes.

STORMWATER - The total amount of precipitation reaching the ground surface.

STORMWATER DETENTION FACILITY - Stormwater detention facilities include all structural measures whose principle purpose is the attenuation of incoming runoff peak discharge rates. All stormwater detention facilities incorporate 1) a method of restricting outflow and 2) a storage volume for the temporary detention of incoming runoff. Stormwater detention facilities include both above-grade and below-grade devices.

STORMWATER MANAGEMENT FACILITY - Any structure, natural or man-made, that, due to its condition, design, or construction conveys, stores, or otherwise controls stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes and infiltration structures.

STORMWATER MANAGEMENT PLAN - The depiction, to scale, of the stormwater management facility if any, to be used for a given development site, including drainage areas, pipes, inlets, culverts, basins and appurtenances.

STREAM - A watercourse.

STREAM ENCLOSURE - A bridge, culvert, or other structure in excess of 100 feet in length upstream to downstream which encloses a regulated water of this Commonwealth.

SUBDIVISION - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempt.

SWALE - A low-lying stretch of land which gathers or carries surface water runoff.

TIME OF CONCENTRATION (T_c) - The time for surface runoff to travel from the hydraulically most distant point in the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

TOWNSHIP CODE - The Code of the Township of Upper Dublin.

WATER QUALITY DESIGN STORM - Benchmark rainfall event used as a basis for establishing compliance with the water quality requirement of the ordinance: 1-year, 24-hour rainfall.

WATERCOURSE - A permanent stream, intermittent stream, river, brook, creek, channel, culvert or ditch conveying surface water, whether natural or man-made.

WATERSHED - The area contained within a drainage divide above a specified point on a stream. In water-supply engineering it is termed a watershed, and in river-control engineering it is termed a drainage area, drainage basin, or catchment area.

WATERS OF THE COMMONWEALTH - Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

WETLAND - Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstance do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs,

ferns, and similar areas.

ARTICLE III

Stormwater Management Plan Requirements

§206-11. General requirements.

- A. The standards referred to in this Article shall apply as minimum design standards; however, federal and state regulations may impose additional standards subject to their jurisdiction.
- B. The following requirements apply to the retention of existing watercourses and natural drainage features:
 - (1) Whenever a watercourse, stream, or intermittent stream is located within a development site, it shall remain open in its natural state in as much as possible to maintain these conditions.
 - (2) The existing points of natural drainage discharge onto adjacent property shall not be altered without the written approval of the affected landowners.
 - (3) No stormwater runoff or natural drainage shall be so diverted as to overload existing drainage systems (including existing stormwater management facilities) or create flooding.
 - (4) The township may require a developer to provide a permanent drainage easement along any watercourse located within or along the boundary of any property being subdivided or developed. The purpose of any such easement shall be for the maintenance of the channel of any watercourse. The terms of the easement shall prohibit the placing of fill or structures, and any alterations which may adversely affect the watercourse. The required width of any such easement shall be determined by the Township Engineer and, in no case, shall such easement be less than 25 feet in width. The developer will retain the easement until such time as one of the following is accomplished:
 - (a) The easement is offered for dedication by the developer and accepted by the township.
 - (b) If an easement acceptable to the township is established and officially entered upon the deeds of those properties affected by the easement by the Montgomery County Office for the Recording of Deeds, the maintenance shall then be the responsibility of the individual lot owners over whose property the easement passes. For land developments, the maintenance shall then be the responsibility of the owner.
 - (c) Homeowners' association or other approved legal entity, approved by the

township, assumes responsibility for the maintenance of the development, including the retention of the watercourse easement.

C. Developers shall construct and/or install stormwater management facilities, on and off-site, as necessary to:

- (1) Prevent erosion damage and to satisfactorily carry off, detain, or retain and control the rate of release of stormwater.
- (2) Manage the anticipated peak discharge from property being subdivided or developed and existing runoff being contributed from all land at a higher elevation in the same watershed.
- (3) Convey stormwater along or through the property to a natural outfall.
 - a. If diffused flow is proposed to be concentrated and discharged onto an adjacent property, the developer must document that adequate downstream conveyance facilities exist to safely transport the concentrated discharge, or otherwise prove that no erosion, sedimentation, flooding or other harm will result from the concentrated discharge.
 - b. A natural outfall shall have sufficient capacity to receive stormwater without deterioration of the facility and without adversely affecting property in the township. This natural outfall may be a river, creek, or other drainage facility so designated by the township for the proposed system.
 - c. Roof runoff shall be conveyed into natural watercourses on the property or to a storm drainage system of the township. However, a direct connection of roof drains to the storm drainage system is prohibited. Likewise, roof drains may not discharge directly to natural watercourses. Discharge from roof drains over a sidewalk, into a driveway, over a parking area, or into gutters will not be permitted.

Compliance with the groundwater recharge requirement (216-13) requires that roof runoff generated by the groundwater recharge design storm be infiltrated on-site. Infiltration can be achieved locally (e.g., dry wells, French drain) or in conjunction with other on-site BMPs (e.g., infiltration trench, bioretention area, porous pavement, sand filter)

Where conditions are not suitable for groundwater recharge (206-13(C)), roof spouts are required to discharge onto a vegetated surface (e.g., lawn, shrub filter strip, swale, grassed waterway). The minimum length of the

flow path between the spout outlet and the point of discharge to a natural watercourse or storm drainage inlet shall be 20 feet.

- d. Water originating from other than natural sources, such as air-conditioning units, sump pumps or other dry weather flow, wherever practicable, shall be connected to the storm drainage system of the township or discharged into natural watercourses on the property, at the direction of the township engineer. These facilities may not be used for pollution matter.
 - e. Water from swimming pools or similar uses containing chlorine shall be pre-treated to remove chlorine to acceptable limits prior to discharge to a township storm sewer system.
- D. A horizontal buffer shall be established at one (1) foot above the 100 year base flood elevation. The buffer may be part of any lot to meet lot area and yard requirements. No building or structure of any nature or any work such as filling or excavation shall be allowed within a horizontal buffer area. The buffer area may be used as part of any required yard area.
- E. Where applicable, construction of stormwater management facilities in wetlands or programs shall comply with the requirements of Chapter 102 (Erosion Control), Chapter 105 (Dam Safety and Waterway Management) and Chapter 106 (Flood Plain Management) of Title 25, Rules and Regulations of DEP. Inquiries regarding dam safety permit requirements or other concerns shall be addressed to DEP. Copies of any correspondence to and from DEP must be provided to the township.
- F. Stormwater management facilities which are located in or will discharge into a state highway right-of-way shall be subject to the approval of the Pennsylvania Department of Transportation (PennDOT).
- G. Stormwater management facilities located within or affecting the floodplain of any watercourse shall also be subject to the requirements of the Township Code which regulates construction and development within areas which are subject to flooding (See Chapter 255, Zoning, Article XXII, Floodplain Conservation District).
- H. A permanent access easement to the stormwater management facilities shall be provided in favor of the township for maintenance and operation of the facilities. This access shall be a cleared and stabilized access that is a minimum of 20 feet wide, suitable for access for maintenance equipment and personnel. Proximity of facilities to public rights-of-way shall be encouraged in order to minimize the length of accessways. Multiple accesses shall be encouraged for major or regional facilities. The owner of the access easement shall be responsible for maintenance of the easement. A deed restriction to the satisfaction of the Township Solicitor shall be submitted to provide for maintenance, to authorize the township

to take corrective maintenance measures if necessary, and to lien the cost of the work against the property should corrective measures not be performed by the homeowner, association, or entity owning the facility,

- I. Additional studies and higher levels of control than the minimum provided in the requirements and criteria of this Chapter may be required by the Board of Commissioners to ensure adequate protection to life and property.
- J. A drainage release in a form approved by the Township Solicitor, may be required by the township for discharges to adjoining properties and watercourses.
- K. Landowners shall comply with any future requirements promulgated by the township in order to conform with any local, county, state or federal Watershed Management Plans adopted in the future.

§206-12. Water quality requirement.

- A. One of the major objectives of the stormwater management ordinance is to maintain and, if possible, improve existing water quality by preventing additional loading of stormwater runoff pollutants. In considering issues such as ease of implementation and cost-effectiveness, the following is the minimum water quality criteria established to meet the objective of the ordinance.
- B. Stormwater detention facilities shall include provisions to detain runoff from the water quality design storm (1-year, 24-hour rainfall event), using methodology appropriate for the drainage area under consideration.
- C. Release of this water can begin at the start of the storm (i.e., the stormwater detention facility will not permanently retain a portion of the runoff). The design of the facility shall consider and minimize the chances of clogging and sedimentation potential.
- D. When detention basins are used to satisfy the water quality requirement, the invert of the water quality orifice may be placed at the invert of the basin. Because the standard for water quality may result in a fairly small outlet orifice in detention basins, the Township Engineer will determine the minimum standard diameter orifice as part of the stormwater management plan review. In soils non-conducive to infiltration, the addition of an underdrain is required, although this requirement can be waived upon determination by the Township Engineer that conditions warrant such a waiver.
- E. All stormwater detention facilities must implement the water quality requirement of this section. The water quality objective can be obtained through a variety of approved BMPs or combinations thereof, including retention basins (i.e., wet detention), detention basins (i.e., extended day detention), open (at-grade) sand filters, and bioretention areas.

- F. Below-grade detention facilities may not be used to satisfy the water quality requirement. Examples include below-grade infiltration beds or galleries, and below-grade detention chambers. In these instances, approved water quality BMPs which supplement the below-grade stormwater detention facilities shall be installed. Examples include water quality inlets (including oil/water separators), filter strips, and sand filters. All such water quality BMPs must be designed to treat runoff derived from the water quality design storm (1-year, 24-hour rainfall event).
- G. Unless derived from roofs associated with known or suspected contamination, roof runoff is exempt from the water quality requirement. However, this exemption applies only to roof runoff before it is combined with runoff from other sources.
- H. Industries must demonstrate compliance with the stormwater management provisions of National Pollutant Discharge Elimination System (NPDES: 40CFR, Chapter I, Part 122), as administered by the Commonwealth of Pennsylvania. Copies of Stormwater Pollution Prevention Plans (SWPPP) and monitoring reports shall be provided to the township.

206-13. Groundwater Recharge Requirement

- A. Best management practices (BMPs) shall be provided to retain all runoff generated by the groundwater recharge design storm (0.75-inch, 24-hour rainfall event) for infiltration.
- B. BMP's shall be designed to infiltrate retained runoff within a 48 hour period. Infiltration rates shall be based on field measurements using the double-ring infiltrometer or other approved method. Standard percolation tests are not acceptable. Tests shall be conducted at the proposed depth of the bottom of the infiltration device. A factor of safety of 3, or greater, shall be used when computing infiltration potential of a BMP from field measurements of infiltration rate.
- C. Lot owners must comply, individually, with the groundwater recharge requirement. However, Groundwater recharge BMP's will not be required on properties where:
- (1) Average slopes for the property exceed 8 percent
 - (2) Seasonal high water table is shallower than 4 feet below final grade
 - (3) Soil or bedrock conditions will not permit efficient percolation (nominal infiltration rate of less than 0.2 inches/hour)
 - (4) Site configuration will require that runoff must be infiltrated within:
 - 100 feet of a known or suspected sinkhole,
 - 50 feet of a water supply well,
 - 50 feet of a perennial stream, or
 - 20 feet of a basement wall.

The groundwater recharge objective can be obtained through a variety of approved BMP's or combinations thereof, including bioretention areas, dry wells, French drains, infiltration trenches, porous pavement, and some types of sand filters. Community (multi-lot) groundwater recharge BMP's may be approved by the Township Engineer . However, the total upgradient drainage areas served by any groundwater recharge BMP may not exceed 5 acres.

- D. The storage volume of detention basins or retention basins may not be used to satisfy the required retention volume.
- E. Potentially contaminated runoff may not be infiltrated without appropriate pre-treatment. The Township Engineer will determine whether contaminated runoff can be satisfactorily treated to permit infiltration. Sites which generate contaminated runoff, must segregate uncontaminated runoff (e.g., roof runoff). Measures shall be introduced to infiltrate uncontaminated runoff generated by a property during the groundwater recharge design storm (e.g., roof runoff).
- F. Above-grade groundwater recharge BMP's which incorporate biofiltration are required for the infiltration of untreated runoff from public, commercial or industrial parking lots. Runoff from private or institutional parking lots may utilize below-grade devices (e.g., infiltration trenches, porous pavement).
- G. Direct runoff from public roads is exempt from the groundwater recharge requirement. However, privately owned and maintained roads must comply with this requirement.
- H. Alternatively, it can be demonstrated that the proposed stormwater management plan will result in negligible runoff during the groundwater recharge storm. Procedures used to predict runoff must use standard and accepted calculation methodology and be satisfactory to the Township Engineer.
- I. Groundwater recharge BMP's shall be designed to provide storage equal to 100 percent of the required retention volume as determined in 206-13(H).

§206-14. Stormwater design standards and criteria.

- A. The Design and Construction Requirements for Stormwater Management and Stormwater Conveyance Systems, described in Article VI, of this Chapter, are hereby established as indicated in said Article.
- B. "No Harm" Option.
 - (1) The township, upon recommendation of the Township Engineer, may grant a

developer the option of using a less restrictive runoff control if the developer can prove that "no harm" to the localized downstream areas would be caused by discharging the higher runoff rates than specified for the applicable watershed. However, in no case shall a developer be relieved of the peak discharge requirement for the 2-year return design storm or the groundwater recharge requirement.

- (2) Attempts to prove "no harm" shall also be governed by the following provisions:
 - (a) The peak flow values to be used for downstream areas for various return period storms shall be the values from a method of runoff computation accepted by the Township Engineer.
 - (b) Any available capacity in the downstream conveyance system as documented by a developer may be used by the developer only in proportion to the development site acreage relative to the total upstream undeveloped acreage from the identified capacity (i.e., if the site is 10 percent of the upstream undeveloped acreage, up to 10 percent of the documented downstream available capacity may be used).
 - (c) Developer-proposed runoff controls which would generate increased peak flow rates at documented storm drainage problem areas would, by definition, be precluded from successful attempts to prove "no harm", except in conjunction with proposed capacity improvements for the problem areas.
- (3) Any "no harm" justifications shall be submitted by the developer as part of the stormwater management plan submission per Article IV.

C. Runoff Control Measures or Best Management Practices (BMP's)

- (1) Any selected BMP must meet the required water quality and runoff peak rate requirements of this Chapter.
- (2) Developers shall consider the use of innovative BMP's (e.g., infiltration techniques, wet ponds, riparian buffers, bioretention areas, underground detention, seepage beds, artificial wetlands), if appropriate, to provide for water quality improvement and groundwater recharge. Guidelines for the selection and design of a wide variety of BMP's is available in *Pennsylvania Handbook of Best Management Practices for Developing Areas* (Pennsylvania Association of Conservation Districts, 1998). Other design guides, approved by the township, may also be used in preparing stormwater management plans. In selecting the appropriate BMP's or combinations thereof, the following must be considered:

Contributing drainage area served by the BMP
Hydraulic conductivity of soils and bedrock
Depth to seasonal high water table and bedrock
Erodibility of soils
Land availability and topographic constraints
Existing natural resources which require conservation or enhancement.

- (3) Any Regulated Activity specified in Section 206-5, except for those defined in 206-5(E) and (F), which meets the stormwater management plan exemption criteria in Section 206-16(A) is exempt from meeting the water quality requirements of Section 206-12. This exemption shall apply to the total proposed development even if development is to take place in stages. Exemption shall not relieve the applicant from providing adequate stormwater management to meet the purpose of the Chapter. Nevertheless, the following control techniques are encouraged where appropriate:
- (a) Small on-site bioretention areas, providing detention storage, with grassed overflow;
 - (b) Oversized storm sewers with flow constrictions (reduced orifice) at discharge;
 - (c) Stream channel preservation and protection of vegetation; energy reduction spillways
 - (d) Reduction of maintained landscaped areas;
 - (e) Preservation of existing vegetation, especially native plantings and woodland;
 - (f) Planting of wetland species along drainage swales and depressions;
 - (g) Fertilization practices minimized/eliminated;
 - (h) Site design criteria which prevent significant alteration of existing topography.
 - (i) Sites that have suitable soils are encouraged to incorporate on-site infiltration methods such grassed waterways, shrub filter strips, French drains, and trenches, into the design of the development.

All sites with suitable conditions must comply with the groundwater recharge requirement. "Exempt" sites (206-16) may use Appendix "A" to determine the required retention volume. The groundwater recharge requirement may be satisfied using a variety of BMP's, including those described in 206-14 (C).

(4) Subregional (Combined Site) Storage

Traditionally, the approach to stormwater management has been to control the runoff on an individual site basis. However, there is a growing commitment to finding cost-effective comprehensive control techniques which both preserve and protect the natural drainage system. In other words, two developers developing sites adjacent to each other could pool their capital resources to provide for a community storm water storage facility in the most hydrologic advantageous location.

The goal should be the development and use of the most cost-effective and environmentally-sensitive stormwater runoff controls which significantly improve the capability and flexibility of land developers and communities to control runoff.

An advantage to combining efforts is to increase the opportunity to utilize stormwater control facilities to meet other community needs and safety considerations. For example, certain stormwater control facilities could be designed so that recreational facilities such as ball fields, open space, volleyball, etc. could be incorporated. Natural or artificial ponds and lakes could serve both recreational and stormwater management objectives.

To take this concept a step further, there is also the possibility that the storm water could be managed "off-site"; that is, in a location off the property(s) in question. There could be publicly owned detention, retention, lake, pond or other physical facilities to serve multiple developments. Any such facility shall have an ownership and maintenance program, in a recordable form, as required in Section 206-17(C) of this Chapter.

(5) All stormwater control facility designs shall conform to the applicable standards and specifications of the following governmental and institutional agencies:

- (a) American Society of Testing and Materials (ASTM)
- (b) Asphalt Institute (AI)
- (c) Montgomery County Conservation District
- (d) Federal Highway Administration (FHWA)
- (e) National Crushed Stone Association (NCSA)
- (f) National Sand and Gravel Association (NSGA)
- (g) Pennsylvania Department of Environmental Protection (DEP)
- (h) Pennsylvania Department of Transportation (PennDOT)

- (i) U.S. Department of Agriculture, Natural Resources Conservation Service, Pennsylvania (USDA, NRCS, PA)
- (6) If special geological hazards or soil conditions, such as carbonate derived soils, are identified on the site, the developer's engineer shall consider the effect of proposed stormwater management measures on these conditions. In such cases, the municipality may require an in-depth report by a competent certified professional soils engineer and/or geologist.

ARTICLE IV
Stormwater Management Plan Requirements

§206-15. General requirements for stormwater management plans.

- A. All subdivision or land development plans prepared for any site within the township in accordance with the Municipalities Planning Code requirements or Township Code requirements shall submit a Stormwater Management Plan for the site in accordance with the requirements found in Section 206-17 of this Chapter, unless exempt by Section 206-16 below.

§206-16. Exemptions.

- A. The following activities are exempt from submitting a full stormwater management plan in accordance with the requirements of this Chapter, but instead shall submit a stormwater management plan in accordance with subsection (B) below. This criterion shall apply to the total development even if development is to take place in phases. Exemption shall not relieve the applicant from providing adequate stormwater management to meet the purpose of this ordinance.
 - (1) Land disturbance associated with existing or proposed one and two family dwellings is exempt.
 - (2) Any land disturbance associated with agricultural activities including growing crops, rotating crops, tilling of soil and grazing animals, and activities operated in accordance with a conservation plan or erosion and sedimentation control plan approved by the Montgomery County Conservation District or the U.S.D.A. Soil Conservation Service is exempt.
 - (3) Any land disturbance associated with forest management operations which is following DEP's management practices including those contained in its publication "Soil Erosion and Sedimentation Control Guidelines for Forestry", and is operating under an erosion and sedimentation control plan approved by the Montgomery County Conservation District is exempt.

- (4) Any land disturbance associated with mining operations approved and operated in accordance with all applicable rules and regulations of the DEP and operating under an erosion and sedimentation control plan approved by the applicable agency is exempt.
 - (5) Use of land for gardening for home consumption is exempt.
 - (6) Any land disturbance which would increase the peak runoff by less than one-half (0.5) cubic feet per second (CFS) from the existing conditions in a 50 year storm.
- B. An applicant for an exempt activity as listed in Section 206-16(A) above shall do the following:
- (1) Select appropriate stormwater management techniques as identified in Section 206-14(C)(3) of this Chapter.
 - (2) Prepare a schematic stormwater management plan showing general features and locations of proposed stormwater management techniques. The design of the proposed stormwater management techniques can be provided by a licensed professional engineer, licensed land surveyor or a person trained and experienced in stormwater management and erosion and sedimentation control. The design, structure, integrity and installation of the control measure are the responsibility of the developer and the developer's professional.
 - (3) Submit two copies of the schematic stormwater management plan to the Township Engineer for review.
- C. For exempt activities, the schematic stormwater management plan must be approved by the Township Engineer before issuance of any building or zoning permits.
- D. No exemption from the plan requirements shall be provided for regulated activities as defined in Section 206-5 of this Chapter.

§206-17. Stormwater management plan contents.

The following items shall be included in the stormwater management plan:

- A. Written report, including the following information:
- (1) General description of project;
 - (2) General description of proposed stormwater management controls and facilities

both during and after development, including construction specifications;

- (3) General description of erosion and sedimentation controls including those contained in any required Erosion and Sedimentation Control Plan, including construction specifications;
- (4) Complete hydrologic, hydraulic, and structural computations for all stormwater management facilities;
- (5) Expected project time schedule, including anticipated start and completion dates.

B. Maps including or prepared in accordance with the following:

(1) Drafting Standards

- (a) The drafting standards including requirements for scale, dimensions, sheet numbering, and plan size shall be the same standards as those listed in the Township Code, Chapter 212, Subdivision and Land Development.

(2) General Information

- (a) Name or identifying title of project and tax parcel number (if applicable);
- (b) Name and address of the record owner, applicant, and developer;
- (c) Name and address of individual who prepared the plan;
- (d) A location map for the purpose of locating the site at a scale not less than 800 feet to the inch showing the relation of the tract to adjoining property and to all streets, roads, and municipal boundaries, existing within 1,000 feet of any part of the tract;
- (e) Plan date and date of latest revision to plan, north point, graphic scale, and written scale;
- (f) Note on plan indicating any area that is to be offered for dedication;
- (g) Certificate, signed and sealed by an individual registered in the Commonwealth of Pennsylvania and qualified to perform such duties, indicating compliance with the stormwater management plan application;
- (h) Total acreage of tract.

(3) Existing Features

- (a) Complete outline survey of the property to be subdivided or developed shall be provided showing all courses, distances and area, and tie-ins to all adjacent intersections;
- (b) The location, names, and widths of streets, the location of property lines and names of owners, the location of sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided or developed; the location of streams, lakes, ponds, or other watercourses outside the project area which will be affected by runoff from the project;
- (c) The location, size, and ownership of all underground utilities and services (e.g., wells, on-site sewage disposal systems) and any rights-of-way or easements within the property;
- (d) The location of existing buildings, streets, and other significant features within the property; the location and area of all floodplains, forests, lakes, ponds, watercourses (including drainage swales), wetlands, slopes 8-15 percent, steep slopes 15-25 percent, steep slopes 25 percent or steeper;
- (e) Controls at vertical intervals of two feet; vertical intervals of five feet for steep slopes (greater than 15 percent);
- (f) An overlay showing soil types and boundaries and a statement as to where the soils data was obtained;
- (g) Watershed boundaries applicable to the site.

(4) Proposed Features

- (a) Proposed land use, total number of lots and dwelling units, and extent of commercial, industrial, or other nonresidential uses;
- (b) Locations and dimensions of all proposed streets, sidewalks, lot lines, building locations, parking compounds, impervious and semi-impervious surfaces (total area), sanitary sewer facilities, water facilities, and areas proposed for public dedication;
- (c) Proposed changes to land surface and vegetative cover including areas to be cut or filled as shown on a plan for surface drainage;
- (d) Final contours at vertical intervals of two feet; vertical intervals of 5 feet for

steep slopes (greater than 15 percent);

- (e) Plans and profiles of proposed stormwater management facilities including horizontal and vertical location, size, and type of material. This information shall be of the quality required for the construction of all facilities and include all calculations, assumptions, and criteria used in the design of the facilities; a schedule for installation of such facilities; and a proposed schedule of inspections which will be performed by the applicant's engineer or designee in company with the Township Engineer;
- (f) The locations of septic tank infiltration areas and wells when infiltration methods such as cisterns, seepage beds or trenches, infiltration basins, or porous pavement are used. Also soil percolation tests and submission of the percolation data and test locations to substantiate percolation rates used in the drainage calculations;
- (g) Plans and profiles of all erosion and sedimentation control measures, temporary as well as permanent, including all calculations, assumptions, and criteria used in designing the controls, and a schedule for their implementation;
- (h) An encroachment map which illustrates (1) all natural features and (2) a preliminary regrading plan which illustrates all disturbance of the identified natural feature areas; the amount of each natural feature disturbed indicated and illustrated on the encroachment map;
- (i) Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, or other reasons.

C. Description of an ownership and maintenance program, in a recordable form, that clearly sets forth the ownership and maintenance responsibility for all temporary and permanent stormwater management facilities to the satisfaction of the Township Solicitor, including the following:

- (1) Description of the method and extent of the maintenance requirements;
- (2) When maintained by a private entity, identification of a responsible individual, corporation, association or other entity for ownership and maintenance. Deed covenants and restrictions must be submitted to provide for maintenance by this entity, and the legally binding document must provide that the township shall have the right to:
 - (a) Inspect the facilities at any time;

- (b) Require the private entity to take corrective measures and assign the private entity reasonable time periods for any necessary action;
 - (c) Authorize maintenance to be done and lien the cost of the work against the properties of the private entity responsible for maintenance.
- (3) Where the stormwater management plan proposes that the township own or maintain the facilities, a description of the methods, procedures, and the extent to which any facilities shall be turned over to the township.
- D. Financial security for the completion of stormwater management facilities as set forth in Section 206-29 of this Chapter.
- E. Maintenance guarantee, as set forth in Section 206-29 of this Chapter.
- F. When a stormwater management plan is submitted in sections, a generalized stormwater management plan for the entire project site shall be submitted in addition to the detailed stormwater management plan for the proposed section. This generalized plan shall demonstrate how the stormwater of the proposed section will relate to the entire development. If temporary facilities are required for construction of a section, such facilities shall be included in the submitted stormwater management plan.

§206-18. Plan submission.

- A. For Regulated Activities specified in Section 206-5(A) and (B) (land development and subdivision):
- (1) The stormwater management plan shall be submitted by the developer to the Office of Code Enforcement as part of the preliminary plan submission for the subdivision or land development.
 - (2) Fifteen (15) copies of the stormwater management plan and any reports shall be submitted.
 - (3) Distribution of the stormwater management plan shall be as follows:

Distribution	Number of Copies
Township:	1
Board of Commissioners' Planning Committee	3

President, Board of Commissioners	1
Engineer	2
Manager	1
Solicitor	1
Code Enforcement Office	1
Planning Advisory Board	1
Environmental Protection Advisory Board	1
Public Works Department	1
Parks and Recreation Department	1
Licenses and Inspection Department	1
Montgomery County Planning Commission	1

B. For Regulated Activities specified in Section 206-5(C) and (D) (new or additional construction of impervious or semi-pervious surfaces, buildings or structures) Six (6) copies of the stormwater management plan shall be submitted by the developer to the Office of Code Enforcement as part of the building permit application. Distribution of the Stormwater Management Plan and any reports shall be as follows:

- a) Code Enforcement 1 copy
- b) Public Works Department 1 copy
- c) Township Planning Files 2 copies
- d) Township Engineer 2 copies

C. For Regulated Activities specified in Section 206-5(E) and (F) (diversion or piping of stream channel and installation of stormwater systems):

- (1) The stormwater management plan shall be submitted by the developer to the Office of Code Enforcement, the Montgomery County Planning Commission, and the Montgomery County Conservation District for coordination with the DEP permit application process under Chapter 105 (Dam Safety and Waterway management) or Chapter 106 (Flood Plain Management) of DEP's Rules and Regulations.
- (2) Six (6) copies of the stormwater management plan shall be submitted to the Office of Code Enforcement for distribution as follows:
 - a) Code Enforcement 1 copy
 - b) Public Works Department 1 copy
 - c) Township Planning Files 2 copies
 - d) Township Engineer 2 copies

D. The stormwater management plan shall be accompanied by the permit application and requisite permit fee, in accordance with the fee schedule adopted by the Board of Commissioners and found in Chapter 110, Fees, of the Township Code.

§206-19. Plan review and approval.

- A. The Board of Commissioners shall review and approve or disapprove a stormwater management plan submitted pursuant to Section 206-17(A) within a time frame consistent with established procedures under the Municipalities Planning Code and the Township Code.
- B. The Township Engineer shall review, and approve or disapprove a stormwater management plan submitted pursuant to 206-17(B) and (C) within 45 days following formal acceptance of the plan.
- C. The Township Engineer shall review all stormwater management plans for consistency with this Chapter and any additional storm drainage provisions contained in the Township Code, as applicable, as well as accepted engineering practices.
- D. No stormwater management plan for a Regulated Activity shall be approved if the stormwater management plan has been found to be inconsistent with this Chapter as determined by the Township Engineer.
- E. The Developer shall be responsible for completing a certified "As-Built Survey" by a professional Land Surveyor of all stormwater management facilities included in the

approved stormwater management plan. The certified As-Built Survey and explanation of any discrepancies with the design plans shall be submitted to the Township Engineer for review and approval. In no case shall the Township Engineer approve the As-Built Survey until the Township Engineer receives a copy of an approved Declaration of Adequacy, Highway Occupancy Permit from the PennDOT District Office, and any applicable permits from DEP.

§206-20. Modification of plans.

- A. A modification to a submitted stormwater management plan for a proposed development site which involves a change in control methods or techniques, or which involves the relocation or redesign of control measures, or which is necessary because soil or other conditions are not as stated on the stormwater management plan as determined by the Township Engineer shall require the resubmission of a modified stormwater management plan consistent with Section 206-17 subject to review per Section 206-19 of this Chapter.
- B. Minor design changes may be permitted as authorized by the Board of Commissioners and advised by the Township Engineer without resubmission consistent with the requirements this Chapter.
- C. A modification to an approved stormwater management plan shall require a new stormwater management permit. The permit shall be issued following approval of the revised plan.

§206-21. Resubmission of disapproved stormwater management plan.

A disapproved stormwater management plan may be resubmitted, with the revisions addressing the Township Engineer's concerns documented in writing, to the Township Engineer in accordance with the plan submittal requirements of this Chapter and be subject to the plan review requirements of this Chapter. The applicable Township Engineer's review fee must accompany a resubmission of a disapproved stormwater management plan.

§206-22. Permit requirements and procedures.

A Regulated Activity as defined in this Chapter shall not be initiated until a stormwater management permit has been issued, regardless of the receipt of permits of other regulatory agencies.

§206-23. Application requirements.

- A. The applicant shall obtain the required stormwater management permit for Regulated Activities related to land development and subdivision after obtaining the required subdivision or land development plan approval and stormwater management plan approval as specified in Article IV of this Chapter. The stormwater management permit will be

issued by the Board of Commissioners concurrently with the final subdivision and land development approval.

- B. The applicant shall obtain the required stormwater management permit for Regulated Activities specified in Sections 206-5(C) and (D) after obtaining the required building permit approval and stormwater management plan approval as specified in Article IV of this Chapter. The stormwater management permit will be issued by the Office of Code Enforcement concurrently with the issuance of the building permit.
- C. The applicant shall obtain the required stormwater management permit for Regulated Activities specified in Sections 206-5(E) and (F) from the Office of Code Enforcement after obtaining any necessary County, State and/or Federal permits, copies of which shall be provided to the Office of Code Enforcement.

§206-24. Application for permit.

- A. Applications for stormwater management permits required by this Chapter shall be made on forms supplied by the Office of Code Enforcement. Such applications shall provide a brief description of the stormwater management controls and Regulated Activities. This application shall become part of the stormwater management plan submission required by Article IV of this Chapter.
- B. Any incomplete application submission shall be rejected by the Office of Code Enforcement without any further processing or review.

§206-25. Modification of plans.

A modification to an approved stormwater management plan, when required under Section 206-19 of this Chapter, shall require a new stormwater management permit. The permit shall be issued following approval of the revised plan.

§206-26. Expiration and renewal.

- A. All stormwater management permits shall expire 12 months from the date of issuance unless construction is commenced prior to this date or an extension of time is approved.
- B. All extension requests must be submitted in writing to the Office of Code Enforcement at least sixty (60) days prior to permit expiration.
- C. A stormwater management permit shall not expire while a request for an extension is pending.

- D. An extension of an expired stormwater management permit may be issued by the Board of Commissioners following the submission of a written request if, in the opinion of the Township Engineer, the subject property or affected surrounding area has not been altered in a manner which requires alteration to the stormwater management plan.
- E. A renewal of an expired stormwater management permit may be issued by the Board of Commissioners following a resubmittal of the permit application form, and review by the Township Engineer to determine if any changes have occurred in project site conditions or stormwater management plan requirements since the original permit was issued. If such changes have occurred, the Board of Commissioners may require the applicant to resubmit the stormwater management plan for a new review pursuant to Article IV of this Chapter.
- F. The refusal of the Board of Commissioners to reissue an expired stormwater management permit shall be in writing and contain the reasons for such refusal.

§206-27. Suspension and revocation.

- A. Any stormwater management permit issued under this Chapter may be suspended or revoked by the Office of Code Enforcement for:
 - 1. Noncompliance with or failure to implement any provision of the permit;
 - 2. A violation of any provision of this Chapter or any other applicable law, ordinance, rule or regulation relating to the project;
 - 3. The creation of any condition or the commission of any act during construction or development which constitutes or creates a hazard or nuisance or which endangers the life or property of others.
- B. A suspended stormwater management permit shall be reinstated by the Office of Code Enforcement when:
 - 1. The Township Engineer has inspected and approved the corrections to the stormwater management control measures(s), or the elimination of the hazard or nuisance, and/or
 - 2. The Office of Code Enforcement is satisfied that the violation of the ordinance, law, or rule and regulation has been corrected.
- C. A stormwater management permit which has been revoked by the township cannot be reinstated. The applicant may apply for a new permit under the procedures outlined in this Chapter.

ARTICLE V
Administration

§206-28. Schedule of inspections

- A. Prior to approval of the stormwater management plan, the developer must coordinate a schedule of inspections including a final inspection schedule with the Township Engineer. These inspection provisions pertain only to construction activities regulated by the plan preparation provisions of Article IV. Any activities granted exemption from plan preparation provisions as described in Section 206-15 and therefore exempt from the inspection provisions, must nonetheless manage stormwater in a manner specified in the other provisions of this Chapter.

- B. The Township Engineer shall inspect all phases of development of the site including, but not limited to:
 - 1. Completion of preliminary site preparation includes stripping of vegetation, stockpiling of topsoil and construction of temporary stormwater management and erosion control facilities.
 - 2. Completion of rough grading, but prior to placing top soil, permanent drainage or other site development improvements and ground covers.
 - 3. Construction of the permanent stormwater facilities at such times as specified by the Township Engineer.
 - 4. Completion of permanent stormwater management facilities, including established ground covers and plantings.
 - 5. Completion of any final grading, vegetative control measures or other site restoration work done in accordance with the approved stormwater management plan and permit.
 - 6. There shall be pre-topsoil and a post-topsoil volume checks with surface basins.

- C. No work shall begin on a subsequent stage until the proceeding stage has been inspected and approved by the Township Engineer.

- D. It is the responsibility of the developer to notify the Township Engineer at least 48 hours in advance of the completion of each identified phase of development.

- E. Any portion of the work that does not comply with the approved stormwater management plan must be corrected by the developer within 15 days. No work may proceed on any

subsequent phase of the stormwater management plan, the subdivision or land development, or building construction until the required corrections have been made.

- F. If at any stage of the work, the Township Engineer determines that the soil or other conditions are not as stated or shown in the approved application, the same may refuse to approve further work and the township may revoke existing permits until a modified stormwater management plan is submitted and approved, as required by Section 206-19 of this Chapter. If the modified stormwater management plan cannot remedy the situation then the township reserves the right to cancel its approval and halt all work except for that work required to eliminate the activity and return the site to pre-activity conditions as much as is reasonably possible.
- G. If the Township Engineer discovers that the facilities or measures installed may be in violation of Chapter 102 (Erosion Control) of the Clean Streams Law provision, the Township Engineer will refer these violations to the Montgomery County Conservation District.
- H. When the developer has completed his inspection of all the required facilities, he shall notify the township in writing by certified or registered mail, and shall send a copy of such notice to the Township Engineer. Within 15 days after receipt of such notice, the Township Engineer shall inspect the required facilities. Following this final inspection, the Township Engineer shall promptly file a report, in writing, with the township and shall mail a copy of the report to the developer by certified or registered mail. The report shall be made and mailed within 5 days after final inspection by the Township Engineer
- I. Following final inspection, the developer shall submit reproducible drawings bearing the seal and certification of a Pennsylvania Registered Professional Surveyor indicating the "As-Built" improvements called for in the approved plan.

§206-29. Financial and maintenance guarantees.

A. Performance guarantees.

Financial security shall be provided by the developer as a performance guarantee for stormwater management control facilities in accordance with improvement guarantee provisions outlined in section 509 of the Municipalities Planning Code or any amendment thereto.

B. Maintenance Responsibility and Guarantees.

- 1. The maintenance responsibilities for permanent stormwater runoff control facilities shall be determined based upon the type of ownership of the property that is controlled by the facilities.

- (a) **Single-Entity Ownership**-Where the permanent stormwater runoff control facilities are designed to manage runoff from property in a single entity ownership, the maintenance responsibility for the stormwater control facilities shall be with the single entity owner. The stated responsibilities of the entity related to owning and maintaining the facilities shall be submitted with the stormwater management plan for determination of their adequacy. Approval of the stormwater management plan shall depend upon the approval of these terms. These terms shall be in writing, shall be in recordable form, and shall, in addition to any other terms deemed necessary by the Board of Commissioners, contain a provision permitting inspection at any reasonable time by the Township Engineer or other township officials, of all such facilities deemed critical to the public welfare consistent with current township practices.
- (b) **Municipal Ownership**-Where the Board of Commissioners has accepted an offer of dedication of the permanent stormwater management facilities, the township shall be responsible for maintenance. Upon approval of the stormwater management facilities by the Board of Commissioners, the developer shall provide a financial security, in a form approved by the Township Solicitor for maintenance guarantees, as follows:
- (1) **Construction Maintenance Bond** - The Board of Commissioners may require the posting of a maintenance bond to secure the structural integrity of said facilities as well as the functioning of said facilities in accordance with the design and specifications as depicted on the approved stormwater management plan for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be the same type as required in accordance with the improvement guarantee provisions in the Municipalities Planning Code or any amendment thereto, and the amount of the financial security shall not exceed 10 percent of the actual cost of installation of said facilities. A cash contribution can be used as the financial security in lieu of a maintenance bond, although the contribution must be equivalent to the amount that would be estimated for the maintenance bond.
- (2) **Long-term Maintenance Bond** - The long-term maintenance bond shall be in an amount equal to the present worth of maintenance of the facilities for a 10-year period. The estimated annual maintenance cost for the facilities shall be based on a fee schedule provided by the Township Engineer and adopted by the Board of Commissioners. The fee schedule must be reasonable. A cash contribution can be used in lieu of the long-term maintenance bond, although the

contribution must be equivalent to the amount that would be estimated for the maintenance bond.

- (3) Documentation - The terms of the maintenance guarantees shall be documented as part of the stormwater management plan as per Section 206-17 of this Chapter.

For certain types of facilities, the Board of Commissioners may benefit by transferring the maintenance responsibility to an individual or group of individuals residing within the controlled area. These individuals may have the permanent stormwater control facilities adjacent to their lots or otherwise have an interest in the proper maintenance of the facilities. In these instances, the Board of Commissioners and the individual(s) may enter into a formal agreement for the maintenance of the facilities whereby the Township shall maintain ownership of the facilities and be responsible for periodic inspections.

- (c) Individual Lot Ownership - Where any stormwater management facility is located on an individual lot, and maintenance thereof is the responsibility of that landowner, a description of the facility or systems and the terms of the required maintenance shall be incorporated as a part of the deed to the property. The deed shall be recorded with the Montgomery County Office for the Recording of Deeds within 90 days following the Board of Commissioners approval. In addition, the Board of Commissioners may require as a condition of approval that a deed conveying any interest in such lot contain language indicating that the conveyance is subject to an express covenant by the grantee that the grantee will maintain the stormwater management facility.
- (d) Multi-Entity Ownership - In cases where property is in multiple ownership (i.e., many individual ownership's of various portions of the property on which stormwater facilities are located) the developer(s) shall enter into an agreement with the township to determine the maintenance of the permanent stormwater facilities. If maintenance is prescribed for each individual lot owner, the requirements above for single-entity ownership shall apply.

2. The failure of any person, individual lot owner or private entity to properly maintain any stormwater management facility shall be construed to be a violation of this Chapter and is declared to be a public nuisance, subject to penalties as set forth in this Chapter.

C. **Liability Insurance.**

If, in the opinion of the Board of Commissioners based upon a report of the Township Engineer, the nature of the work is such that it may create a hazard to human life or endanger adjoining property or streets, the Board of Commissioners shall, before issuing the stormwater management permit, require that the applicant file a certificate of insurance showing that there exists insurance against claims for damages for personal injury, bodily injury, and property damage, including damage to township by surface water flow which has been altered on the site. The liability insurance shall be to the amount prescribed by the Board of Commissioners in accordance with the nature of risks involved and include the Township of Upper Dublin as an additional insured. Such insurance shall be written by a company licensed to do business in the commonwealth. Neither issuance of the stormwater management permit nor compliance with the provisions hereto or any conditions imposed by the township shall relive any person from any responsibility for damage otherwise imposed by law, nor impose any liability upon the township or its officers and employees for damages to persons or property.

§206-30. Right-of-entry.

Upon presentation of proper credentials, duly authorized representatives of the township may enter at reasonable times upon any property within the township to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Chapter.

§206-31. Notification.

In the event that an owner, subdivider, developer, or his agent fails to comply with the requirements of this Chapter or fails to conform to the requirements of any permit issued thereunder, the township shall provide written notification of violation. Such notification shall set forth the nature of the violation(s) and establish a time limit for correction of the violation(s). Upon failure to comply within the time specified, the owner, subdivider, developer, or his agent shall be subject to the penalty provisions of this Chapter or other penalty provisions contained in the subdivision and land development Chapter, where applicable.

§206-32. Public nuisance.

- A. Any violation of any provision of this Chapter is deemed a public nuisance.
- B. Each day that a violation of any provision continues constitutes a separate violation.

§206-33. Penalties.

Anyone violating the provisions of this Chapter, or who shall fail to comply with any written notice from the township which describes a condition of noncompliance, shall, upon being found liable

therefor in a civil enforcement proceeding commenced by the township pay a judgment of not more than Six Hundred Dollars (\$600) 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 payable until the date of the determination of a violation by the district justice.

If the defendant neither pays nor appeals the judgment in a timely manner, the Board of Commissioners 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 this Chapter 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.

All judgments, costs and reasonable attorney fees collected for the violation of this Chapter shall be paid over to the Board of Commissioners.

The Montgomery County Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

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.

§206-34. Appeals.

All appeals from actions taken relative to Regulated Activities shall be governed by the applicable section of the Municipalities Planning Code.

ARTICLE VI
Schedules for Design and Construction Standards

§206-35. Schedule I: General performance standards.

Measures used to collect and carry stormwater on any site shall be designed to meet the following minimum performance standards.

- A. Prevent erosion damage and satisfactorily carry-off or detain and control the rate of release of surface waters.
- B. When subsurface soil conditions are suitable, require runoff control measures to percolate

the stormwater into the ground to aid in the recharge of ground waters, and the preservation of baseflow.

- C. Carry surface water to the nearest adequate street, storm drain, detention basin, natural watercourse, or drainage facility.
- D. Take surface water from the bottom of vertical grades, to lead water away from springs, and collect water upgrade of all street intersections at the earliest or most efficient point.
- E. Control/accommodate not only the anticipated peak discharge from the on-site disturbed area, but also the existing runoff being contributed from all land at a higher elevation in the same watershed.
- F. Maintain the adequacy of the natural stream channels. Accelerated bank erosion shall be prevented by controlling the rate and velocity of runoff discharged to these watercourses, so as to avoid increasing the occurrence of stream bank over-flow.
- G. Preserve the adequacy of existing culverts, and bridges by suppressing the new flood peaks created by the new earth disturbances.
- H. If in the course of preparing or reviewing the stormwater management plan, the Township Engineer determines that off-site improvements are necessary to satisfactorily control the stormwater from the site, the applicant shall be responsible for such off-site improvements.
- I. All stormwater detention and retention facilities shall be in place and functioning prior to the creation of any impervious surface.
- J. When ever a water course, stream or intermittent stream is located within a grading site, it shall remain open in its natural state and location and shall not be piped unless permitted by Pennsylvania Department of Environmental Protection (DEP) and the Township Board of Commissioners.
- K. The existing points of natural drainage discharge onto adjacent property shall not be altered without the written approval and a drainage easement from the affected land owners.
- L. No storm water runoff or natural drainage shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands.

§206-36. Schedule II: Detention facility design.

- A. Stormwater detention facilities

Stormwater detention facilities include all structural measures which can reliably and predictably achieve the peak discharge requirements. Stormwater detention facilities include, but are not necessarily limited to, detention basins, retention basins, bioretention areas, open (at-grade) sand filters, closed (below-grade) sand filters, water quality inlets, dry wells, below-grade detention chambers, and rooftop detention.

B. Peak Discharge Design Storms

The design storm criteria to be used in calculations for the watershed is to limit the post-development runoff for the 2, 10, 50 and 100 year storms to the predevelopment rates. Any stormwater detention facilities required by this Chapter and subject to the water quality requirements and stormwater runoff peak rate requirements herein shall meet the applicable water quality and peak rate requirement for the 1-, 2-, 10-, 50- and 100-year return period runoff events (design storms) consistent with the standard and accepted calculation methodology and engineering standards and be satisfactory to the Township engineer.

C. Runoff Calculation Methodology

- (1) Any stormwater runoff calculation involving drainage areas greater than 20 acres, including on-and off-site areas, shall use a generally accepted calculation technique that is based on the NRCS soil cover complex method. It is assumed that all methods will be selected by the design professional based on the individual limitations and suitability of each method for a particular site.
- (3) All calculations consistent with this Chapter using the soil cover complex method shall use the appropriate design rainfall depths for the various return period storms.
- (4) For purposes of predevelopment flow rate determination, undeveloped land shall be considered as "meadow, in good condition", unless the natural ground cover generates a lower curve number or Rational "c" value.
- (5) All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times of concentration for overland flow and return periods from NRCS Methodology. Time of concentration for overland flow (maximum 300 feet) and concentrated flow shall both be calculated using NRCS methodology. Times of concentration for channel and pipe flow shall be computed using Manning's Equation or NRCS Methodology.
- (6) The design of any stormwater detention facilities intended to meet the performance standards of this Chapter shall be verified by routing the design storm hydrograph

through these facilities using accepted methods of practice. The Township Engineer may approve the use of any generally accepted reservoir routing technique which shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph. The computer routing program used must take into account the tailwater effect of the discharge pipe on the orifice design as well as the submergence of the discharge pipe outlet.

- (7) Outlet structures for stormwater management facilities shall be designed to meet the performance standards of this Chapter using any generally accepted hydraulic analysis technique or method approved by the Township Engineer.

D. Stormwater detention and retention facilities.

Stormwater detention and retention facilities shall meet the following minimum design/construction standards:

- (1) Detention basin shall be designed to facilitate regular maintenance, mowing and periodic silt removal and reseeded. Shallow broad basins are preferred to steep sided basins.
- (2) The maximum slope of the earth and detention basin embankment shall be three-to-one (3:1) with the exception that any slope to be maintained by the Township shall be four-to-one (4:1). The top or toe of any slope shall be located a minimum of five (5) feet from a property line. Whenever possible the side slope and basin shape shall conform to the natural topography.
- (3) Unless permitted as a Conditional Use by the Zoning Hearing Board, detention basins shall not be located within floodplains nor within areas of floodplain or alluvial soils.
- (4) Detention basins shall be designed so they return to normal conditions within approximately 24 hours after termination of the storm, unless the Township Engineer finds that downstream conditions may warrant other design criteria for stormwater release.
- (5) If retention basins are used, the applicant shall demonstrate that such ponds are designed to protect public health, safety and welfare.
- (6) Fences may be required for any detention or retention basins where there is a permanent water surface or conditions warrant.

- (7) The minimum top width of the detention basin berm shall be 10 ft. A cut-off trench (keyway) of relative impervious material shall be provided beneath all embankments requiring fill material. The keyway shall be a minimum 8 feet wide, minimum 3 feet deep, and have 1:1 side slopes.
- (8) In order to insure proper drainage on the basin bottom, a minimum grade of 2%, shall be maintained for sheet flow. Where a 2% slope cannot be maintained, low flow channels at a minimum grade of 1% constructed of concrete or other materials approved by the Township Engineer, shall be constructed between all basin inlets and the basin outlet.
- (9) All detention and retention basin embankments shall be placed in 8 inch maximum lifts to a minimum 95% dry density. Prior to proceeding to the next lift, compaction shall be checked by the Township Engineer or an approved soils engineer who shall provide the Township Engineer with a written report. Compaction tests shall be performed using the modified proctor method in accordance with ASTM D-1557. Compaction tests shall be run on the leading and trailing edge as well as the top of the berm.
- (10) Emergency overflow facilities shall be provided for detention facilities to accommodate runoff in excess of design flows. Whenever possible, emergency spillway for the detention basins shall be constructed on undisturbed ground. Emergency spillways shall be constructed of concrete pavers, gabions, or other similar materials approved by the Township Engineer. All emergency spillways shall be constructed so that the detention basin berm is protected against erosion. The minimum capacity of all emergency spillways shall be the peak flow rate of the one-hundred (100) year design storm after development. The construction material of the emergency spillway shall extend along the upstream and downstream berm embankment slopes. The upstream edge of the emergency spillway shall be a minimum of three (3) feet below the spillway crest elevation. The downstream slope of the spillway shall as a minimum extend to the toe of the berm embankment. the emergency spillway shall not discharge over earthen fill or easily erodible material.
- (11) The minimum freeboard shall be one (1) foot.
- (12) Anti-seep collars shall be installed around the pipe barrel within the normal saturation zone of the detention basin berms. The anti-seep collars and their connections to the pipe barrels shall be watertight. The anti-seep collars shall extend a minimum of two feet beyond the outside of the principle pipe barrel. The maximum spacing between collars shall

be fourteen (14) times the minimum projection of the collar measured perpendicular to the pipe. A minimum of two (2) anti-seep collars shall be installed on each outlet pipe.

- (13) All outlet pipes through the basin berm shall be reinforced concrete pipe, designed to withstand the loading caused by a fully saturated berm and shall have watertight joints using O-ring joint pipe. Outlet pipe shall be backfilled with material similar to the core material (semi impervious).
- (14) The invert of the inlet pipe(s) into a basin shall be six (6) inches above the basin floor or lining so that it can adequately drain after rain storms. Inlet pipe(s) shall discharge to areas of the basin that slope toward the outlet structure.
- (15) Energy dissipaters and/or level spreaders shall be installed at points where pipes or drainage ways drain to or from the basin. Energy dissipaters shall comply with criteria in Hydraulic Engineering Circular No. 15 - Design of Stable Channels with Flexible Linings published by the Federal Highway Administration of the U.S. Department of Transportation of the Engineering Field Manual for Conservation Practices, NCRS Energy dissipating device calculations shall be submitted for Township review and approval.
- (16) Inlet and outlet structures shall be located at a maximum distance from one another in order to promote water quality benefits. The Township Engineer may require a rock filter or rock filled gabion for entrapping sediments carried in stormwater if sufficient separation of inlet and outlet structures cannot be achieved.
- (17) A perforated riser, or similar sediment control device, shall be provided at each outlet of all detention basins during construction for sediment control. The riser shall be constructed of metal or concrete. The riser shall extend to a maximum elevation of two (2) feet below the crest elevation of the emergency spillway. The perforated riser shall be designed so that the rate of outflow is controlled by the pipe barrel through the basin berm when the depth of water within the basin exceeds the height of the riser. Circular perforations with a maximum diameter of one (1) inch shall be spaced twelve (12) inches vertically. The horizontal spacing shall be in accordance to DEP Soil Erosion and Sedimentation Control Manual Specifications. The perforations shall be cleanly cut and shall not be susceptible to enlargement. All metal risers shall be suitable coated to prevent corrosion. A trash rack or similar appurtenance shall

be provided to prevent debris from entering the pipe. All risers shall have concrete base attached with a watertight connect. The base shall be of sufficient weight to prevent flotation of the riser. An anti-vortex device consisting of a thin vertical plate normal to the base and berm, shall be provided at the top of the riser. Unless this structure is part of the permanent outlet control, it shall be removed from the site when it has been adequately stabilized as determined by the Township Engineer.

- (18) All drainage channels shall be designed to prevent erosion of the bed and banks. The maximum permissible flow velocity shall not exceed the design requirements outlined in the current "Soil Erosion and Sedimentation Control Manual", published by the Pennsylvania Department of Environmental Protection. Suitable stabilization shall be provided where required to prevent erosion of the drainage channels.
- (19) Any vegetated drainage channel requiring mowing of the vegetation shall have a maximum grade of three (3) horizontal to one (1) vertical on those areas to be mowed.
- (20) Because of the critical nature of vegetated drainage channels, the design of all vegetated channels shall as a minimum conform to the design requirements outlined in the current "Soil Erosion and Sedimentation Control Manual", published by the Pennsylvania Department of Environmental Protection.

§206-37. Schedule III: Stormwater conveyance system.

A. General

- (1) Storm sewers, culverts, bridges and related installations shall be provided:
 - (a) To permit unimpeded flow of natural watercourses and in such a manner as to protect the natural character of the watercourses and to provide regulated discharge;
 - (b) To insure adequate drainage of all low points along the line of streets; and
 - (c) To intercept stormwater run-off along streets at intervals reasonably related to the extent and grade of the area drained and to prevent substantial flow of water across intersections.
- (2) All storm sewer system components shall conform to current PennDOT standards.

- (3) Drainage structures, which drain watershed areas in excess of one half square mile (320 acres), or which have a span of eight (8) feet or more, shall be designed for a maximum expected run-off as calculated using the Soil Conservation Service Technical Release 55 "Urban hydrology for Small Watersheds (less than 2000 acres)".
- (4) The design storm shall be a 100 year storm. A Water Obstruction Permit shall be obtained from the Pennsylvania Department of Environmental Protection for the waterway opening before final design is undertaken.
- (5) The cartway over the culvert or bridge shall be as wide as the ultimate width of the roadway approaches. Additional width may be required to provide sidewalk on one or both sides of the cartway.

B. Storm Sewer Design and Construction Requirements.

- (1) Minimum pipe size is 18 inches.
- (2) Minimum pipe slope shall be 0.005 ft./ft.
- (3) Minimum drop across junctions shall be 2 inches. At changes in pipe diameter, pipe crowns shall be matched at junctions (manhole, inlet or junction box).
- (4) Maximum distance between junctions shall be 300 feet.
- (5) Run-off to proposed storm sewers and inlets shall be calculated using the rational method.
- (6) The time of concentration shall be assumed 5 minutes for pipes under 30 inches. For pipes 30 inches or greater, the calculated time of concentration can be utilized.
- (7) The time of concentration to inlets for grate capacity calculations shall be assumed 5 minutes.
- (8) All storm sewer pipes shall be designed at a minimum to accommodate a minimum of a 10 year storm. Twenty-five (25) year storms shall be used as required by the township engineer.
- (9) All storm sewer pipes at inlets in sump condition shall be designed to accommodate the 50 year storm.
- (10) All storm sewer pipes and inlets intended to drain to detention facilities shall be

designed to accommodate the 100 year storm if the bypass or overflow run-off will not reach the basin by overland flow. In cases where the bypass or overflow run-off will flow over land, a stable swale shall be constructed to accommodate the excess run-off.

- (11) All inlets in sump condition shall be 6 foot inlets or dual 4 foot inlets, as needed.
- (12) All storm sewer systems shall be analyzed for both inlet and outlet control (including tailwater effects) by using the equations and nomographs as shown in the FHA's Hydraulic Design Services No. 5. In lieu of this, computer programs that calculate the actual hydraulic grade line for the storm sewer system can be used, provided all losses (friction, bend, junction, etc.) are taken into account. Documentation for the program must be submitted for approval.
- (13) Minimum cover over pipes is 2 feet from finished grade to outside of pipe bell.
- (14) Inlet capacities shall be calculated using PennDOT or Manufacturer's Nomographs. Documentation for Manufacturer's Nomograph must be provided to the Township Engineer.

C. Shoulders in Cut Areas (without swales).

- (1) Water flowing in the shoulder shall not encroach more than two-thirds the shoulder width during a twenty-five (25) year frequency storm of five minute duration.
- (2) The maximum velocity as determined by Manning's Equation shall not exceed the allowable velocities for the specific type of shoulder material.
- (3) Inlets shall be provided to control the shoulder encroachment and water velocity.

D. Swales adjacent to shoulders.

- (1) Swales in cut areas shall be designed to prevent the passage of water on the cartway during a twenty-five (25) year frequency storm of five (5) minute duration.
- (2) The maximum velocity as determined by Manning's Equation shall not exceed the allowable velocities for the specific type of shoulder material.

E. Curbed Sections.

- (1) The maximum encroachment of water on the roadway pavement shall not exceed

4 inches in depth at the curb during a twenty-five (25) year frequency storm of five (5) minute duration.

- (2) Inlets shall be provided to control the encroachment of water on the pavement.

F. Inlets - General

- (1) At street intersections, inlets shall be placed in the tangent portion, rather than the curved portion, of the curbing.
- (2) If the capacity of the shoulder, swale, curb section or depressed median section exceeds the assumed inlet capacities, the inlet capacities shall govern the spacing of inlets.
- (3) If the capacity of the shoulder, swale, curb section, or depressed median section is less than the inlet capacities, then the shoulder, swale, curb section or depressed section capacity shall govern the spacing of inlets.

206-38 Schedule IV: Water quality and groundwater recharge BMP's.

In most natural watersheds in Pennsylvania, 50 percent or more of the annual rainfall infiltrates. A part of the infiltrated water volume will be returned to the atmosphere through evaporation or plant transpiration. The remainder will percolate to the water table from where it will replenish the groundwater supply or re-emerge as base flow (i.e., dry-weather discharges) to streams and wetlands. Development, which increases the proportion of runoff, poses a significant threat to the environmental resources of Pennsylvania's groundwater, streams, and wetlands. Therefore, attention is increasingly being turned to methods of increasing infiltration and groundwater recharge in developed areas.

All Storm water Management facilities shall be designed to satisfy the following requirements.

- A. All BMP's shall be provided with the capability to withstand the discharge associated with the 100-year return rainfall event, without failing or resulting in damage to downstream areas. Some non-detention BMP's may be designed to by-pass stormwater discharges which are in excess of the appropriate design storm. In this case, conveyance must be provided to transport the 100-year surcharge flow to a downstream BMP, natural watercourse, or storm drainage system inlet.
- B. All groundwater recharge devices shall be protected from sedimentation. Areas designated for recharge shall not receive runoff until the contributory drainage areas have achieved final stabilization.

- C. **Groundwater Recharge Requirement.** The recommended criterion for addressing groundwater recharge is to maintain the annual volume of total runoff at predevelopment levels. This approach is implemented by requiring that a minimum retention volume be completely infiltrated on the site during every storm. The retention volume for Upper Dublin Township is 0.75 inches. Therefore, all rainfall events of less than 0.75 inches of rainfall should be completely retained on the site and infiltrated. If an analysis shows that runoff from the site will be negligible during this event then the groundwater recharge requirement is satisfied. The groundwater recharge design storm has the property that 60 percent of the annual rainfall will occur in storms of equal or smaller magnitude. Therefore, controlling runoff from the groundwater recharge design storm is the only requirement for preserving the overall water budget for the watershed.

For design of BMP's refer to the Pennsylvania Handbook of Best Management Practices for Developing Areas (1998)

Section 2. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article II, Terminology, Section 212-5, "Definitions", shall be amended to include the following definition in alphabetical order:

§212-5. Definitions.

DEVELOPMENT - Any man-made change to improved or unimproved real estate including, but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations and the subdivision of land.

Section 3. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-41 "Plans required for approval", shall be amended to read as follows:

§212-41. Plans required for approval.

Applicants shall be required to submit the following plans:

- E. A stormwater management plan shall be submitted, if required pursuant to Article IV of Chapter 206, Stormwater Management, in accordance with the provisions outlined therein.

Section 4. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, General Provisions, Section 255-7 "Definitions", shall be amended by adding new definitions in alphabetical order to read as follows:

§255-7. Definitions.

FEMA - Federal Emergency Management Agency.

FLOODWAY - The channel of a watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed (absent evidence to the contrary) that the floodway extends from the watercourse to 50 feet from the top of the bank of the watercourse.

WATERCOURSE - A permanent stream, intermittent stream, river, brook, creek, channel, culvert or ditch conveying surface water, whether natural or man-made.

Section 5. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, shall be amended by adding a new Section 110-21, "Stormwater Management", to read as follows:

**Chapter 110
FEES**

§110-21. Stormwater Management.

In accordance with Chapter 206, Stormwater Management, the following fees shall be charged:

A. Plan review.

- (1) Sketch stormwater management plan for exempt activities pursuant to Section 206-16. (\$ 125.00).
- (2) Stormwater management plan for Regulated Activities pursuant to Section 206-5 (\$ 500.00).
- (3) Modified plan, resubmitted plan, or renewal of expired plan (\$ 150.00).

B. Stormwater management permit issuance (\$ 25.00).

C. Inspection charges.

- (1) Exempt activities. Inspection by the Township Engineer shall only occur if requested by the applicant or the Director of Code Enforcement.
- (2) Regulated activities. Inspection by the Township Engineer will occur as needed in accordance with the plan approval by the Board of Commissioners or the Director of Code Enforcement.

- (3) The inspection fees of the Township Engineer shall be billed to the permit applicant at the approved, standard hourly rate charged to the township by the Township Engineer.
- D. No permit to begin any work on the project shall be issued and no site work shall begin until the requisite plan review and permit fees have been paid. Inspection fees will be billed by the township according to its standard schedule. The township reserves the right to revoke any stormwater management permit for nonpayment of inspection fees.
- E. Modification of plans. If it is determined that an existing stormwater management plan shall be modified, a new stormwater management permit shall not be issued until any additional review or permit fees have been paid by the applicant.
- F. Renewal of expired plan. If an applicant requests the renewal of an expired plan, the application will not be approved nor a permit reissued until any additional review or fees have been paid by the applicant.

Section 6. The Code of the Township of Upper Dublin, Chapter 99 thereof, entitled Excavations, Section 99-12, "Excavations in steep slopes", shall be amended to read as follows:

§99-12. Excavations in steep slopes.

- A. No excavation shall be made with a cut face steeper in slope than one and three (3) horizontal to one (1) vertical.
- B. The Township Engineer may require an excavation to be made with a cut face flatter in slope than three (3) horizontal to one (1) vertical if he finds the material in which the excavation is to be made unusually subject to erosion, or if other conditions exist which make such flatter cut slope necessary for stability and safety.
- C. Excavations shall not extend below the angle of repose or natural slope of the soil under the nearest point of any footing or foundation of any building or structure unless such footing or foundation is first properly underpinned or protected against settlement.
- D. Before commencing any excavation which will in any way affect an adjoining property or structures thereon, the person making or causing the excavation to be made shall notify, in writing, the owners of adjoining buildings not less than thirty (30) days before such excavation is to be made that the excavation is to be made. Adjoining properties and structures shall be protected as in Chapter 73, Building Construction.

Section 7. The Code of the Township of Upper Dublin, Chapter 99 thereof, entitled Excavations, Section 99-13, "Filling standards", shall be amended to read as follows:

§99-13. Filling standards.

- A. No fill shall be made which creates any exposed surface steeper in slope than one and three (3) horizontal to one (1) vertical, except when a written statement from a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, certifying that he has inspected the site and that the proposed deviation from the slope specified above will not endanger any property, or result in property damage, is submitted to and approved by the Township Engineer. In no case shall the slope be steeper than two (2) horizontal to one (1) vertical.
- B. The Township Engineer may require that the fill be constructed with an exposed surface flatter than three (3) horizontal to one (1) vertical if he finds that under the particular condition such flatter surface is necessary for stability and safety.

Section 8. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, Section 212-23, "Grading", shall be amended to read as follows:

§212-23. Grading.

- A. Topsoil preservation. No topsoil shall be removed from the site or used as spoil. Topsoil must be removed from the areas of construction and stored separately. Upon completion of the construction, the topsoil must be redistributed on the site uniformly. All areas of the site shall be stabilized by seeding or planting on slopes of less than ten percent (10%) and shall be stabilized by sodding on slopes ten percent (10%) or more and planted in ground cover on slopes of twenty percent (20%), provided that rip-rap shall be utilized for banks exceeding twenty-five percent (25%).
- B. Excavation and fill. No permanent excavation or fill shall be made with a face steeper in slope than three (3) horizontal to one (1) vertical, except under one (1) or more of the following conditions:
 - (1) The submission of a soils report to the Township Engineer stating that the material in which the excavation or fill is made is sufficiently stable to sustain a slope of steeper than three (3) horizontal to one (1) vertical. A qualified engineer, experienced in soil exploration, and licensed in the Commonwealth of Pennsylvania shall make the report.
 - (2) A concrete or stone masonry wall designed by a qualified engineer, licensed in the Commonwealth of Pennsylvania and approved by the Township Engineer is provided to support the face of the excavation.

- C. Fills shall not encroach on natural watercourses or constructed channels.
- D. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.
- E. Slopes and fences. The top or bottom edge of slopes shall be a minimum of five (5) feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. All property lines [where walls or slopes are steeper than three (3) horizontal to one (1) vertical and five (5) feet or more in height] shall be protected by a chain link fence four (4) feet in height approved by the township. The fence shall be an integral part of the wall.
- F. Site grading plan. The Township Engineer shall require a grading plan in conjunction with the plan of subdivision or land development in order to ensure compliance with the above standards.

Section 9. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, Section 212-24, "Drainage", shall be amended to read as follows:

A. General provisions. All land development and subdivisions must be designed in conformance with the provisions set forth in the Township Code, Chapter 206, Stormwater Management.

B. Requirements.

- (1) When required. Storm drains and appurtenances shall be required to be constructed by the subdivider to take surface water from the bottom of vertical grades, the grades of which slope on both sides toward the bottom; to lead water away from springs; and to avoid excessive use of cross gutters at street intersections and elsewhere.
 - (a) All surface waters shall be enclosed in a storm drain.
 - (b) Open watercourses will be permitted where they exist naturally and where, in the opinion of the Township Engineer, they will not interfere with public convenience or safety but in fact will provide comparable or superior drainage capabilities of piped drainage.
- (2) Drainage. Drainage easements shall be required along natural watercourses to a minimum width of twenty-five (25) feet from the centerline and may be used for

storm and sanitary sewers and as open space. Where conditions warrant, such as in floodplains, additional width shall be required in such cases where runoff treatment requires a wider easement. Runoff studies must prove such requirements beyond the floodplain.

- (3) Dedication. Where stormwater or surface water will be gathered within the subdivision or land development and discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development in such a way to affect adjoining properties, the subdivider, developer or builder shall reserve or obtain easements over all lands affected. The easements shall be adequate for such discharge of drainage and for carrying off of such water and for the maintenance, repair and reconstruction of the same, including vehicles, machinery and other equipment for such purposes, and which shall be of sufficient width for such passage and work. The subdivider, developer or builder shall convey, at no cost, the easements to the township upon demand.

D. Design.

- (1) Computations and design. All computations and design shall be in accordance with the provisions set forth in the Township Code, Chapter 205, Stormwater Management.

Section 10. Nothing in this Ordinance or in the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 206 prior to the adoption of this amendment.

Section 11. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 12. This Ordinance shall take effect and be in force from and after its approval as required by law.

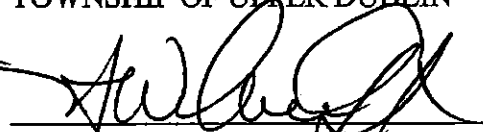
ENACTED AND ORDAINED this 14 day of July, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY
ud/forms\hsrs6



H. WILLIAM GIFT, PRESIDENT

RUN-OFF CAPTURE WORKSHEET

FOR USE ONLY IN MINOR LAND DEVELOPMENTS, SMALL BUILDING ADDITIONS, DRIVEWAYS, PATIOS AND OTHER EXEMPT ACTIVITIES.

1. NEW IMPERVIOUS AREA _____ SQ. FT.

2. RUN-OFF CAPTURE STORAGE REQUIRED:

(a) _____ SQ. FT. \div 24 = (b) _____ CUBIC FEET OF CAPTURE VOLUME

3. SEEPAGE BED DESIGN:

_____ CUBIC FEET OF CAPTURE VOLUME REQUIRED (2b)

x 2.5 (TOTAL VOLUME/VOIDS FOR #4 BALLAST)

= CUBIC FEET OF SEEPAGE BED VOLUME.

4. TYPICAL DETAIL

- SEE ENGINEERING STANDARDS -

- APPENDIX A -

Table Runoff Capture Storage Requirement 24-hour 0.65-inch, Runoff Capture Storm				
Example Cover Type	Average Runoff Curve Number	Saturated Infiltration Rate (in./hr)	Runoff Capture Storage ^{1,2} (inches)	Runoff Capture Storage for D soils ³ (inches)
	< 70	> 0.95	0.00	0.00
Meadow or forest in C soils	70	0.95	0.00	0.00
	75	0.60	0.00	0.00
Grass cover in D soils	80	0.30	0.01	0.00
	85	0.18	0.04	0.03
	90	0.09	0.12	0.11
	95	0.045	0.28	0.27
Conventional pavement	98	<0.045	0.46	0.45
Impervious surfaces		0	0.65	0.64

¹ This volume must be captured and retained for infiltration.
² Computed using an initial abstraction of equal to 0.2 x S.
³ Applies only to surfaces directly underlain by soil of the "D" hydrologic soil group.

Note: Volume requirement, in cubic feet, is determined by multiplying surface area, in square feet, times the runoff capture storage, in inches (see last two columns of table), and dividing by 12. The volume requirement can be satisfied by combining storage provided in multiple or sequential measures.

The storage volumes of these facilities can be subtracted directly from the runoff capture storage computed in this procedure.

Compliance with the runoff capture requirement also can be demonstrated using a stormwater runoff simulation algorithm.

AN ORDINANCE

NO. 974

An Ordinance Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, Article IV, Accessory Buildings, Structures And Uses, Section 255-30.1, "Cellular Communications Antennas"; By Providing Definitions For Micro Facility, Stealth and Wireless Communications Facility; By Prohibiting Wireless Communications Facilities In Residential Districts Or Within Five Hundred Feet Thereof, Except On Property Owned By Upper Dublin Township And Used For Municipal Purposes; By Requiring That Wireless Communications Facilities Are Permitted In The Township Only By Conditional Use; By Providing For Notice Of The Conditional Use Hearing To Be Given To Property Owners Within 500 Feet Of The Proposed Facility; By Providing That Wireless Communications Facilities Must Be Removed Within 60 Days Of When Their Use Is Discontinued; By Providing That An Application For Any Proposed Communications Tower Be Accompanied By A Certification From A Professional Engineer Concerning Compliance With Structural Standards; By Providing Size Limitations For Antennas; By Providing That All Wireless Communications Facilities Shall Be Constructed With A Stealth Design; By Providing That Any Antenna Erected In A Right-Of-Way Shall Be A Micro Facility, As Defined; And Requiring Monitoring And Reporting Of Electromagnetic Radiation From Wireless Communications Facilities.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, General Provisions, Section 255-7, Definitions, shall be amended by the addition thereto in alphabetical order of the following:

Section 255-7. Definitions.

MICRO FACILITY - An antenna that is either: (1) no more than four feet in height with an area of not more than 580 square inches; or (2) if a tubular antenna, no more than four inches in diameter and no more than six feet in length, with an equipment facility (structures used to contain ancillary equipment such as cabinets or shelters) capable of being mounted onto a supporting structure.

STEALTH - Any Wireless Communications Facility which is designed to be unobtrusive , including, but not limited to, architecturally screened and or landscaped Antenna Arrays and Equipment Facilities, and Support Structures designed to look other than like a Support Structure, such as a light pole, a power pole, a component of a building or a tree.

WIRELESS COMMUNICATIONS FACILITY – Any facility for the transmission and/or reception of Wireless Communication Services, which may or may not consist of an Antenna Array or Micro Facility, connection cables, an equipment facility, and a support structure or attachment structure to achieve the necessary elevation.

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article IV, Accessory Buildings, Structures and Uses, Section 255-30.1, "Cellular communications antennas", shall be amended to provide as follows:

Section 255-30.1. Wireless communications facilities.

In recognition of the quasi-public nature of wireless communications systems, the following special regulations shall apply:

A. Purposes. Purposes shall be as follows:

* * * * *
* * * * *

B. Use Regulations

- (1) A wireless communications facility is permitted by conditional use in any zoning district except in a residential zoning district or within five hundred (500) feet thereof.
- (2) A wireless communications facility is permitted on property used by Upper Dublin Township for municipal purposes in any zoning district.
- (3) In addition to the notice requirements for a conditional use hearing provided in Article XXV, the Board of Commissioners shall also mail a notice of the conditional use hearing, at the applicant's expense, to all property owners within 500 feet of the proposed antenna structure, provided that failure to receive notice required by this subsection shall not invalidate any action taken by the Board.
- (4) All other uses ancillary to a wireless communications facility (including a business office, maintenance depot, vehicle storage, etc.) are prohibited from the site of a wireless communications facility, unless otherwise permitted in the zoning district in which the facility is located.
- (5) Any wireless communications facility to be erected in a right-of-way shall be a micro facility, shall be mounted on a utility pole not more than forty (40) feet in

height, and may not be erected if the site of the facility is within five hundred (500) feet of a residential zoning district.

- (6) All wireless communications facilities shall be of stealth design. The applicant shall submit its proposal for such design at the time the application for the facility is filed with the Township. The design shall be approved by the Board of Commissioners in the grant of the Conditional Use.

C. Standards of Approval of Conditional Use

- (1) The wireless communications company is required to demonstrate, using technological evidence, the area the antenna is trying to cover and why it cannot be placed at a different height or a different location or provide coverage to a different area.
- (2) If the wireless communications company proposes to build a tower (as opposed to mounting the antenna on an existing structure), it is required to demonstrate that it contacted the owners of tall structures within a one-quarter mile radius of the site proposed, asked for permission to install the antenna on those structures, and was denied for reasons other than economic ones. This would include smoke stacks, water towers, tall buildings, antenna support structures of other wireless communications companies, other communications towers (fire, police, etc.), and other tall structures. The Board of Commissioners may deny an application to construct a new tower if the applicant has not made a good faith effort to mount the antenna on an existing structure.
- (3) The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed Antennae Support Structure has been designed and will be constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial association/Telecommunications Industry Association and applicable requirements of the Upper Dublin Township Building Code.

D. Standards of Approval of All Wireless Communications Antennas

- (1) Antenna height. Building mounted Communications Antennas shall be permitted to exceed the height limitations of the applicable Zoning District by no more than twenty (20) feet.
- (2) Setbacks from base of antenna support structure. If a new antenna support structure is constructed (as opposed to mounting the antenna on an existing structure), the minimum distances between the base of the support structure or any guy wire

anchors and any property line or right-of-way line shall be the largest of the following:

- (a) 30 percent of antenna height (measured from ground level).
 - (b) The minimum front yard setback in the underlying zoning district.
 - (c) 40 feet.
- (3) Antenna support structure and operating safety.
- (a) The applicant shall demonstrate that the proposed antenna and support structure are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice or other debris, electromagnetic fields, or radio frequency interference. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers. This condition is provided recognizing the fact that the Telecommunications Act of 1996 gives sole jurisdiction to the Federal Communications Commission (FCC) in the field of radio frequency emissions regulations, and that the township is not permitted thereunder to condition or deny approval of a wireless communications facility which meets or exceeds the FCC standards for radio frequency impact on the basis of that impact.
 - (b) Any applicant proposing communications Antennas to be mounted on a Building or other structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the Building or other Structure, considering wind and other loads associated with the antenna location.
 - (c) Any applicant proposing communications Antennas to be mounted on a Building or other Structure shall submit detailed construction and elevation drawings indicating how the antennas will be mounted on the Structure for review by the Township for compliance with the Upper Dublin Township Building Code and other applicable law.
 - (d) Wireless communications facilities shall comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation. Testing to assure compliance shall be performed annually by the Township at the applicant's expense or, at the Township's election, shall be performed by the applicant and the results provided to the Township upon receipt. The applicant shall provide the Township upon receipt with copies of whatever reports are generated concerning electromagnetic radiation from the applicants facilities in the Township.

- (e) Communications Antennas shall not cause radio frequency interference with other communications facilities located in the Township.
- (4) Fencing. A fence shall be required a wireless communications facility unless it is within a right of way or is waived by the Board of Commissioners. The fence shall be 8 feet in height, exclusive of barbed wire protection. In all other respects, the fence shall conform to the provisions of Section 255-24.
- (5) Landscaping. The following landscaping shall be required to screen as much of the support structure as possible, the fence surrounding the support structure, and any other ground level features (such as a building), and in general soften the appearance of the wireless communications facility. The Township may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing structure, and other equipment is housed inside an existing structure, landscaping shall not be required.
- (a) An evergreen screen shall be required to surround the site. The screen can be either a hedge (planted 3 feet on center maximum) or a row of evergreen trees (planted 10 feet on center maximum). The evergreen screen shall be a minimum height of 6 feet at planting, and shall grow to a minimum of 15 feet at maturity.
- (b) In addition, existing vegetation on and round the site shall be preserved to the greatest extent possible.
- (6) In order to reduce the number of antenna support structures in the community in the future, the proposed support structure shall be required to accommodate other users, including other wireless communications companies, and local police, fire and ambulance companies.
- (7) The wireless communications company must demonstrate that it is licensed by the Federal Communications Commission to operate an Antenna Support Structure, if applicable, and the wireless communications facility for which application is sought, and must provide the Township annually with documentation that it continues to be so licensed. The wireless communications company shall submit upon application a copy of its current Federal Communication Commission License, the name, address and emergency telephone number for the operator of the communications support structure, and a certificate of insurance evidencing general liability coverage in the minimum amount of One Million Dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of One Million Dollars (\$1,000,000) per occurrence covering the specific wireless communications facility for which the application is filed.

- (8) Required Parking. If the wireless communications facility is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift.
- (9) Antenna support structures under 200 feet in height should be painted silver or have a galvanized finish retained, in order to reduce the visual impact. Support structures may be painted green up to the height of nearby trees. Support structures 200 feet in height or taller shall meet all Federal Aviation Administration regulations. No antenna support structure may be artificially lighted except when required by the FAA.
- (10) The applicant shall be required to remove the antenna support structure and ancillary facilities within sixty (60) days of discontinuance of use.
- (11) A full site plan shall be required for all wireless communications facilities showing the antenna, antenna support structure, building, fencing, buffering, access, landscaping and all other requirements of Chapter 212.
- (12) Any applicant proposing to mount a wireless communications facility on a Building or other Structure shall submit evidence of agreements and/or easements necessary to provide access to the Building or Structure on which the antennas are to be mounted so that installation and maintenance of facility can be accomplished.
- (13) Antenna Size.
 - (a) Omni-directional or whip Communications antennas shall not exceed twenty (20) feet in height and seven (7) inches in diameter.
 - (b) Directional or panel Communications Antennas shall not exceed five (5) feet in height and three (3) feet in width.
- (14) Building mounted Communications Antennas shall not be located on any single family dwelling or two family dwelling.

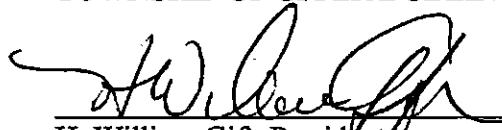
Section 3. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

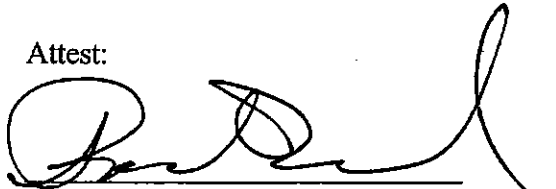
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 14 day of July, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


H. William Gift, President

Attest:


Paul A. Leonard, Secretary

udford\cellamnd.ord

UPPER DUBLIN TOWNSHIP

ORDINANCE NO. 975

AN ORDINANCE PROVIDING FOR THE DESIGN, LAYING OUT, CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN FROM AN EXISTING TERMINAL MANHOLE LOCATED AT THE INTERSECTION OF NORRISTOWN ROAD AND CARPENTER LANE, DUE EAST FOR A DISTANCE OF 780 FEET, INCLUDING 3 MANHOLES AND LATERAL CONNECTIONS FOR EIGHT (8) EXISTING HOMES ALONG WITH THE CONDEMNATION OF RIGHT OF WAY AND PERMANENT AND TEMPORARY EASEMENTS ACROSS PRIVATE PROPERTY TO ACCOMMODATE SAID SEWER AND FACILITIES, PROVIDING FOR THE PAYMENT OF COSTS OR FOR THE LIENING OF PROPERTY SUBJECT TO ASSESSMENT, AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, in accordance with Article XIX of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage, and

WHEREAS, it is deemed to be in the best interest of the residents of the Township and the health and welfare of the community to arrange for such facilities to be constructed and installed; and

WHEREAS, in accordance with Article XXV of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to collect by installment the cost of sewer improvements.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, does hereby ENACT AND ORDAIN that:

Section I SANITARY WASTEWATER SEWER FACILITIES

- A. A sanitary sewer main shall be constructed to extend an existing 8" sanitary sewer main, from an existing terminal manhole at the intersection of Norristown Road and Carpenter Lane, extending due East for 780 feet, containing 3 manholes and 8 new lateral connections, to service dwellings on Norristown Road, SITUATE in Upper Dublin Township, Montgomery County, Pennsylvania, in accordance with plans to be prepared by an engineering firm to be retained for such purpose by the Board of Commissioners (hereinafter "Engineer"), and shall be interconnected to the existing sanitary wastewater sewer system in place in the Township (hereinafter "The Project").
- B. The Board of Commissioners is hereby authorized to condemn temporary construction easements and permanent easements for rights of way over and across

privately owned lands if found necessary for the construction of such sewers and to pay just compensation therefor.

Section II ASSESSMENTS OF COSTS

- A. The costs of construction and installation of the sewer system, aforesaid, shall be assessed as provided by law upon the several abutting properties benefited, improved and accommodated by the said sewer system.
- B. The officers of the Township are authorized and directed to execute and file a petition to the Court of Common Pleas of Montgomery County, Pennsylvania, for the appointment of viewers to assess benefits, as provided by law.
- C. Upon completion of the said Project and determination of all costs in connection therewith, the Engineer shall deliver the same in writing to the Township Manager.
- D. Upon confirmation of the report of the viewers, the Township Manager shall make out bills for the amounts assessed against each abutting property benefited by the Project and a notice of assessment, which shall be forthwith served on all the owners of each property not less than thirty (30) days prior to the due date specified on such bill for the payment of each such assessment, either by personal service on the owner or his or its agent, or left on the assessed premises, or by registered or certified mail.
- E. If any assessment shall remain unpaid at the expiration of thirty (30) days following the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from the thirtieth (30th) day after the service of the notice, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five percent (5%) of the amount of such assessment, together with interest and costs as provided by law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

ENACTED AND ORDAINED this 11th day of AUGUST, 1998.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 
H. William Gift, President

Attest: 

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 976

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN TO AMEND CHAPTER 255 OF THE UPPER DUBLIN TOWNSHIP CODE, ENTITLED ZONING, TO AMEND THE DEFINITION OF A "HOTEL"; TO PERMIT A HOTEL AS OF RIGHT IN THE EC EMPLOYMENT CENTER DISTRICT WITH SIMILAR SET BACK RESTRICTIONS TO ALL OTHER USES IN THE EC DISTRICT; AND TO SPECIFICALLY RESTRICT ANY RESIDENTIAL USES IN THE EC DISTRICT OTHER THAN THOSE ALREADY PERMITTED BY CONDITIONAL USE.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article 1, General Provisions, section 255-7 "Definitions", shall be amended by adding the following definition of "Hotel" in alphabetical order:

HOTEL - A building or group of buildings, detached or semi-detached, containing rooms or suites used for the purpose of furnishing for compensation more or less temporary lodging to the public with or without meals, and having lodging accommodations for 10 or more persons. Such building or buildings may include additional, subordinate uses such as a business center for the use of occupants, which may contain facilities such as a computer center, telecommunications availability, copy production; meeting and conference rooms; fitness center; restaurant, with or without a liquor license; and retail space of not more than 750 heated square feet. Any such use provided by the hotel primarily for the comfort or convenience of its guests shall be a use subordinate to the principal purpose of the hotel use.

Section 2. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, EC Employment Center District, Section 255-102, "Uses permitted by-right" shall be amended as follows:

255-102. Uses permitted by-right.

The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings or premises for the following uses and no other:

* * * * *

* * * *

E. Hotels.

Section 3. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, EC Employment Center District, Section 255-104, "Prohibited uses", shall be amended to add a new prohibited use "A", and all other prohibited uses listed shall be relisted sequentially as follows:

255-104. Prohibited uses.

Prohibited uses include, but are not limited to, the following:

- A. Residential uses, including any dwelling as defined in this Chapter, community residential homes, and mobile homes shall not be permitted in the EC Employment Center District, unless such residential use is specifically permitted herein.
- B. Abattoir.
- C. Acetylene gas manufacture and/or storage.

Section 4. Chapter 255 of the Upper Dublin Township Code, entitled Zoning, Article XVI, EC Employment Center District, Section 255-115, "Lot, yard and bulk regulations", shall be amended as follows:

255-115. Lot, yard and bulk regulations.

- A. Area and yard regulations.

- (4) Yard requirements.

- (a) Front yard. The required minimum depth of a front yard shall be fifty (50) feet, except where a building takes access from a street, on the opposite side of which the land is zoned residential, in which case the front yard shall be one hundred (100) feet.
- (b) Side yards. The required minimum depth of a side yard shall be fifty (50) feet.
- (c) Rear yards. The required minimum depth of a rear yard shall be fifty (50) feet.
- (d) Exceptions for side and rear yards. Where a side or rear yard abuts a residential zoning district or a street adjacent to a residential zoning district, the required minimum depth of the abutting side or rear yard shall be one hundred (100) feet. No side or rear yard setback shall be required from a property line which abuts a railroad right-of-way.
- (e) Maintenance of yards and open areas. All yards and open areas (except for the portion provided for the driveways and parking as herein provided) shall be planted in grass and shrubbery or trees and be maintained by the owner or tenants in a careful and prudent manner.

Section 5. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under Chapter 255 prior to the adoption of this amendment.

Section 6. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Commissioners that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 7. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13 day of OCTOBER, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

ud\proj\ecdist\extended ord sig

AN ORDINANCE
NO. 977

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 158 THEREOF, ENTITLED NUISANCES, SECTION 158-1, DEFINITIONS, BY ADDING A DEFINITION FOR THE TERMS "LARGE EVENT" "POLICE DEPARTMENT" AND "SPONSOR"; BY ESTABLISHING A NEW SECTION 158-13, "LARGE EVENTS" TO PROVIDE FOR THE SPONSORING OF LARGE EVENTS ONLY WITH PERMISSION FROM THE POLICE DEPARTMENT AND ADHERENCE TO ANY CONDITIONS IMPOSED THEREBY, TO SET FORTH APPLICATION PROCEDURES, AND TO PROVIDE FOR ENFORCEMENT.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, Section 158-1, Definitions, shall be amended to provide as follows:

158-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

* * * * *
* * * * *

LARGE EVENT - Any event to which private citizens or the public are invited to attend, with or without an admission fee, which event may: a) require a loudspeaker system, either indoors or outdoors, which amplifies sound so that it is heard across a property boundary line; or b) impede the normal flow of traffic in the vicinity of the event either through additional traffic volume, additional parking or pedestrian traffic; or c) require the provision of additional sanitary facilities; or d) require the presence of stand-by fire, medical or other emergency vehicles; or e) otherwise adversely affect the health, safety and welfare of the residents of the township.

* * * * *
* * * * *

POLICE DEPARTMENT - The Police Department of the Township of Upper Dublin.

* * * * *

* * * * *

SPONSOR - To initiate, pay for, collect money for, provide a location for, assume responsibility for, or otherwise facilitate a Large Event, or one who engages in such activity.

Section 2. The Code of the Township of Upper Dublin, Chapter 158 thereof, entitled Nuisances, shall be amended by establishing a new Section 158-13, entitled "Large Events" to provide as follows:

158-13. Large Events.

A. Purpose.

It shall be unlawful for any person, as defined in this Chapter, to sponsor a Large Event within the limits of the Township of Upper Dublin without first having made application and received permission to do so in accordance with any conditions or limitations imposed by the Police Department, Code Enforcement Department or other Township Officials designated by the Board of Commissioners in accordance with the provisions of this Code and in the interest of the health, safety and welfare of the community.

B. Other Code Provisions.

All Township Code provisions are applicable when sponsoring a Large Event.

C. Exceptions.

Any normal, ordinary and customary activities conducted under the sponsorship of an educational institution located in the Township of Upper Dublin are exempt from the provisions for Large Events.

D. Application to sponsor a Large Event.

Applications for a Large Event must be submitted to the Police Department on forms provided by the Township no less than twenty (20) business days prior to the date of the proposed Large Event. Applications may be submitted no more than six (6) months prior to any proposed Large Event, unless otherwise waived by the Chief of Police or his designee. Applications for a series of Large Events may all be made at one time, and one permit may be issued (with or without conditions) for the entire series.

E. Permission to sponsor a Large Event.

Written permission from the Police Chief or his designee is required before a Large Event can be sponsored. After review of the application and all applicable, relevant circumstances which might impact upon or be impacted by the proposed Large Event, the Police Chief or his designee may impose conditions on the Large Event based on the relevant circumstances of the specific proposed Large Event, which conditions would safeguard the health, safety and welfare of the Township residents or the attendees of the Large Event, or would ensure compliance with other regulations of the Township Code.

An application may be denied if, in the sole opinion of the Police Chief or his designees, the event would adversely affect the health, safety and welfare of the community or would violate any provision of the Township Code.

An application will be reviewed and returned to the applicant within five (5) business days from the date of submission to the Police Department either approving the proposed Large Event (with or without conditions) or denying the proposed Large Event.

The Police Chief or his designee may require that additional police or traffic protection be provided and the cost for such additional personnel shall be charged to the sponsor of the proposed Large Event.

F. Exemptions.

The following events are exempt from the need to file an application for a Large Event but are not exempt from any other provisions of the Township Code:

1. Funeral processions.
2. Yard sales.
3. Events which are sponsored by the Township or for which a permit has been issued by the Township Parks and Recreation Department.
4. Academic activities incidental to the daily, routine function of an educational institution.

5. Athletic activities held on the property of an educational institution as part of the institution's annual or seasonal athletic program.

G. Revocation of permission to sponsor a Large Event.

The Police Department may revoke permission to sponsor a Large Event either prior to or during a Large Event if the Police Department determines that the application for the Large Event was fraudulent, or the Large Event fails to meet the conditions set by the Police Chief or his designee, or the Large Event adversely affects the health, safety or welfare of the community. If a revocation of permission order is issued by the Police Department, the sponsor of the Large Event must cease operations immediately. Failure to do so may result in the issuance of appropriate citations to the sponsor of the Large Event and others.

H. Violations and penalties.

Violations and penalties of this section shall be enforced in accordance with the provisions of section 158-9 of this Chapter.

Conducting a Large Event without first obtaining written permission from the Police Chief or his designee shall constitute a violation of this Chapter. Conducting a Large Event without adhering to any condition imposed by the Police Chief or his designee in granting permission for the Large Event shall constitute a violation of this Chapter. Failure to terminate a Large Event immediately after notice to do so by the Police Department shall constitute a violation of this Chapter.

* * * * *
* * * * *

Section 3. Nothing in this Ordinance or in Chapter 158 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under Chapter 158 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid,

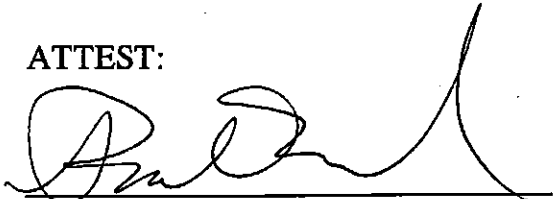
or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13 day of OCT, 1998.

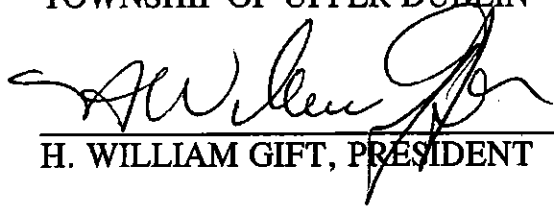
BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

ud/ord/event8sig



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE
NO. 978

An ordinance to amend the Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XXIII, Zoning Hearing Board, Section 255-172, "Membership; terms; vacancies; alternates", to remove the provision that the membership of the Zoning Hearing Board shall consist of three residents of the township and replace it with a provision that the membership of the Zoning Hearing Board shall consist of five residents of the township.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXIII, **Zoning Hearing Board**, Section 255-172, "Membership; terms; vacancies; alternates", shall be amended to provide as follows:

§ 255-172. Membership; terms; vacancies; alternates.

A. The membership of the Board shall consist of five residents of the township appointed by resolution by the Board of Commissioners. The terms of the office of the Zoning Hearing Board shall be three years and shall be so fixed that the term of office of at least one member shall expire each year. The Board shall promptly notify the Board of Commissioners of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the township.

B. The Board of Commissioners shall appoint by resolution one resident of the township to serve as an alternate member of the Board. The term of office of an alternate member shall be three years. When seated pursuant to the provisions of 53 P.S. § 10906, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Act and as otherwise provided by law. Alternates shall hold no other office in the township, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board nor be compensated pursuant to 53 P.S. § 10907 unless designated as a voting alternate member pursuant to 53 P.S. § 10906.

Section 2. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections,

sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

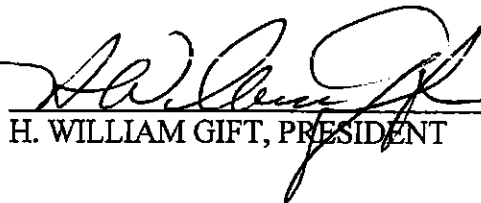
ENACTED AND ORDAINED this 10th day of ~~NOVEMBER~~, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

UD\ORD\255-172.ordsignature

ORDINANCE
NO. 979

AN ORDINANCE AMENDING THE CODE OF UPPER DUBLIN TOWNSHIP, CHAPTER 212 THEREOF, ENTITLED SUBDIVISION AND LAND DEVELOPMENT, TO ADD A NEW SECTION TO REQUIRE THAT FINAL SUBDIVISION AND LAND DEVELOPMENT PLANS BE PROVIDED TO THE TOWNSHIP ON MAGNETIC MEDIA.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of Upper Dublin Township, Chapter 212 thereof, entitled Subdivision and Land Development is hereby amended to add a new section 212-47A as follows:

§212-47A Plans provided on magnetic media.

Upon final approval of a plan of subdivision or land development, all final plans shall be provided in CAD format on a PC-compatible, 3.5" high density diskette. The diskette shall be formatted for use with a Microsoft DOS or Windows operating system. The file shall be in a standard DXF format with .pcp or .pc2 file attachments.

Section 2. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

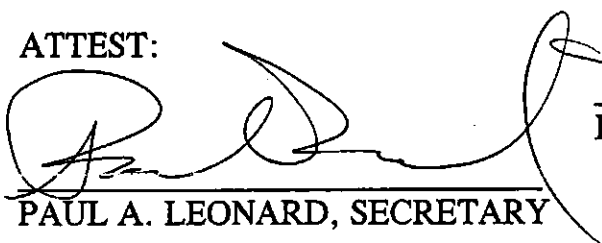
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Commissioners that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

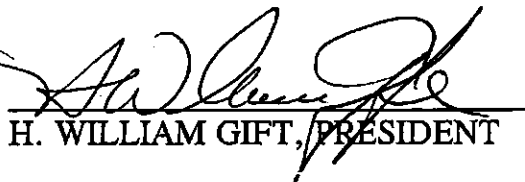
ENACTED AND ORDAINED this 10 day of *NOVEMBER*, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

ud\ord\CADordsig

ORDINANCE NO. 980

AN ORDINANCE AUTHORIZING THE PARTICIPATION OF UPPER DUBLIN TOWNSHIP IN THE DELAWARE VALLEY MUNICIPAL HEALTH INSURANCE TRUST PURSUANT TO THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW.

The Township of Upper Dublin of Montgomery County, Pennsylvania does hereby ENACT and ORDAIN:

Section 1. That the President and Secretary of Upper Dublin Township are hereby authorized to execute the Trust Agreement and any other agreements necessary for its participation in the Delaware Valley Municipal Health Insurance Trust. The Delaware Valley Municipal Health Insurance Trust Agreement is attached hereto as Exhibit "A" and incorporated herein by reference.

The Trust Agreement attached hereto is on file for inspection and review at Upper Dublin Township, 801 Loch Alsh Avenue, Fort Washington, PA 19034. This Trust Agreement may be subsequently modified or amended but in no event shall such amendments or modifications materially adversely affect the right of Upper Dublin Township to participate in the Delaware Valley Municipal Health Insurance Trust.

Section 2. That the participation of Upper Dublin Township in the Delaware Valley Municipal Health Insurance Trust is authorized for the purpose of obtaining high quality health benefits at the most reasonable cost to Upper Dublin Township and its employees.

Section 3. As set forth in the Trust Agreement and as otherwise stated herein, the following conditions apply to the participation of Upper Dublin Township in the Delaware Valley Municipal Health Insurance Trust:

1. That each participating municipality must meet the admission and eligibility requirements set forth therein;
2. That each participating municipality agrees to pay all contributions when due as provided in the Trust Agreement and any By-Laws thereafter adopted by the Trust;

3. That each participating municipality uses its best efforts to provide appropriations for the payment of any contributions required to achieve the purposes and objectives of the Trust;
4. That each participating municipality cooperate fully in achieving the purposes and objectives of the Trust;
5. That each participating municipality comply with all other conditions of the Agreement.

Section 4. That Upper Dublin Township agrees to participate in the Delaware Valley Municipal Health Insurance Trust for a minimum of two years and thereafter may withdraw for any reason whatsoever provided that it has fulfilled all its financial obligations to the Trust upon withdrawal.

Section 5. The effective date of the participation of Upper Dublin Township in the Delaware Valley Municipal Health Insurance Trust will be no later than January 1, 1999.

Section 6. Each participating municipality delegates to the Board of Directors of the Delaware Valley Municipal Health Insurance Trust the powers enumerated in the Trust Agreement.

Section 7. All contributions paid by Upper Dublin Township shall be made with funds appropriated by Upper Dublin Township for that purpose.

Section 8. The organizational structure of the Trust shall consist of a Board of Directors and an Executive Committee selected by the Board of Directors in accordance with the Trust Agreement.

Section 9. The funds required for the operation of the Trust shall be provided by the participating municipalities through annual appropriations.

Section 10. The Delaware Valley Municipal Health Insurance Trust is empowered to enter into contracts for policies of group insurance and employee benefits, including social security for any of its employees.

Section 11. As a condition of participating in the Delaware Valley Municipal Health Insurance Trust, Upper Dublin Township agrees to comply with all the terms and conditions in the attached Trust Agreement.

Section 12. This Ordinance is being enacted pursuant to the provisions of Intergovernmental Cooperation Law, Act of July 12, 1972, No. 180, as amended, 53 Pa. C.S.A., Sections 2301, et seq.

Section 13. Nothing in this Ordinance, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

Section 14. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.


Section 15. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED and ORDAINED this *10* day of *NOVEMBER*, 1998.

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

BY: 
H. WILLIAM GIFT, President

ATTEST:

BY: 
PAUL A. LEONARD, Secretary

[ud\ord\del val ins trust]

ORDINANCE NO. 981

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1999.

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT, HEREINAFTER SET FORTH, DURING 1999.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1: That for the expenses for the fiscal year 1999 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	10,212,944
Receipts from Taxes of Prior Years	47,500
Other Revenues and Receipts	<u>12,042,414</u>
TOTAL ESTMATED RECEIPTS AND CASH	22,302,858

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT	
Administration and Finance	1,299,054
Treasurer and Tax Collector	18,815
Library	508,096
Municipal Buildings	<u>221,029</u>
TOTAL	2,046,994
PROTECTION TO PERSON AND PROPERTY	
Police	3,129,731
Fire	<u>625,160</u>
TOTAL	3,754,891

SEWER	
Conveyance	678,718
Treatment	1,455,200
Capital	5,777,000
Debt Service	<u>1,070,827</u>
	TOTAL
	8,981,745
SANITATION	1,975,608
NON EXPENDABLE TRUSTS	10,900
HIGHWAY MAINTENANCE	2,035,819
DEBT SERVICE	735,558
CAPITAL PROJECTS	
General Capital	1,090,793
Open Space	<u>345,020</u>
	TOTAL
	1,435,813
PARKS AND RECREATION	991,736
CODE ENFORCEMENT	318,444
COMMUNITY CONTRIBUTIONS	<u>15,350</u>
	TOTAL APPROPRIATIONS
	22,302,858

SECTION 2: An estimate of the specific items making up the amounts appropriated to the respective departments is on file in the office of the Township of Upper Dublin, Montgomery County, Pennsylvania.

SECTION 3: That an Ordinance, or part of an Ordinance, conflicting with this Ordinance be and the same is hereby repealed insofar as the same affects this Ordinance.

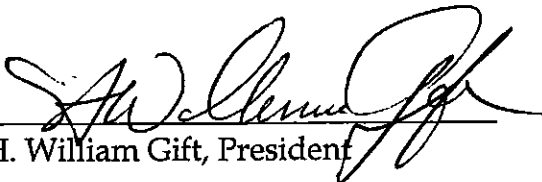
SECTION 4: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

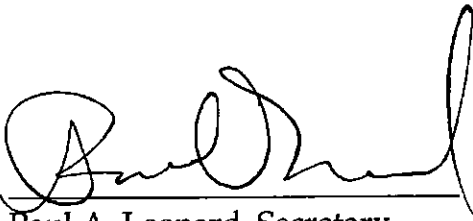
SECTION 5: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 1999.

ENACTED AND ORDAINED THIS 8th day of December 1998.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
H. William Gift, President

ATTEST: 
Paul A. Leonard, Secretary

ORDINANCE NO. 902

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1999 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 1999 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 1999 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 1999 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 1999 FOR FIRE HYDRANTS, AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1999, as follows:

Tax rate for General Purposes, the sum of	1.339 mils
on each dollar of assessed valuation, or the sum of	13.39 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for General Purposes	1.339	13.39

SECTION 2: Tax Rate for Debt Service

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1999, as follows:

Tax rate for Debt Service, the sum of	0.376 mils
on each dollar of assessed valuation, or the sum of	3.760 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Debt Service	.376	3.760

SECTION 3: Tax Rate for Fire Protection

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1999, as follows:

Tax rate for Fire Protection, the sum of	0.221 mils
on each dollar of assessed valuation, or the sum of	2.210 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Fire Protection	.221	2.210

SECTION 4: Tax Rate for Parks and Recreation

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1999, as follows:

Tax rate for Parks and Recreation, the sum of	0.346 mils
on each dollar of assessed valuation, or the sum of	3.460 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Tax Rate for Parks and Recreation	.346	3.460

SECTION 5: Assessment for Fire Hydrants

That the cost and maintenance of fire hydrants for fire protection is hereby distributed by a special assessment for the fiscal year 1999, as follows:

Special assessment for fire hydrants, the sum of	0.025 mils
on each dollar of assessed valuation, or the sum of	0.250 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	<u>Mils on Each Dollar of Assessed Valuation</u>	<u>Cents on Each One Hundred Dollars of Assessed Valuation</u>
Special Assessment for Fire Hydrants	.025	0.250

SECTION 6: Discounts and Penalties

All taxpayers shall be entitled to a discount of two per centum (2%) from the amount of tax levied upon property, upon making payment of amount of such tax within sixty (60) days of the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes charged against them within one hundred twenty (120) days of the date of the tax notice, shall be charged a penalty of ten per centum (10%) of the amount of the tax, which penalty shall be added to the taxes by the tax collector and collected as provided by law.

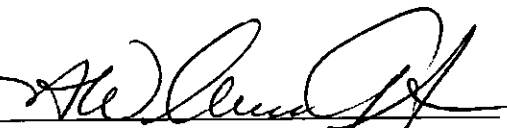
SECTION 7: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.


SECTION 8: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 9: This Ordinance shall take effect and be in force from and after January 1, 1999.

ENACTED AND ORDAINED THIS 8th day of December 1998.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: 
H. William Gift, President

ATTEST: 
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 983

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ENTITLED ZONING, ARTICLE XXII, FLOODPLAIN CONSERVATION DISTRICT, SECTION 255-165, "CONDITIONAL USES", TO CLARIFY THE LANGUAGE WITHIN SUBSECTION "G" CONCERNING APPLICATIONS FOR CONDITIONAL USE APPROVAL; NOT FOR A SPECIAL EXCEPTION.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, **Floodplain Conservation District**, Section 255-165, "Conditional Uses", shall be amended to provide as follows:

§ 255-165. Conditional Uses.

* * * * *

- G. Grading or regrading of lands, including the deposit of topsoils and the grading thereof and the construction of retaining walls. In addition, an application for a conditional use for such use shall also be accompanied by a plan indicating the deposition of any fill or material proposed to be deposited by the grading or regrading of land; such fill or other materials shall be protected against erosion by riprap, vegetation cover or bulkheading.

* * * * *

Section 2. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

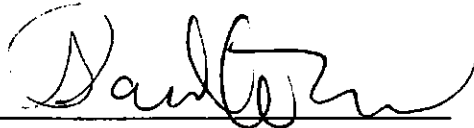
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 8th day of DEC, 1998.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN DURING THE YEAR 1999.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

SECTION 1. A workshop of the Commissioners of the Township of Upper Dublin for the year 1999 shall be held on the first Tuesday of each month unless the same shall be a legal holiday or Election Day, in which case the meeting will be held on the next regular business day following, at 7:00 PM., local time.

SECTION 2. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for the year 1999 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or Election Day, in which case the meeting will be held on the next regular business day following, at 7:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meeting for the year 1999 shall be held on the first Tuesday of each month following the workshop meeting.

-SECTION 4. The Commerce & Interior Committee meeting for the year 1999 shall be held on the fourth Tuesday of each month at 6:30 PM, local time.

SECTION 5. The Finance Committee meeting for the year 1999 shall be held on the third Tuesday of April, July and October at 7:30 PM, local time.

SECTION 6. The public is welcome to attend all meetings, and participation by the public is welcome.


SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP


H. William Gift, President

Attest:


Paul A. Leonard, Secretary

AN ORDINANCE
NO. 985

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 117, FIRE PREVENTION, BY ADDING A NEW SECTION 117-7, ENTITLED "FIRE PROTECTION EQUIPMENT; SPRINKLER AND STANDPIPE SYSTEMS", PROVIDING FOR THE INSTALLATION AND MAINTENANCE OF FIRE SPRINKLER SYSTEMS IN EXISTING BUILDINGS AND NEW CONSTRUCTION, AND PROVIDING FOR INSTALLATION AND MAINTENANCE OF DRY STANDPIPE FIRE LINES; BY CHANGING EXISTING SECTION 117-5 TO INCLUDE ONLY DEFINITIONS; AND BY CREATING NEW SECTIONS 117-6 AND 117-8 TO INCLUDE THE CURRENT PROVISIONS IN SECTION 117-5 FOR HAZARDOUS SUBSTANCES AND ENFORCEMENT, RESPECTIVELY.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 117 thereof entitled Fire Prevention, shall be amended to add a new section as follows:

§ 117-7. Fire protection equipment; sprinkler and standpipe systems.

- A. All new construction shall be equipped with full fire sprinkler systems per the appropriate NFPA standard. Detached buildings ancillary to a residence, such as private garages and sheds, having a building area under 400 square feet are exempt from this requirement.
- B. Existing buildings. An existing building or occupancy which, if newly constructed, would be required to have a full fire sprinkler system installed shall have such a system installed and maintained throughout the building under the following circumstances:
 - (1) If 50% or more of the interior walls and/or partitions thereof have been removed during remodeling, rehabilitation or alteration.
 - (2) If the building area or the occupancy's area of operation for a particular use increases by 20% or more from the area of the building or occupancy existing as of the date of adoption of this ordinance through the acquisition of additional property, expansion, remodeling, rehabilitation or alteration. Except, in single-family and two-family dwellings, only the expanded area is required to be fully sprinklered.
 - (3) If the occupancy is changed to any one or more of the following:

- (a) High-hazard occupancy buildings.
 - (b) Hospitals and medical facilities.
 - (c) Nursing homes, life care complexes, personal care facilities and senior assisted living residences.
 - (d) Bowling alleys.
 - (e) Educational buildings and dormitories.
 - (f) All enclosed and/or underground parking garages.
 - (g) Hotels and motels.
 - (h) Apartment buildings.
 - (i) Churches, chapels, synagogues and other places of worship.
 - (j) Motion-picture theaters and buildings used for theatrical, operatic or musical performances.
 - (k) Buildings used as places of public assembly, designed for the gathering of 50 or more persons for purposes such as civic, social or religious functions, recreation and/or food or drink consumption.
 - (l) Day-care centers.
- C. Full fire sprinkler systems must be maintained in good working condition at all times in all required buildings. If the system is shut down for repairs or for any other reason, the Fire Marshal's office will be notified immediately. An approved fire watch may be required until the system is back in service.
- D. Sprinkler system connection. All sprinkler intake system connections shall be five-inch Stoertz fittings.
- E. Residential sprinkler systems. Sprinkler systems shall be installed and maintained in single-family and two-family residences in accordance with the standards set forth in the National Fire Protection Association No. 13D.

- F. Dry standpipe sprinkler systems.. Dry standpipe fire lines shall be installed and maintained in new and existing buildings up to fifty (50) feet in height and in underground parking garages, in accordance with the BOCA Basic/National Building Code as adopted in Chapter 73 of the Township of Upper Dublin Code and the standards set forth in the National Fire Protection Association No. 14; provided, however, that dry standpipe fire lines shall not be required in the following:
- (1) Single-family dwellings.
 - (2) Two-family dwellings.
 - (3) Buildings with wet standpipes.
- G. Wet standpipe sprinkler systems. Approved wet standpipe systems shall be installed in buildings exceeding 50 feet in height. However, the Fire Marshal may require wet standpipe systems in buildings up to 50 feet in height if, in the Fire Marshal's opinion, there is a distinct hazard to life or property. Wet standpipes shall be installed in accordance with standards set forth in National Fire Protection Association No. 14; provided, however, that wet standpipe fire lines shall not be required in the following:
- (1) Single-family dwellings.
 - (2) Two-family dwellings.
- H. Location and size of sprinkler heads, valves, pipes and water supply. The location and size of sprinkler heads, pipes and other fire-extinguishing equipment, appliances and devices shall comply with the standards set forth in the National Fire Protection Association No. 13. Such equipment shall be connected to an adequate water supply as determined by a NICET Level 3 or Level 4 technician and the Fire Marshal.
- I. Before any full fire sprinkler systems, standpipes or hydrants are installed or altered, detailed plans thereof shall be submitted to and approved, in writing, by a NICET Level 3 or Level 4 technician, and thereafter said plans shall be submitted to and approved, in writing, by the Fire Marshal. All sprinkler plans shall be hydraulically designed. All flow test information shall include the date and time of the test. Nothing contained herein shall be construed to prevent the installation of types of full fire sprinkler systems other than those specified herein when such system is approved, in writing, by a NICET Level 3 or Level 4 technician and the Fire Marshal.

- (1) When, in the opinion of the Fire Marshal, any plan submitted for review constitutes or is in need of such a level of advanced design or engineering criteria to accomplish the purposes of these regulations, the Fire Marshal may require an engineering design analysis to be provided by the owner, developer, architect, engineer or submitting person.
- (2) The cost of such an engineering design analysis shall be the responsibility of the owner, developer, architect, engineer or submitting person.
- (3) The required engineering design analysis shall provide a complete and documented report as to the compliance of the proposal with the required features and measures of fire protection.
- (4) The required engineering design analysis shall be prepared by and shall bear the seal of a registered fire protection engineer.

J. Exemptions. Nothing herein contained shall be construed to require the installation of automatic sprinkler and/or standpipe equipment in:

- (1) Safe deposit or other vaults.
- (2) Rooms or buildings used for the sale, manufacture or storage of aluminum powder, calcium carbide, calcium phosphate, metallic sodium, potassium quicklime, magnesium powder, sodium peroxide or like substances to which the application of water will cause or increase the fire hazard.
- (3) Any other location where the installation of such equipment may, in the opinion of the Fire Marshal, increase the hazard to life or property or for any other reason be impractical due to existing conditions.

K. Detailed requirements for dry standpipes. Detailed requirements for dry standpipes shall be as follows:

- (1) Class of system: dry.
- (2) Number and location of risers: one riser per fire tower.
- (3) Number and location of outlets: one outlet valve at each floor level, including the basement and subbasement, located in each fire tower and at each exit on

every level of an underground garage. Roof outlets may be required by the Fire Marshal.

- (4) All outlets shall be two-and-one-half-inch National Standard Thread (N.S.T.) male couplings with a reducer to one-and-one-half-inch N.S.T. and a thread protective cap. All standpipe risers shall be interconnected at their base. This requirement is for new and existing buildings. Existing buildings have eighteen (18) months from date of adoption to comply with this regulation.
- (5) The number and location of the Fire Department siamese connections shall be located approximately two feet above ground level or as otherwise directed by the Fire Marshal.
- (6) Each Fire Department connection shall be provided with a conspicuous, durable and permanently legible sign reading "Dry Standpipe and Fire Department Use Only."
- (7) The Fire Department connections shall be five-inch Stoertz fittings equipped with thread protector caps and chains or other type caps approved by the Fire Marshal.

L. Detailed requirements for wet standpipes. Detailed requirements for wet standpipes shall be as follows:

- (1) Class of system: wet, Class II.
- (2) Number and location of risers: The number of hose stations in each building and each section of a building divided by fire walls shall be such that all portions of each story of the building are within 30 feet of a nozzle when attached to not more than 100 feet of hose. Equipment shall be so arranged as to permit directing the discharge from the nozzle into all portions of important enclosures, such as closets and like enclosures.
- (3) Number and location of outlets: one outlet valve at each floor level, including the basement and subbasement, located in each fire tower and at each exit on every level of an underground garage. Roof outlets may be required by the Fire Marshal.
- (4) All outlets shall be two-and-one-half-inch National Standard Thread (N.S.T.) male couplings with a reducer to one-and-one-half-inch N.S.T. and a thread

protective cap. All standpipe risers shall be interconnected at their base.

- M. Fire protection equipment. In all buildings under construction in which standpipes are required, stairways and standpipes shall be carried up as the construction progresses in such a manner that they will always be ready for Fire Department use at the topmost floor that has been installed. In addition, the siamese connection and each hose outlet must be provided with an illuminated red light during the hours of darkness, and all stairways must be illuminated.
- N. The building owner shall annually certify in writing to the Township Fire Marshal that the automatic sprinkler system has been tested and maintained in accordance with the procedure of National Fire Protection Association Standard No. 25, Testing and Maintenance of Water Based Fire Protection Systems. Additionally, certification is required in writing to the Fire Marshal whenever any work on the sprinkler system is performed. Any person servicing, testing or maintaining any sprinkler system must have adequate knowledge of the operations of sprinkler equipment and be approved by the Fire Marshall.

Section 2. The Code of the Township of Upper Dublin, Chapter 117 thereof entitled Fire Prevention, Section 117-5, Hazardous substances, shall be amended as follows:

§ 117-5. Definitions.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

* * * * *
* * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 117 thereof entitled Fire Prevention, Section 117-5, Definitions, shall be amended to add the following definitions alphabetically:

HIGH-HAZARD OCCUPANCY BUILDING – A building or structure used for the storage, manufacture or processing of highly combustible or explosive products or materials which are likely to burn with extreme rapidity or which may produce poisonous fumes or explosions; storage or manufacture involving highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals involving flame, fumes, vapors or explosive, poisonous, irritant or corrosive gases; and the storage or processing of any materials involving explosive mixtures of dust or which result in the division of matter into fine particles subject to

B. Cost.

- (1) In the event that any person undertakes, either voluntarily or upon order of the Upper Dublin Township Emergency Services Board, Fire Marshal or other township officials, to clean up or abate the effects of an industrial accident or hazardous substance deposit, the Upper Dublin Township Emergency Services Board or other township officials may take such action as is necessary to supervise or verify the clean up or abatement. Liability to the township for all costs incurred as a result of such supervision or verification shall be upon the responsible person in accordance with the provisions above.
- (2) For the purpose of this section, costs related to abatement of an industrial accident or hazardous substance deposit shall include, but are not limited to, the following: expenses incurred by the police, fire and/or emergency medical services; actual labor costs of Upper Dublin Township personnel, including benefits and administrative overhead; costs of consultants or others preparing reports concerning the incident; costs of equipment operations; costs of materials obtained directly by the township; cost of any contractual labor and materials for clean up and/or abatement; engineering costs, attorneys' fees and all costs imposed upon the Township of Upper Dublin connected with the industrial accident.
- (3) The costs shall be determined by the Township Manager or his designee.
- (4) Such costs for all services rendered in the abatement, clean up, supervision or verification of an industrial accident or hazardous substance deposit shall be due and payable directly to the township through the office of the Upper Dublin Township Finance Director within 30 days from the date on which the township issues an invoice for such costs.
- (5) In the event of a refusal or failure to pay the bill for said costs within 30 days of said billing, the township may file a municipal claim for such costs and expenses, together with a penalty of 10%, in the manner provided by law for the collection of municipal claims.

Section 5. The Code of the Township of Upper Dublin, Chapter 117 thereof entitled Fire Prevention, shall be amended to add a new section as follows:

§ 117-8. Enforcement.

- A. **Conflicting provisions.** Whenever the requirements of this section are in conflict with other requirements of the Code of Upper Dublin Township or the Emergency Management Plan adopted by the Township of Upper Dublin, the most restrictive, or those imposing the higher standard, shall govern.
- B. **Violations and penalties.** Any person who shall violate any of the provisions of this chapter or fail to comply with any order issued pursuant hereto shall be liable, upon conviction, for a fine not to exceed the maximum fine permitted by statute, for each and every offense, in the discretion of the District Justice, together with the costs of prosecution in each case. Once a person has been notified by the township that he is in violation of the provisions of the chapter, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty.

Section 6. Nothing in this Ordinance or in Chapter 117 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 117 prior to the adoption of this amendment.

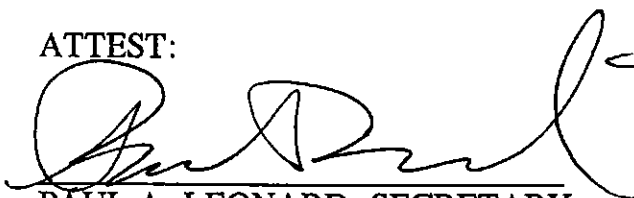
Section 7. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 8. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *12* day of *JANUARY*, 1999.


BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

g:\ud\ordsprinkler010799sig



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 996

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 207, ENTITLED STREETS AND SIDEWALKS, ARTICLE VI, SIDEWALK CONSTRUCTION, SECTION 207-32, "PERMIT REQUIRED", TO CHANGE THE REQUIREMENTS FOR A PERMIT.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 207 thereof, entitled Streets and Sidewalks, Article VI, **Sidewalk Construction**, Section 207-32, "Permit required" shall be amended to provide as follows:

§ 207-32. Permit required.

Sidewalks, curbs, driveway aprons and gutters shall not be placed or replaced within the boundaries of any public highway, road, street, avenue, lane or alley in the Township of Upper Dublin by an owner, person, firm, association or corporation without first obtaining from the Board of Commissioners a permit for such purpose, which shall be fully set forth in a written application showing such purpose and assuming all liability for all and any damage which might result from the performance of such work.

Section 2. Nothing in this Ordinance or in Chapter 207 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 207 prior to the adoption of this amendment.

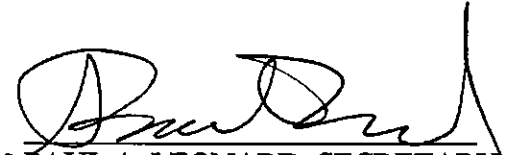
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

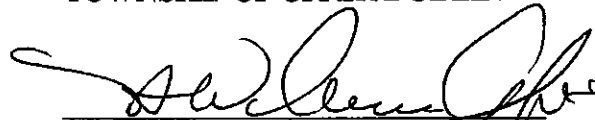
ENACTED AND ORDAINED this *12* day of *JANUARY*, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

UD\ORD\sidewalk010799sig

AN ORDINANCE
NO. 987

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ZONING, ARTICLE XXII, FLOODPLAIN CONSERVATION DISTRICT, TO CLARIFY THE USES STRICTLY PROHIBITED IN A FLOODPLAIN CONSERVATION DISTRICT, AND THOSE USES FOR WHICH A VARIANCE MAY BE SOUGHT.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, Floodplain Conservation District, section 255-164, "Prohibited Uses" shall be amended as follows:

§255-164. Prohibited Uses.

The following uses shall be specifically prohibited in a Floodplain Conservation District:

* * * * *
* * * * *

- (4) The construction, enlargement or expansion of any free-standing structures or buildings, with the exception of flood retention dams, culverts and bridges as approved by the Pennsylvania Department of Environmental Protection.

* * * * *
* * * * *

- (5) The relocation of any watercourse without approval by the Board of Commissioners of Upper Dublin Township, which shall first have received the recommendation of the Township Planning Commission and the Soil Conservation Service, U.S. Department of Agriculture, thereon; and the approval of the Pennsylvania Department of Environmental Protection. In addition, all adjacent communities and the Bureau of Community Planning of the Pennsylvania Department of Community Affairs shall be notified prior to the alteration or relocation of a watercourse. Copies of such notification shall be sent to the Federal Insurance Administration. The flood-carrying capacity within the altered or relocated portion shall be maintained.

* * * * *
* * * * *

B. Floodplain Restrictions. Within any identified floodplain area, the activities described in Subsection A(1), (2) and (3) above shall be prohibited, and no variance shall be granted. Variances may be granted by the Zoning Hearing Board for any prohibited use other than those identified in the preceding sentence, in accordance with the requirements and provisions of this Chapter for variances.

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, Floodplain Conservation District, section 255-165, "Conditional uses", shall be amended as follows:

The following uses may be allowed or denied by the Board of Commissioners by conditional use after a conditional use hearing and recommendations by the Advisory Boards of the township or other agencies deemed appropriate and Montgomery County Planning Commission pursuant to the standards set forth in this district:

* * * * *
* * * * *

E. Dams, bridges and culverts, approved by the Commonwealth of Pennsylvania, Department of Environmental Protection or the Power and Water Resources Board, if the same has jurisdiction over the watershed in question.

* * * * *
* * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, Floodplain Conservation District, section 255-166, "Application procedure", shall be amended as follows:

- A. (1) In a floodplain, as defined in section 255-161 herein, a zoning permit shall be required for any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging, filling, grading, excavating or drilling operations and the storage of materials and equipment.
- (2) Application for a zoning permit shall be filed with the Zoning Officer, who shall make an initial determination of the application.
- (3) For a use listed in section 255-164(4) through (8), an application for variance approval shall be forwarded to the Zoning Hearing Board, along with required studies or information and the findings of the Zoning

Officer.

- (4) For a use listed in section 255-165, an application for conditional use approval shall be forwarded to the Board of Commissioners, along with required studies or information and the findings of the Zoning Officer.

* * * * *

* * *

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9th day of FEB, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


PAUL A. LEONARD, SECRETARY


H. WILLIAM GIFT, PRESIDENT

g:\ud\ord\flodpin3.ord sig

AN ORDINANCE

NO. 988

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 110, FEES, SECTION 110-10, SEWERS, TO CHANGE THE SEWER USAGE ASSESSMENT RATE IN THE UPPER DUBLIN TOWNSHIP SEWER DISTRICT FROM TWO DOLLARS AND SIXTY CENTS (\$2.60) TO TWO DOLLARS AND SEVENTY CENTS (\$2.70) PER ONE THOUSAND GALLONS OF WATER AND TO CHANGE THE ANNUAL CREDIT FOR IN-GROUND SWIMMING POOLS FROM THIRTY-FIVE DOLLARS (\$35.) TO FORTY DOLLARS (\$40.).

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 110, thereof entitled Fees, section 110-10, Sewers, shall be amended as follows:

§110-10. Sewers.

* * * * *

B. Upper Dublin Township District.

- (1) Commencing January 1, 1999 the annual sewer rental for properties located in the Upper Dublin Township sewer system shall be assessed as follows:

- (b) Usage rate: two dollars and seventy cents (\$2.70.) per one thousand (1,000) gallons of water usage; provided, however, that credit of five percent (5%) of actual consumption shall be given to all residential users.

- (3) Those properties on which there exists an in-ground swimming pool shall

be given a credit of forty dollars (\$40.) per year and those properties with aboveground swimming pools a credit of twenty dollars (\$20.) a year.

Section 2. Nothing in this Ordinance or in Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9th day of February, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:


WILLIAM H. GIFT, PRESIDENT


PAUL A. LEONARD, SECRETARY

AN ORDINANCE
NO. 989

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN: CHAPTER 110, ENTITLED FEES, SECTION 110-3, "BUILDING CONSTRUCTION" AND SECTION 110-9, "PLUMBING", TO INCREASE PERMIT FEES, SECTION 110-17, "ZONING", TO REQUIRE A FEE FOR WRITTEN ZONING CERTIFICATION; CHAPTER 255, ENTITLED ZONING, SECTION 255-186, "POWERS AND DUTIES OF ZONING OFFICER", TO ENABLE THE ZONING OFFICER TO CERTIFY THE ZONING OF A PROPERTY, AND; CHAPTER 117, ENTITLED, FIRE PREVENTION, SECTION 117-7, "FIRE PROTECTION EQUIPMENT; SPRINKLER AND STANDPIPE SYSTEMS", TO REQUIRE A FEE FOR REVIEW OF SPRINKLER PLANS BY THE FIRE MARSHALL.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-3, "Building construction" shall be amended to provide as follows:

§ 110-3. Building construction.

In accordance with Chapter 73, Building Construction, the following fees shall be charged:

A. Applicants for permits to be issued under Chapter 73, Building Construction, shall pay to the township at the time of application the fees prescribed in this section. The valuation of the proposed construction or work shall be based upon the entire value of such construction or work. The Building Inspector shall have the right to verify or correct the estimated value of such construction or work.

(1) New buildings.

* * * * *

(d) The square foot area of any proposed building referred to in this subsection shall be computed from the plans submitted at the time application is made for a permit by adding the area determined from outside dimensions at ten-foot intervals from

the basement floor to the mean roof elevation or top of wall, whichever is higher, or the uppermost story. It is the intent hereof that the fees provided in Subsection A(1)(d)[1] and [2] shall be cumulative. Permit fees for business building and all other nonresidence construction shall be as follows:

[1] For the first 1,000 square feet or fraction thereof: \$325.

[2] For the area in excess of 1,000 square feet: an additional fee of \$200 for each 1,000 square feet or fraction thereof.

(2) Alterations, repairs and installation of permanent equipment.

(a) Permit fees for the alteration, addition, repair or demolition, whether residential or nonresidential, of a building, and in the installation of permanent equipment therein, and in the repair of miscellaneous structures, shall be as follows:

[1] For the first \$1,000 or fraction thereof of the estimated cost: a fee of \$25.

[2] For each additional \$1,000 or fraction thereof of the estimated cost in excess of \$1,000: an additional fee of \$20.

* * * * *

(4) Heating and air-conditioning equipment. Permit fees for the installation, conversion or replacement of heating and air-conditioning equipment, including oil storage tanks of 550 gallons capacity or less, shall be as follows:

(a) For the first \$1,000 or fraction thereof of estimated cost: a fee of \$25.

(b) For each additional \$1,000 or fraction thereof of estimated cost in excess of \$1,000: an additional fee of \$15.

* * * * *

- (6) Fuel storage tanks and gasoline pumps. Permit fees for the installation of fuel storage tanks of every description and gasoline pumps shall be as follows:
 - (a) For fuel storage tanks of every description: a fee of \$15 for each 1,000 gallons of tank storage capacity or fraction thereof.
 - (b) For each gasoline pump proposed to be installed: a fee of \$15.
- (7) Display signs. The permit fee for a display sign shall be \$20 for each \$1,000 of estimated cost or fraction thereof.

* * * * *

- (9) Occupancy permit.
 - (a) For residential permits the fee shall be \$80.
 - (b) For commercial permits the fee shall be \$80.
- (10) Electrical wiring and equipment permit.
 - (a) For the first \$1,000 or fraction thereof of the estimated cost: a fee of \$25.
 - (b) For each additional \$1,000 or fraction thereof of the estimated cost in excess of \$1,000: an additional fee of \$20.
- (11) Sprinkler plan reviews. The fee shall be \$100 for the review of non-residential sprinkler plans. There is no fee for review of residential sprinkler plans.

Section 2. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-9, "Plumbing" shall be amended to provide as follows:

- I. Before any full fire sprinkler systems, standpipes or hydrants are installed or altered, detailed plans thereof shall be submitted to and approved, in writing, by a NICET Level 3 or Level 4 technician, and thereafter said plans shall be submitted to and approved, in writing, by the Fire Marshal. Prior to review of said plans and approval by the Fire Marshal, review fees shall be paid as set forth in Chapter 110, Fees, of the Upper Dublin Code. All sprinkler plans shall be hydraulically designed. All flow test information shall include the date and time of the test. Nothing contained herein shall be construed to prevent the installation of types of full fire sprinkler systems other than those specified herein where such system is approved, in writing, by a NICET Level 3 or Level 4 technician and the Fire Marshal.

* * * * *

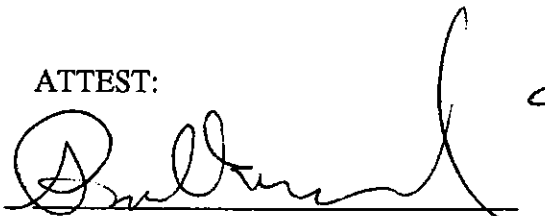
Section 6. Nothing in this Ordinance, Chapter 110, Chapter 117 or Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110, Chapter 117 or Chapter 255 prior to the adoption of this amendment.

Section 7. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 8. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9th day of MARCH, 1999.

ATTEST:


PAUL A. LEONARD, SECRETARY
g:\ud\ord\permit fees

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO 990

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN TO AMEND CHAPTER 212 OF THE UPPER DUBLIN TOWNSHIP CODE, ENTITLED SUBDIVISION AND LAND DEVELOPMENT, CREATING A NEW SECTION 212-44A, ENTITLED "MINOR LAND DEVELOPMENT PLAN" TO SIMPLIFY PLAN SUBMISSION AND PROCESSING REQUIREMENTS FOR MINOR LAND DEVELOPMENTS BY IMPOSING CRITERIA FOR MINOR LAND DEVELOPMENTS, DRAFTING STANDARDS FOR PLAN SUBMISSIONS, CONTENT OF PLAN SUBMISSIONS, AND PROCEDURES FOR PLAN SUBMISSION.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Section 212-44A, "Minor land development plan" shall be added to provide as follows:

§ 212-44A. Minor land development plan.

It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor land development may be submitted and approved. Plans submitted under the provisions of this section must meet the following criteria, conform to established standards and provide the required information:

- A. Criteria for minor land development. A minor land development is a development of a tract that:
- (1) The proposal involves expansion of the gross area of an existing building by no more than 25% to a maximum of 5,000 square feet of new area.
 - (2) The proposal does not introduce a new use to the property.
 - (3) The proposal does not involve the creation of additional dwelling units.
 - (4) The proposal does not involve the construction of a new building larger than 5,000 square feet in area.
 - (5) The proposal does not require any additional storm water management facilities or other public improvements.
 - (6) The specific property has received minor land development consideration no more than two times previous to the current proposal.

B. Drafting standards. The drafting standards in § 212-42 and this section shall apply for minor land developments.

(1) Drafting standards.

- (a) The scale of the plan shall not be smaller than 40 feet to the inch and shall be accurate to within one part in 300.
- (b) Dimensions shall be in feet and decimals and bearings in degrees, minutes and seconds.
- (c) The plan shall show the courses and distances of the boundary line survey of the entire tract being subdivided.
- (d) The sheet or sheets shall be 24 inches by 36 inches. If more than one sheet is necessary, each sheet shall be the same size and consecutively numbered to show its relation to the total number of sheets comprising the plan (i.e., Sheet No. 1 of 5). In addition, 10 copies of the plan shall be submitted in one of the following sizes: 11 inches by 17 inches or 15 inches by 18 inches. [Amended 10-14-1997 by Ord. No. 953]
- (e) Where there are two or more sheets, a key map shall be provided sufficient to show their relationship.
- (f) The plan shall be clear and legible and shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.

(2) Location and identification. Each plan shall provide:

- (a) A title consisting of the name and address of the subdivider, developer, builder and the person who developed the plan. A registered professional surveyor must certify the tract boundary survey and a registered professional engineer must certify the proposed improvements with their names and addresses included on the plan.
- (b) The name of the subdivision, its location by identification of significant bounding roads, the names of adjacent property owners and the name of the municipality.
- (c) The date of preparation of the plan, the scale and North point.

- (d) The entire tract boundary with bearings and distances.
- (e) A key map relating the subdivision to at least three existing intersections of township roads, at a scale not less than 800 feet to the inch.
- (f) The zoning district and area regulations from Chapter 255, Zoning, for the tract being subdivided or developed and on adjoining tracts. Any deed restrictions, variances or special exceptions being sought or granted shall be shown or noted on the plan.
- (g) Montgomery County Planning Commission file No.
- (h) Property parcel No., block, unit, address, owner of record, deed book and page.
- (i) Reference to any prior subdivisions, conditional use approvals or Zoning Hearing Board audits.

C. Existing features.

- (1) Within one hundred (100) feet of any part of the tract being developed, the plan shall show:
 - (a) The location, name, width (cartway and right-of-way), radii and surface conditions of existing roads and alleys.
 - (b) The location, size and ownership of sanitary sewers, water and gas mains, private wells, storm drains, fire hydrants, pipelines and electric transmission lines.
 - (c) Any significant man-made or natural feature which impacts the tract being subdivided.
 - (d) Trees greater than 8" ϕ , tree masses.
 - (e) Buildings, improvements and any other topographic fixtures.
- (2) Within and abutting the tract being subdivided, the plan shall show:
 - (a) The location, size and ownership of utilities, including width of easements or rights-of-way above or below ground.
 - (b) The location, with measured distances from roads and property lines, and the character of existing buildings and man-made structures on or in the ground.

- (c) The location, species and size of trees standing alone four (4) inches in caliper and the outer limits of tree masses.
- (d) The location and type of existing survey monumentation.

D. Proposed features.

- (1) The layout, dimensions and net area of the lot, including street address.
- (2) The location and size of sanitary sewers, storm drains, water mains, private wells, fire hydrants or on-site sewage facilities, if applicable.
- (3) Building setback lines on the lot with distances from the street right-of-way.
- (4) Disposition of all buildings and structures indicating retention or demolition. The character and use of buildings and structures to be retained shall be noted on the plan.
- (5) All landscaping facilities for screening, buffering, conservation, shade and esthetics. Facilities may include trees, shrubs fences and/or earthwork.
- (6) Zoning compliance tabulation with required zoning criteria and provided zoning criteria.
- (7) Proposed township ultimate right-of-way.

E. Certifications.

Upon Approval, the record plan shall show:

- (1) The signature of the registered professional surveyor or engineer certifying that the plan represents a survey made by him, the monuments shown exist as located and the dimensions and geodetic details are correct.
- (2) The signature of the subdivider, developer or builder certifying his adoption of the plan and changes.
- (3) The signature of the President of the Board of Commissioners, attested by the Township Secretary, certifying that the Board of Commissioners has approved the minor land development plan and any changes.
- (4) The certificates as required by 53 P.S. § 10503.1.

F. Procedures.

- (1) Applications for minor land development approval shall be submitted in letter form to the Code Enforcement Office, along with 15 copies of a plan with sufficient detail and dimension to show the nature and character of the work to be performed. If the Township Engineer requires information in addition to that required above, to perform a complete review, that information shall be provided as requested.
- (2) Applications shall include the fee for minor land development application as established by the Board of Commissioners, and any other applicable fees.
- (3) Each application will be forwarded to the Upper Dublin Township Commerce and Interior Committee for comment and recommendation at their next regularly scheduled meeting. The applicant shall be responsible for presenting his application and demonstrating why consideration as a minor land development is appropriate. Applicant will be responsible for securing reviews from the following:
 - (a) Planning Agency Advisory Board
 - (b) Environmental Protection Advisory Board
 - (c) Park and Recreation Director
 - (d) Public Works Director
 - (e) Shade Tree Commission
- (4) Upon recommendation by the Commerce and Interior Committee, the application will be sent to the Board of Commissioners for consideration for final approval.
- (5) Each application shall be subject to review by the Township Engineer. Review fees shall be paid by the applicant.
- (6) Review of minor land development applications by the Montgomery County Planning Commission will not be required unless deemed essential by Upper Dublin Township.

Section 2. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under Chapter 212 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of the Ordinance. It is

hereby declared to be the intent of the Board of Commissioners that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9th day of MARCH, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 991

AN ORDINANCE TO AMEND: THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 125, FOOD AND BEVERAGES, ARTICLE II AND ARTICLE IV, AND CHAPTER 110, FEES, SECTION 110-6, TO DELETE THE REQUIREMENT FOR A PERSON ENGAGING IN THE OPERATION OF A VENDING MACHINE TO POSSESS AN OPERATOR'S PERMIT FROM THE HEALTH AUTHORITY.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 125, thereof entitled Food and Beverages, Article II, "Permits", shall be deleted in its entirety:

ARTICLE II, Permits

§ 125-3. Permit required.

It shall be unlawful for any person to engage in the operation of one (1) or more vending machines in the Township of Upper Dublin or its police jurisdiction, who does not possess a currently valid operator's permit from the health authority. Only persons who comply with the provisions of this Part 1 shall be entitled to receive and retain such a permit.

§ 125-4. Application.

Any person desiring to operate one (1) or more vending machines in the Township of Upper Dublin or its jurisdiction shall make application, in writing, to the health authority on forms provided by the health authority. Such applicant shall provide the following information:

- A. The applicant's full name, residence and post office address and whether such applicant is an individual, firm or corporation. If any partnership exists, the names of the partners, together with their addresses, shall be included.
- B. The location of the commissary or commissaries and of other establishments where supplies are kept and where vending machines are repaired or renovated.

C. The identity and form of the products to be dispensed through vending machines and the number of each type of vending machine in his possession.

D. The signature of the applicant or applicants.

§ 125-5. Fees.

A permit fee shall be paid by the applicant in accordance with a fee schedule adopted by the Board of Commissioners and set forth in Chapter 110, Fees.

§ 125-6. Inspection.

Upon receipt of such application, the health authority shall make an inspection of the machine locations to determine compliance with the provisions of this Part 1.

§ 125-7. Display required.

The operator's permit number, of a size and style approved by the health authority, shall be conspicuously displayed on each vending machine operated by him.

§ 125-8. Conditions for retention.

- A. In order to hold and retain an operator's permit, the operator shall maintain within the jurisdiction of the health authority a list of all vending machines operated by him and their location and of all commissaries or other establishments from which his machines are serviced. This information shall be available to the health authority upon request.
- B. In order to hold and retain an operator's permit, the operator shall notify the health authority of any change in operations involving new types of vending machines or conversion of the existing machines to dispense products other than those for which the permit was issued.

§ 125-9. Suspension or revocation.

- A. Suspension or revocation.
- (1) After an opportunity for a hearing and following the procedures provided in § 125-20, an operator's permit may be temporarily suspended by the health authority upon violation by the permit

holder of any of the provisions of this Part 1 or may be revoked upon serious or repeated violation of such provisions.

- (2) Notwithstanding any other provisions of this Part 1, whenever the health authority finds grossly insanitary or other conditions involving the operation of any vending machine or commissary which, in his opinion, involves a substantial hazard to the public health, he may, without notice or hearing, issue a written order to the operator citing the existence of such condition and specifying corrective action to be taken and, if deemed necessary, requiring immediate discontinuance of operation. Such order shall be effective immediately and shall apply only to the vending machine, commissary or product involved. Any operator to whom such order is issued shall comply therewith, but upon petition to the health authority, shall be afforded a hearing as soon as possible. When necessary corrective action has been taken and on the request of the operator, the health authority shall make a reinspection to determine whether operations may be resumed.
- (3) After any hearing held under the provisions of this Part 1, the health authority shall sustain, modify or rescind any notice or order considered in the hearing.

- B. Reinstatement of permit. Any operator whose permit has been suspended may at any time make application for the reinstatement of the permit. Within ten (10) days after the receipt of a written application, accompanied by or including, a statement signed by the operator to the effect that the violated term or terms of this Part 1 have been complied with, the health authority shall make a reinspection. If the applicant is again complying with the terms of this Part 1, the permit shall be reinstated.

Section 2. The Code of the Township of Upper Dublin, Chapter 125, thereof entitled Food and Beverages, Article IV, "Enforcement; Violations and Penalties", Section 125-20, shall be amended as follows:

§ 125-20. Inspections.

- A. The health authority may inspect the servicing, maintenance and operation of vending machines dispensing readily perishable foods and commissaries at least once every six (6) months. Vending machines

dispensing other than readily perishable foods may be inspected by the health authority as often as deemed necessary.

- B. The health authority, after proper identification, shall be permitted to enter at any reasonable time upon any private or public property within the Township of Upper Dublin or its police jurisdiction, where vending machines or commissaries are operated or from which such machines are otherwise serviced, for the purpose of determining compliance with the provisions of this Part 1. The operator shall make provision for the health authority to have access, either in company with an employee or otherwise, to the interior of all vending machines operated by him.
- C. Whenever the health authority discovers a violation of any provision of this Part 1, he shall notify the operator concerned. Such notice shall describe the condition found and state which section of this Part 1 is violated by such condition; provide a specific and reasonable period of time for the correction of the condition; and state that an opportunity for a hearing of inspection findings will be provided, if a written request for such hearing is filed with the health authority within ten (10) days of receipt of the notice. The health authority may advise the operator, in writing, that unless the violations are corrected within the specified period of time, penalties may be imposed in accordance with the provisions of § 125-22.

Section 3. The Code of the Township of Upper Dublin, Chapter 110, thereof entitled Fees, Section 110-6, shall be amended as follows:

§ 110-6. Food and beverages.

The following fees shall be paid pursuant to Chapter 125, Food and Beverages:

- A. Retail food establishments. The following fee shall be paid by the applicant on or before the issuance of the permit as follows:
 - (1) License fee of \$1 for each retail food establishment.
 - (2) Inspection fees in accordance with the following schedule:

Floor Area	Inspection Fee
Under 5,000 square feet	\$75.00
Each additional 2,500 square feet or fraction thereof	\$30.00

B. Mobile food vendor. the following fee shall be paid by the applicant before the issuance of the permit:

- (1) License fee: \$1.
- (2) Inspection fee: \$60.

C. Public drinking and eating establishments. The following fee shall be paid by the applicant before the issuance of the permit:

- (1) License fee: \$1.
- (2) Inspection fees shall be paid in accordance with the following schedule:

Number of Seats	Inspection Fee
0 to 25	\$ 75.00
26 to 75	100.00
76 to 125	150.00
126 to 175	200.00
Over 175	250.00

- (3) Food facilities plan review fee: \$50.

D. Pro rata inspection fee. Any applicant for a permit after July 1 of any calendar year may have the inspection fee reduced by 50%.

E. Temporary food establishments. The following fee shall be paid by the applicant before the issuance of the permit: inspection fee: \$60.

Section 4. Nothing in this Ordinance or in Chapter 125 or Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 125 or Chapter 110 prior to the adoption of this amendment.


Section 5. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take effect and be in force from and after its approval as required by law.


ENACTED AND ORDAINED this 7th day of MARCH, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



WILLIAM H. GIFT, PRESIDENT

g:\ud\ord\pending ordinance draft

AN ORDINANCE

NO. 992

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 224 Thereof, Entitled Taxation, By The Addition Of § 224-23 To Provide That Confidential Tax Information May Not Be Revealed By The Township Except For Official Purposes Or As Provided By Law, And By The Addition Of A New Article III, To Establish An Administrative Appeal Process From Decisions Of The Income Tax Officer, Including The Appointment Of A Tax Appeals Board To Decide Such Appeals.

The Board of Commissioners of Upper Dublin Township hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 224 thereof, entitled Taxation, Article II, Earned Income Tax, shall be amended by the addition of a new section 224-23, to provide as follows:

ARTICLE II. - Earned Income Tax

§ 224-23. Confidentiality Of Tax Information. Any information gained by the Township as a result of any audit, return, report, investigation, hearing or verification shall be confidential tax information. Except for official purposes or as provided by law, the Township shall not:

- A. Divulge or make known in any manner any confidential information gained in any return, investigation, hearing or verification to any person; or
- B. Permit confidential tax information or any book containing any abstract or particulars thereof to be seen or examined by any person; or
- C. Print, publish or make known in any manner any confidential tax information.

Section 2. The Code of the Township of Upper Dublin, Chapter 224 thereof, entitled Taxation, shall be amended by the addition of a new Article III, to provide as follows:

ARTICLE III. - Administrative Appeals

§224-25. Taxpayer Petitions. Taxpayers wishing to appeal the decision of the Income Tax Officer relating to any assessment, determination, ruling or refund of any tax levied under Article II hereof shall file a Petition For Review And Decision.

- A. A petition is timely filed if the letter transmitting the petition is postmarked by the United States Postal Service on or before the final day on which the petition is required to be filed. Deadlines for filing petitions are as follows:
- (1). Refund petitions shall be filed within three years after the due date for filing the final return as extended or one year after actual payment of an eligible tax, whichever is later. If no final return is required, the petition shall be filed within three years after the due date for payment of the tax or within one year after actual payment, whichever is later.
 - (2). Petitions for reassessment and from rulings of the Income Tax Officer shall be filed within ninety (90) days of the date of the assessment notice or of the ruling.
- B. All petitions shall be filed by hand delivery or by registered or certified mail to the Finance Director, Upper Dublin Township, 801 Loch Alsh Avenue, Fort Washington, Pa 19034.
- C. The Petition shall be in writing on a form provided by the Tax Officer and shall contain the following information:
- (1) The name and address of the taxpayer and his representative, if any.
 - (2) The tax years in question.
 - (3) A copy of the Income Tax Officer's decision to which the petition relates.
 - (4) A full and complete statement of the taxpayer's position, including all supporting documents which the taxpayer seeks to have considered. The taxpayer may, if it chooses, submit any legal authority or citations which support its position.
 - (5) A request that a hearing be held on the petition, or a statement that a hearing is waived.

- D. Upon receipt of the petition the Finance Director shall forward a copy to the Tax Appeals Board together with any information pertinent to the petition in the hands of the Finance Director.

§224.26. Hearing On Petition.

- A. A hearing on the petition may be requested, but shall not be mandatory. If requested and granted, the hearing shall be scheduled by the Tax Appeals Board within forty-five (45) days of its filing. All hearings shall be held at the Upper Dublin Township Administrative Building, unless the Tax Appeals Board, the taxpayer and the Township agree otherwise.
- B. All testimony before the Tax Appeals Board shall be sworn, but customary rules of evidence may be waived in the interest of fairness and judicial economy. It is not required that testimony be transcribed.
- C. Any request for a continuance of the hearing by the taxpayer must be accompanied by a letter agreeing to an extension of time for the Tax Appeals Board to make a decision on the petition, which extension must be at least equal to the number of days delay caused by the request.

§224-27. Decision On Petition.

- A. The Tax Appeals Board's decision on the petition shall be in writing and shall be forwarded by regular mail to the taxpayer and the Township within sixty (60) days of the date a complete and accurate petition is received. Failure to act within sixty (60) days (unless waived or extended by the taxpayer) shall result in the petition being deemed approved.
- B. The Tax Appeals Board's decision shall be based on principles of law and equity.
- C. Any person aggrieved by the Tax Appeals Board's decision who has a direct interest in the decision shall have the right to appeal de novo to the Court of Common Pleas of Montgomery County within thirty (30) days of the date of the decision.

§224-28. Tax Appeals Board.

The Tax Appeals Board shall be appointed by the Board of Commissioners of Upper Dublin Township, which shall determine the qualifications and compensation, if any, of its members. The Tax Appeals Board shall consist of at least three, but not

more than seven members. The Tax Appeals Board may establish those procedures consistent with due process and not inconsistent with the provisions of this chapter or the regulations promulgated by the Income Tax Officer which the Tax Appeals Board deems appropriate for the conduct of hearings and the orderly presentation of testimony.

Section 3. Nothing in this ordinance or in Chapter 224 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to effect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 224 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

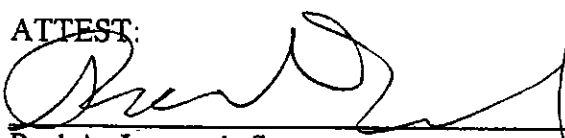
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 9th day of MARCH, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN


H. William Gift, President

ATTEST:


Paul A. Leonard, Secretary

Ud\tax\ord amendment
February 4, 1999

ORDINANCE NO. 993

FORT WASHINGTON AVENUE SANITARY SEWERS

AN ORDINANCE PROVIDING FOR THE DESIGN, LAYING OUT, CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN FROM AN EXISTING TERMINAL SANITARY SEWER MANHOLE CONTAINED WITHIN TOWNSHIP EASEMENT, 550 FEET NORTHWEST OF ANNA MARIE CIRCLE, EXTENDING IN TWO DIRECTIONS: 1) FOR 146 FEET IN THE SOUTHWEST DIRECTION; 2) FOR 46 FEET IN THE NORTHEAST DIRECTION, WITH THE TOTAL LENGTH BEING APPROXIMATELY 192 FEET AND INCLUDING FOUR LATERAL CONNECTIONS TO THE REAR OF ADJACENT PROPERTIES WITH FRONTAGE ON FORT WASHINGTON AVENUE; PROVIDING FOR THE CONDEMNATION OF RIGHTS OF WAY AND PERMANENT AND TEMPORARY EASEMENTS ACROSS PRIVATE PROPERTY TO ACCOMMODATE SAID SEWERS AND FACILITIES; PROVIDING FOR THE PAYMENT OF COSTS OR CONSTRUCTION BY ASSESSMENT BY THE BENEFIT OR FOOT FRONT METHOD; PROVIDING FOR THE LIENING OF PROPERTY SUBJECT TO ASSESSMENT; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, in accordance with Article XXIV of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, it is deemed to be in the best interest of the residents of the Township and the health and welfare of the community to arrange for such facilities to be constructed and installed; and

WHEREAS, in accordance with Article XIX of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to condemn private property for the construction and installation of sanitary wastewater sewer facilities; and

WHEREAS, in accordance the Article XXV of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to collect by installment the cost of sewer improvements:

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, does hereby ENACT AND ORDAIN that:

SECTION I. SANITARY WASTEWATER SEWER FACILITIES

(a) A public sanitary sewer collection line shall be constructed to extend an existing 8" sanitary sewer main from an existing terminal sanitary sewer manhole contained within Township easement, 550 feet northwest of Anna Marie Circle extending in two directions: 1) for 146 feet in the southwest direction; 2) for 46 feet in the northeast direction, with the total length being approximately 192 feet and including four lateral connections to the rear of adjacent properties with frontage on Fort Washington Avenue, Upper Dublin Township, Montgomery County, Pennsylvania, in accordance with plans to be prepared by an engineering firm to be retained for such purpose by the Board of Commissioners (hereinafter "Engineer"), and shall be interconnected to the existing sanitary wastewater sewer system in place in the Township (hereinafter "the Project").

(b) The Board of Commissioners is hereby authorized to condemn temporary construction easements and permanent easements for rights of way over and across privately owned lands if found necessary for the construction of such sewers and to pay just compensation therefor.

SECTION II. ASSESSMENT OF COSTS

(a) The costs of construction and installation of the sewer system, aforesaid, shall be assessed as provided by law upon the several abutting properties benefited, improved and accommodated by the said sewer system.

(b) The officers of the Township are authorized and directed to execute and file a petition to the Court of Common Pleas of Montgomery County, Pennsylvania, for the appointment of viewers to assess benefits, as provided by law.

(c) Upon completion of the said Project and determination of all costs in connection therewith, the Engineer shall deliver the same in writing to the Township Manager.

(d) Upon confirmation of the report of the viewers if one is called for depending on the method of assessment, or upon preparation of a Declaration of Completion of the project by the Township, the Township Manager shall make out bills for the amounts assessed against each abutting property benefited by the Project and a notice of assessment, which shall be forthwith served on all the owners of each property not less than thirty (30) days prior to the due date specified on such bill for the payment of each such assessment, either by personal service on the owner or his or its agent, or left on the assessed premises, or by registered or certified mail.

(e) If any assessment shall remain unpaid at the expiration of thirty (30) days following the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from the thirtieth (30th) day after the service of the notice, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five percent (5%) of the amount of such assessment, together with interest and costs as provided by law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

ENACTED AND ORDAINED this 13th day of April, 1999.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 

H. William Gift, President

Attest: 

Paul A. Leonard, Secretary

g:\udlord\Ft. Washington Ave. San. Sew.-sig

AN ORDINANCE

NO. 994

AN ORDINANCE PROVIDING FOR A BENEFIT ASSESSMENT IN THE TOTAL AMOUNT OF \$6,988.65 FOR EACH EDU, TO BE CHARGED TO EACH PROPERTY OWNER BENEFITED NOW OR IN THE FUTURE BY THE CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER WASTEWATER COLLECTION LINE EXTENDING AN EXISTING SANITARY SEWER MAIN FROM THE MAIN ENTRANCE TO THE TANNERIE WOOD DEVELOPMENT, ALONG THE NORTHEAST SIDE OF SUSQUEHANNA ROAD FOR 290 FEET, CROSSING SUSQUEHANNA ROAD AND CONTINUING NORTHWESTERLY ALONG SUSQUEHANNA ROAD FOR 465 FEET.

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, pursuant to Ordinance No. 969 enacted by the Board of Commissioners of the Township of Upper Dublin on June 9, 1998, a public sanitary sewer collection line has been constructed and installed to extend an existing sanitary sewer main commencing at the main entrance to the Tannerie Wood Development, along the northeast side of Susquehanna Road for 290 feet, crossing Susquehanna Road for 30 feet and continuing northwesterly along Susquehanna Road for 465 feet (hereinafter "the Project"); and

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to assess the charge for any sewer system constructed in the Township upon the properties accommodated or benefited by the sewer system.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, does hereby enact and ordain as follows:

Section 1. The Project has been completed as of March 8, 1999 as certified by the

Township Manager and the Township Director of Public Works. A copy of the Declaration of Completion is attached hereto and marked as Exhibit "A".

Section 2. The total cost for the construction and installation of the Project has been determined to be \$114,537.37 in accordance with the Statement of Costs dated March 11, 1999, including contract cost of installation, engineering fees, legal fees, and Township inspections of the Project. A copy of the Statement of Costs is attached hereto and marked as Exhibit "B".

Section 3. The Township has determined that the seven properties abutting the Project have been presently benefited by the Project and that these seven properties are improved or can potentially be improved with a total of fourteen dwelling units, each of which would utilize a single sewer connection ("EDU").

Section 4. Although the total assessable cost of the Project is \$114,537.37, the Board of Commissioners has determined that, with regard to this particular Project, the Township will assume the cost of the professional fees, leaving a balance to be assessed against the benefited properties of \$97,841.21.

Section 5. In accordance with the benefit assessment method provided for in the First Class Township Code, each of the properties benefited now or in the future by the Project will be assessed for a benefit in the total amount of \$6,988.65 per EDU.

Section 6. The owners of those properties having the potential for future improvement shall enter into separate agreements to pay the Township the assessed benefit amount for each EDU utilized, together with interest at the rate of six percent (6%) from the date of this assessment, at the time of such improvement, and such agreements shall be recorded with the Montgomery County Office for the Recording of Deeds and run with the land.

Section 7. The Township Manager is directed to forward Notices of Assessment to each abutting property owner benefited by the Project.

Section 8. The Township Manager is directed to advise each property owner that if they agree to the assessment of benefits and enter into an installment payment agreement with the Township they may make payment of the total assessment amount together with the connection fee in twenty (20) quarterly installments amortized over a term of five (5) years together with interest at the rate of six percent (6%) per annum. In the event that a property owner enters into an installment payment agreement, and then defaults, all sums owed under the agreement shall immediately become due and payable, and interest shall continue to be imposed at the rate of 10% per annum. No municipal lien shall be filed for any assessment when a property owner has accepted a payment plan, except in the event of a default in the payment thereof for a period exceeding thirty (30) days, in which event a lien shall be filed for the balance due on such assessment together with accumulated interest and a penalty of 5% of the balance due.

In the event an owner declines to agree to the installment method of payment, payment shall be made in full without interest within one hundred twenty (120) days of notification by the Township of the assessment. Any sums which shall remain outstanding following this initial payment period, shall bear interest payable to the Township at the rate of 10% per annum from the date of the assessment, plus a penalty on such assessment of 5%.

Section 9. In the event an owner declines to agree to the assessment of benefits herein set forth and declines to make payment of the assessment within one hundred twenty (120) days of notification by the Township of the assessment, the Township Solicitor is authorized to file a

Petition for the Appointment of a Jury of View to assess the benefits and thereafter to file a municipal lien for the amount confirmed by the Jury of View and to collect the entirety thereof from the owner, together with interest, penalty and costs, as provided by law.

Section 10. Nothing in this ordinance shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the Township Code prior to the adoption of this ordinance.

Section 11. The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 12. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED by the Board this 13th day of April, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



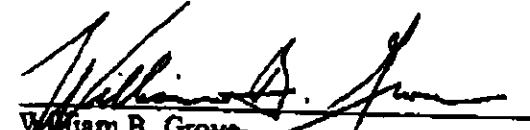
H. WILLIAM GIFT, PRESIDENT

g:\ud\proj\susquehanna\sewer assess ord EDU benefit

DECLARATION OF COMPLETION

SUSQUEHANNA ROAD SANITARY SEWER

I, the undersigned, hereby declare that the work provided for in a certain agreement between the Township of Upper Dublin and G & M Enterprises dated October 6, 1998 relative to the construction and installation of improvement of sanitary sewers on Susquehanna Road has been completed on March 8, 1999 to the extent of \$114,537.37. This release of funds shall not be construed as acceptance of the work by the Township, nor shall this declaration act or constitute any waiver by the Township and the Township reserves the right to re-examine the work and to require the contractor to correct any and all defects and deficiencies.


William B. Grove
Director of Public Works

16 March 1999
Date



Paul A. Leonard
Township Manager

EXHIBIT "A"

Statement of Costs

Susquehanna Road Sanitary Sewer

We, the undersigned, hereby declare that the costs itemized below are the total expenses incurred by Upper Dublin Township for the installation of sanitary sewers on Susquehanna Road.

Contract cost of Installation	\$97,841.21
Engineering fees:	
Sewer Engineer	5,500.00
Township Forces	3,696.16
Legal Fees	<u>7,500.00</u>
	\$114,537.37

3-11-77
Date


Jonathan Bleemer
Finance Director


Paul A. Leonard
Township Manager

EXHIBIT "B"

AN ORDINANCE
NO. 995

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 212, SUBDIVISION AND LAND DEVELOPMENT, BY ADDING A NEW SECTION 212-35A, "TRANSPORTATION IMPACT STUDY" TO REQUIRE THAT AN APPLICANT FOR CERTAIN SUBDIVISIONS AND LAND DEVELOPMENTS SHALL PROVIDE A TRANSPORTATION IMPACT STUDY ANALYZING THE PROJECT SITE AND SURROUNDING INTERSECTIONS WHICH MAY BE AFFECTED BY THE PROJECT; PROVIDING THAT THE TOWNSHIP MAY REQUIRE THE IMPACT STUDY TO BE REVIEWED BY THE TOWNSHIP TRAFFIC ENGINEER WHOSE FEES WILL BE REIMBURSED BY THE APPLICANT; OUTLINING INFORMATION TO BE CONTAINED IN THE TRANSPORTATION IMPACT STUDY INCLUDING GENERAL SITE DESCRIPTION, TRANSPORTATION FACILITIES DESCRIPTION, EXISTING TRAFFIC CONDITIONS, ANALYSIS OF THE TRANSPORTATION IMPACT, AND CONCLUSIONS AND RECOMMENDATIONS FOR IMPROVEMENTS; AND PROVIDING THAT THE BOARD OF COMMISSIONERS MAY DETERMINE THAT CERTAIN IMPROVEMENTS CONTAINED IN THE STUDY SHALL BE REQUIRED FOR PRELIMINARY PLAN APPROVAL.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT and ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, should be amended to add a new section 212-35A as follows:

§212-35A. Transportation Impact Study.

- A. Whenever a transportation impact study is required, it is anticipated that the study will enable the township to assess the impact of a proposed development on the local transportation system. Its purpose is to ensure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access from the site to the existing transportation network. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development. The study shall assist in the protection of air quality, the conservation of energy and the encouragement of public transportation use.

B. Subdivisions and land developments for which a study is required.

- (1) A transportation impact study shall be required for all subdivisions and land developments that meet one (1) or more of the following criteria:
 - (a) Residential: twenty (20) or more dwelling units.
 - (b) Commercial: a commercial building or buildings consisting of fifteen thousand (15,000) square feet or more of gross floor area or when the Zoning Code (Chapter 255) requires sixty (60) or more parking spaces for the proposed use.
 - (c) Office: a development consisting of fifteen thousand (15,000) square feet or more of gross floor area or when the Zoning Code (Chapter 255) requires sixty (60) or more parking spaces for the proposed use.
 - (d) Industrial: a development consisting of twenty five thousand (25,000) square feet or more of gross floor area or when the Zoning Code (Chapter 255) requires forty (40) or more parking spaces for the proposed use.
 - (e) Institutional: a development consisting of twenty-five thousand (25,000) square feet or more of gross floor area or when the Zoning Code (Chapter 255) requires one hundred (100) or more parking spaces for the proposed use.
 - (f) Other: fast food or drive-thru restaurants; convenience stores; drive-in movie theatres; gas stations; car wash.
- (2) The Board of Commissioners, at its discretion, may require the preparation of a transportation impact study for any other subdivision or land development or other major change of use of property.
- (3) The developer shall reimburse the Township for reasonable fees and expenses incurred by the Township Traffic Engineer for the review of the developer's transportation impact study and plans.

C. A transportation impact study shall be provided for a given study area. The boundaries of the study area to be analyzed shall include those intersections which may be affected by the proposed subdivision or land development. If

there is any dispute as to whether an intersection may be affected or not, the final discretion shall rest with the Township Traffic Engineer.

D. The transportation impact study shall contain, but not be limited to, the following information:

- (1) General site description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed land development. If the development is residential, types of dwelling units and number of bedrooms shall also be included. A brief description of other major existing and proposed land developments within the study area shall be provided. The general site description shall also include probable characteristics of potential site users to the extent that they may affect the transportation needs of the site (e.g., number of senior citizens).
- (2) Transportation facilities description.
 - (a) The description shall contain full documentation, including plans, of the proposed internal transportation system. This description shall include proposed internal vehicular, bicycle, pedestrian and other inter-modal circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations, and any traffic signals or other intersection control devices within the site. The site design shall be shown to maximize potential public transportation usage to and from the development, such as providing adequate turning radii at all access points to allow a bus to enter the development. Bus shelter and sign locations shall be designated where appropriate.
 - (b) The report shall describe the entire external roadway system within the study area. Driveways adjacent to or across from proposed site access points shall be identified. Major intersections in the study area shall be identified and mapped. All existing and proposed public transportation services and facilities within a one-mile radius of the site shall also be documented. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from the Twelve-Year Highway Capital Program for the Delaware Valley Region and from the Pennsylvania Department of

Transportation. Any proposed roadway improvements resulting from proposed surrounding developments shall also be recorded.

- (3) Existing traffic conditions.
 - (a) Existing traffic conditions shall be measured and documented for all streets and intersections in the study area. Traffic volumes shall be recorded for existing average daily traffic, existing peak hour traffic and for the subdivision's peak hour traffic. Complete traffic counts at all intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s), and documentation shall be included in the report. A volume capacity analysis based upon existing volumes shall be performed during the peak hour(s) and the peak development-generated hour(s) for all roadways and major intersections in the study area. A volume capacity analyses based upon existing volumes shall be performed using the procedures of the current Highway Capacity Manual, during the peak hour(s) and the peak development generated hour(s) for all roadways and major intersections in the study area. Levels of service shall be determined for each location.
 - (b) This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or intersections experiencing levels of service E or F shall be noted as congestion locations.
- (4) Transportation impact of the development. Estimation of vehicular trips to result from the proposal shall be completed for both the street system and the development-generated peak hour(s). These development-generated traffic volumes shall be provided for the inbound and outbound traffic movements as estimated. Acceptable source(s) and methodology shall be followed. These generated volumes shall be distributed to the study area and assigned to the existing streets and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to all access points. Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause unusual trip generation rates and/or traffic flows shall be noted.

- (5) Analysis of transportation impact.
- (a) The total future traffic demand based on full occupancy of the proposed subdivision or land development, shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year, the development-generated traffic, background growth, and the traffic generated by other proposed developments in the study area. A volume/capacity analysis shall also be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed using the peak highway hour(s) and peak development-generated hour(s) for all streets and major intersections in the study area. Volume/capacity calculations shall be completed for all major intersections. Levels of service for all streets and intersections shall be listed.
 - (b) All access points and pedestrian crossings shall be examined as to the feasibility of installing traffic signals. This evaluation shall compare the projected traffic and pedestrian volumes to the warrants for traffic signal installation.
- (6) Conclusions and recommended improvements.
- (a) All streets and/or intersections showing a level of service below D shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. Highway capacity evaluations shall consider not only the overall intersection level of service, but also each approach and movement to identify any substandard values which need to be improved. The listing of recommended improvements might include, but not be limited to the following elements: internal circulation design; site access location and design; external street and intersection improvements; traffic signal installation and operation, including signal timing, signal upgrade, signal coordination through time based, hardware interconnection, or intelligent traffic systems; transit design improvements; and improvements to facilitate transit service.
 - (b) At locations where the level of service for the design year is deficient without the proposed development, determine

improvements which would not only provide a level of service and delay no worse than conditions without development, but which would improve such level of service and delay.

- (c) Existing and/or future public transportation service shall also be addressed. A listing of all actions to be undertaken to increase present public transportation usage and improve service, if applicable, shall be included.
- (d) The listing of recommended improvements for both streets and transit shall include, for each improvement, the party responsible for the improvement, a preliminary cost estimate and funding of the improvement and the phase of development during which the improvement must be completed.
- (e) The Board of Commissioners shall review the transportation impact study or have its own consulting Traffic Engineer review the impact study at the applicant's expense, to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision and make recommendations to the Board of Commissioners.
- (f) The Board of Commissioners may decide that certain improvements contained in the study on or adjacent to the site or at other locations impacted by the traffic generated by the development of the site are required for preliminary plan approval and may attach those conditions to the plan approval.
- (g) The roadway and signal improvement plans shall not be submitted to the Pennsylvania Department of Transportation until such plans are approved by the Board of Commissioners or the Montgomery County Department of Roads and Bridges. This submittal to the Pennsylvania Department of Transportation shall be accompanied by comments of the Board of Commissioners and the Montgomery County Planning Commission.

Section 2. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

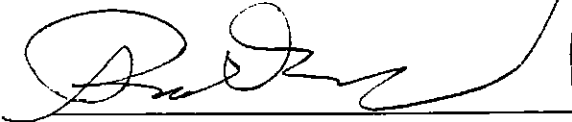
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *13* day of *APRIL*, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY
ud\ord\transportation impact study sig



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 996

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE: CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE II, TRAFFIC REGULATIONS, TO ADD A NEW SECTION 233-18.2, "CLOSING OF CAMP HILL ROAD TO CERTAIN VEHICLE USE", TO PROHIBIT ACCESS FROM THE FORT WASHINGTON OFFICE CENTER DIRECTLY ONTO CAMP HILL ROAD BETWEEN THE INTERSECTION OF CAMP HILL ROAD WITH VIRGINIA DRIVE AND THE INTERSECTION OF CAMP HILL ROAD WITH OFFICE CENTER DRIVE.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article II, Traffic Regulations, shall be amended to add a new Section 233-18.2, "Closing of Camp Hill Road to certain vehicle use", which shall read as follows:

§ 233-18.2. Closing of Camp Hill Road to certain vehicle use.

It shall be unlawful for any operator of any vehicle to access Camp Hill Road to or from a property located in the Fort Washington Office Center at any point between the intersection of Camp Hill Road with Virginia Drive and the intersection of Camp Hill Road with Office Center Drive, except in emergency situations.

Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 233 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be

the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 11 day of MAY, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



WILLIAM H. GIFT, PRESIDENT

AN ORDINANCE
NO. 997

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE III, "PARKING REGULATIONS", SECTION 233-23.1 "PARKING PERMIT PROGRAM" TO DESIGNATE THAT CURBSIDE PARKING ON THE FOLLOWING STREET SHALL BE SUBJECT TO THE REGULATIONS OF THIS PROGRAM FROM THE DATE OF PASSAGE OF THIS ORDINANCE TO JUNE 30, 2000: LOCH ALSH AVENUE, NORTH SIDE, FROM FORT WASHINGTON AVENUE TO THE 309 EXPRESSWAY OVERPASS; CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-56, "TIME LIMIT PARKING" BY ESTABLISHING A TWO-HOUR PARKING LIMIT BETWEEN THE HOURS OF 7:00 A.M. TO 3:00 P.M., MONDAY THROUGH FRIDAY ON LOCH ALSH AVENUE, SOUTH SIDE, FROM TWENTY FIVE FEET EAST OF THE EASTERN CORNER OF THE UPPER DUBLIN PUBLIC LIBRARY PARKING LOT TO FORT WASHINGTON AVENUE.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article III, "Parking Regulations" shall be amended by adding thereto the following section:

ARTICLE III
Parking Regulations

233-23.1 Parking permit program.

C. Designation of permit parking areas.

- (2) Permit parking areas enumerated. The following shall be permit parking areas during the times indicated:

- (a) Until June 30, 2000, parking without a permit shall be unlawful between the hours of 7:00 a.m. and 3:00 p.m., Mondays through Fridays, except on legal holidays on Loch Alsh Avenue, north side, from Fort Washington Avenue to the 309 Expressway Overpass.

* * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-56, Time Limit Parking, shall be amended to provide as follows:

§ 233-56. Schedule XV: Time Limit Parking.

In accordance with the provisions of §233-23, no person shall park a vehicle or allow the same to remain parked upon any of the streets or parts thereof described below, between the hours specified, for longer than the time indicated below:

Name of Street	Side	Time Limit; Hours/Days	Location
* * * * *			
Loch Alsh Avenue	South	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From 25 feet east of the eastern corner of the entrance to the Upper Dublin Public Library parking lot to Fort Washington Avenue
* * * * *			

Section 3. Nothing in this Ordinance or in Section 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Section 233 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be

the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after June 30, 1999.


ENACTED AND ORDAINED this 11th day of *MAY*, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

ud\ord\vehtraf\highschoolpermitparkingord99sig

AN ORDINANCE

NO. 998

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR AN ASSESSMENT IN THE TOTAL AMOUNT OF \$85,495.33 FOR THE COST OF CONSTRUCTING A PUBLIC SANITARY SEWER NORRISTOWN ROAD, A PUBLIC STREET, CONSTRUCTING A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN FROM AN EXISTING TERMINAL MANHOLE LOCATED AT THE INTERSECTION OF NORRISTOWN ROAD AND CARPENTER LANE, DUE EAST FOR A DISTANCE OF 780 FEET, INCLUDING 3 MANHOLES AND LATERAL CONNECTIONS FOR EIGHT (8) EXISTING HOMES IN PROPORTION TO THE BENEFITS TO EACH PROPERTY ABUTTING THEREON, ASSESSING THE BENEFIT IN THE AMOUNT OF \$10,686.91 TO BE CHARGED AGAINST EACH PROPERTY ACCOMMODATED OR BENEFITED BY THE CONSTRUCTION AND INSTALLATION THEREOF, WHICH PROPERTIES ARE SITUATED AT 1620, 1621, 1626, 1627, 1633, 1639, 1645, AND 1646 NORRISTOWN ROAD, UPPER DUBLIN TOWNSHIP, AND AUTHORIZING PAYMENT THEREFORE UPON EXECUTION OF AN AGREEMENT IN FORTY (40) QUARTERLY AMORTIZED INSTALLMENTS TOGETHER WITH INTEREST AT 4.76% PER ANNUM.

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, the Township of Upper Dublin has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, pursuant to Ordinance No. 975 enacted by the Board of Commissioners of the Township of Upper Dublin on August 11, 1998, a public sanitary sewer collection line has been constructed and installed to service properties situated at 1620, 1621, 1626, 1627, 1633, 1639, 1645, and 164 Norristown Road, Upper Dublin Township, (hereinafter the "Project"); and

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to assess the cost for any public sewer system constructed in the Township upon the properties accommodated or benefited by the sewer system.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin, does hereby enact and ordain as follows:

Section 1. The Project has been completed as of May 18, 1999 and is available for use by the abutting property owners as certified by the Township Engineer.

Section 2. The total cost for the construction and installation of the Project has been determined to be \$85,495.33 in accordance with the Statement of Costs dated May 20, 1999, including contract cost of installation, engineering fees, legal fees, and Township inspections of the Project. A copy of the Statement of Costs is attached hereto and marked as Exhibit "A".

Section 3. The Township has determined that the 8 properties abutting the Project have been equally benefited by the Project. In accordance with the benefit assessment method provided for in the First Class Township Code, each of the 8 properties benefited will be assessed for that benefit in the total amount of Ten Thousand Six Hundred Eighty Six Dollars and Ninety One Cents (\$10,686.91).

Section 4. The Township Manager is directed to forward Notices of Assessment to each abutting property owner benefited by the Project.

Section 5. The Township Manager is directed to advise each property owner that if they agree to the assessment of benefits and enter into an installment payment agreement with the Township they may make payment of the total assessment amount in forty (40) quarterly installments amortized over a term of ten (10) years together with interest at the rate of 4.76% per annum. In the event that a property owner enters into an installment payment agreement, and then defaults, all sums owed under the agreement shall immediately become due and payable, and interest shall continue to be imposed at the rate of 10% per annum. No municipal lien shall be filed for any assessment when a property owner has accepted a payment plan, except in the event of a default in the payment thereof for a period exceeding thirty (30) days, in which event a lien shall be filed for the balance due on such assessment together with accumulated interest and a penalty of 5% of the balance due.

Section 6. In the event an owner declines to agree to the installment method of payment, payment shall be made in full without interest within one hundred twenty (120) days of notification by the Township of the assessment. Any sums which shall remain outstanding following this initial payment period, shall bear interest payable to the Township at the rate of 10% per annum from the date of the assessment, plus a penalty on such assessment of 5%.

Section 7. In the event an owner declines to agree to the assessment of benefits herein set forth and declines to make payment of the assessment within one hundred twenty (120) days of notification by the Township of the assessment, the Township Solicitor is authorized to file a Petition for the Appointment of a Jury of View to assess the benefits and thereafter to file a municipal lien for the amount confirmed by the Jury of View and to collect the entirety thereof from the owner, together with interest, penalty and costs, as provided by law.

Section 8. Nothing in this Ordinance or in the Code of the Township of Upper Dublin, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Code prior to the adoption of this Ordinance.

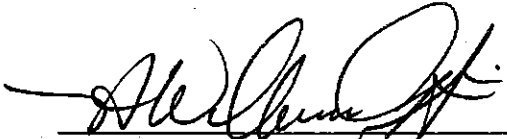
Section 9. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 10. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 8th day of JUNE, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



H. WILLIAM GIFT, PRESIDENT



PAUL A. LEONARD, SECRETARY

g:\ud\proj\norristown road sewer\sewer assess ord

Statement of Costs


Norristown Road Sanitary Sewer

We, the undersigned, hereby declare that the costs itemized below are the total expenses incurred by Upper Dublin Township for the installation of sanitary sewers on Norristown Road.

Contract cost of Installation	\$77,705.00
Engineering fees:	
Sewer Engineer	2,700.00
Township Forces	4,090.33
Legal Fees	<u>1,000.00</u>
	\$ 85,495.33

5/20/99
Date

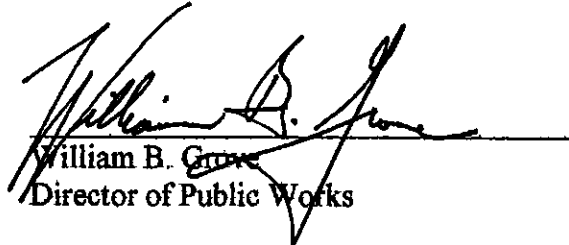

Jonathan Bleemer
Finance Director


Paul A. Leonard
Township Manager

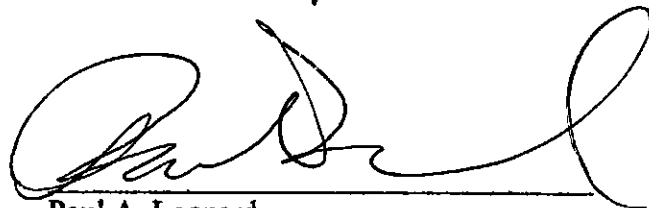
DECLARATION OF COMPLETION

NORRISTOWN ROAD SANITARY SEWER

We, the undersigned, hereby declare that the work provided for in a certain agreement between the Township of Upper Dublin and J & P Contractors dated December 16, 1998 relative to the construction and installation of improvement of sanitary sewers on Norristown Road has been completed on May 18, 1999 to the extent of \$85,495.33. This release of funds shall not be construed as acceptance of the work by the Township, nor shall this declaration act or constitute any waiver by the Township and the Township reserves the right to re-examine the work and to require the contractor to correct any and all defects and deficiencies.


William B. Grove
Director of Public Works

5/20/99
Date


Paul A. Leonard
Township Manager

AN ORDINANCE

NO. 999

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR AN ASSESSMENT IN THE TOTAL AMOUNT OF \$19,651.16 FOR THE COST OF CONSTRUCTING A PUBLIC SANITARY SEWER WITHIN FORT WASHINGTON AVENUE, A PUBLIC STREET, CONSTRUCTING A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN FROM AN EXISTING TERMINAL SANITARY SEWER MANHOLE CONTAINED WITHIN TOWNSHIP EASEMENT, 550 FEET NORTHWEST OF ANNA MARIE CIRCLE, EXTENDING IN TWO DIRECTIONS: 1) FOR 146 FEET IN THE SOUTHWEST DIRECTION; 2) FOR 46 FEET IN THE NORTHEAST DIRECTION, WITH THE TOTAL LENGTH BEING APPROXIMATELY 192 FEET AND INCLUDING FOUR LATERAL CONNECTIONS TO THE REAR OF ADJACENT PROPERTIES WITH FRONTAGE ON FORT WASHINGTON AVENUE IN PROPORTION TO THE BENEFITS TO EACH PROPERTY ABUTTING THEREON, ASSESSING THE BENEFIT IN THE AMOUNT OF \$4,912.79 TO BE CHARGED AGAINST EACH PROPERTY ACCOMMODATED OR BENEFITED BY THE CONSTRUCTION AND INSTALLATION THEREOF, WHICH PROPERTIES ARE SITUATED AT 1511, 1517, 1523 AND 1529 FORT WASHINGTON AVENUE, UPPER DUBLIN TOWNSHIP, AND AUTHORIZING PAYMENT THEREFORE UPON EXECUTION OF AN AGREEMENT IN TWENTY (20) QUARTERLY AMORTIZED INSTALLMENTS TOGETHER WITH INTEREST AT 6% PER ANNUM.

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, the Township of Upper Dublin has the authority to establish and construct sewers and drainage systems for the disposal of sanitary wastewater sewerage; and

WHEREAS, pursuant to Ordinance No. 993 enacted by the Board of Commissioners of the Township of Upper Dublin on April 13, 1999, a public sanitary sewer collection line has been constructed and installed to service properties situated at 1511, 1517, 1523 and 1529 Fort Washington Avenue, Upper Dublin Township, (hereinafter the "Project"); and

WHEREAS, in accordance with the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to assess the cost for any public sewer system constructed in the Township upon the properties accommodated or benefited by the sewer system.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin, does hereby enact and ordain as follows:

Section 1. The Project has been completed as of May 21, 1999 and is available for use by the abutting property owners as certified by the Township Engineer.

Section 2. The total cost for the construction and installation of the Project has been determined to be \$19,651.16 in accordance with the Statement of Costs dated May 21, 1999, including contract cost of installation, engineering fees, legal fees, and Township inspections of the Project. A copy of the Statement of Costs is attached hereto and marked as Exhibit "A".

Section 3. The Township has determined that the four properties abutting the Project have been equally benefited by the Project. In accordance with the benefit assessment method provided for in the First Class Township Code, each of the 4 properties benefited will be assessed for that benefit in the total amount of Four Thousand Nine Hundred Twelve Dollars and Seventy Nine Cents (\$4,912.79).

Section 4. The Township Manager is directed to forward Notices of Assessment to each abutting property owner benefited by the Project.

Section 5. The Township Manager is directed to advise each property owner that if they agree to the assessment of benefits and enter into an installment payment agreement with the Township they may make payment of the total assessment amount in twenty (20) quarterly installments amortized over a term of five (5) years together with interest at the rate of 4.76% per annum. In the event that a property owner enters into an installment payment agreement, and then defaults, all sums owed under the agreement shall immediately become due and payable, and interest shall continue to be imposed at the rate of 10% per annum. No municipal lien shall be filed for any assessment when a property owner has accepted a payment plan, except in the event of a default in the payment thereof for a period exceeding thirty (30) days, in which event a lien shall be filed for the balance due on such assessment together with accumulated interest and a penalty of 5% of the balance due.

Section 6. In the event an owner declines to agree to the installment method of payment, payment shall be made in full without interest within one hundred twenty (120) days of notification by the Township of the assessment. Any sums which shall remain outstanding following this initial payment period, shall bear interest payable to the Township at the rate of 10% per annum from the date of the assessment, plus a penalty on such assessment of 5%.

Section 7. In the event an owner declines to agree to the assessment of benefits herein set forth and declines to make payment of the assessment within one hundred twenty (120) days of notification by the Township of the assessment, the Township Solicitor is authorized to file a Petition for the Appointment of a Jury of View to assess the benefits and thereafter to file a municipal lien for the amount confirmed by the Jury of View and to collect the entirety thereof from the owner, together with interest, penalty and costs, as provided by law.

Section 8. Nothing in this Ordinance or in the Code of the Township of Upper Dublin, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Code prior to the adoption of this Ordinance.

Section 9. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 10. This Ordinance shall take effect and be in force from and after its approval as required by law.


ENACTED AND ORDAINED this 8th day of JUNE, 1999.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

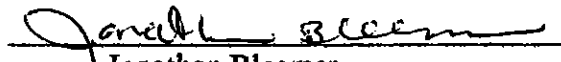
Statement of Costs

Fort Washington Avenue Sanitary Sewer

We, the undersigned, hereby declare that the costs itemized below are the total expenses incurred by Upper Dublin Township for the installation of sanitary sewers for dwellings on Fort Washington Avenue.

Contract cost of Installation	\$16,512.43
Engineering fees:	
Sewer Engineer	642.50
Township Forces	1,741.83
Legal Fees	<u>754.40</u>
	\$ 19,651.16

5/21/99
Date

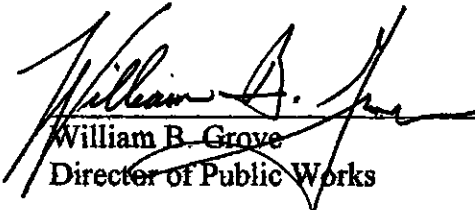

Jonathan Bleemer
Finance Director


Paul A. Leonard
Township Manager

DECLARATION OF COMPLETION

FORT WASHINGTON AVENUE SANITARY SEWER

We, the undersigned, hereby declare that the work provided for in a certain agreement between the Township of Upper Dublin and Borrell Excavating, Inc. dated April 22, 1999 relative to the construction and installation of improvement of sanitary sewers on Fort Washington Ave. has been completed on May 21, 1999 to the extent of \$19,651.16. This release of funds shall not be construed as acceptance of the work by the Township, nor shall this declaration act or constitute any waiver by the Township and the Township reserves the right to re-examine the work and to require the contractor to correct any and all defects and deficiencies.



William B. Grove
Director of Public Works

21 May 1999
Date



Paul A. Leonard
Township Manager