

## UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
1000	06/08/1999	Authorization to Issue General Obligation Bond
1001	06/08/1999	Senior Assisted Living Residence in Multi-Dwelling Zoning District
1002	07/13/1999	Girard Avenue Parking
1003	08/10/1999	Amendment to Cellular Communications Antennas
1004	09/14/1999	Non-Conforming Use
1005	09/14/1999	Off-Street Parking and Loading
1006	09/14/1999	Floodplain Conservation District
1007	09/14/1999	Commercial Use Sewer Tapping Fee
1008	09/14/1999	Sewer Construction Broad Street Project
1009	09/14/1999	Sewer Construction Mondauk Project
1010	10/12/1999	Adult and Children Day Care
1011	11/09/1999	Stormwater Management Provisional Ordinance
1012	12/14/1999	Budget Ordinance for 2000
1013	12/14/1999	Set Tax Rates 2000
1014	12/14/1999	A1 & A2 Residential Zoning District
1015	12/14/1999	“C” Residential Zoning District
1016	12/14/1999	Franklin Lane Stop Sign
1017	01/11/2000	School Lane & Jill Road Parking
1018	01/11/2000	Amend Waste Collection for Apartment Buildings
1019	01/11/2000	Andover Estates Sanitary Sewer Project
1020	01/11/2000	Highland Avenue No Parking

## **UPPER DUBLIN TOWNSHIP ORDINANCES**

<b><u>No.</u></b>	<b><u>Date</u></b>	<b><u>Description</u></b>
1021	02/08/2000	Amend Notice Provisions
1022	02/08/2000	Amend Sewer Rental Fee
1023	02/08/2000	Highland Avenue Thirty Minute Parking
1024	02/08/2000	Establish Meeting Dates for 2000
1025	03/14/2000	Zoning Fees
1026	03/14/2000	Sanitary Sewer Pretreatment Program
1027	04/11/2000	Required Connections to Sanitary Sewer System
1028	04/11/2000	Revisions to Residential Fire Sprinkler Ordinance
1029	05/09/2000	Official Township Street Map
1030	05/09/2000	Highland Avenue Sanitary Sewer Project
1031	05/09/2000	Pinetown Road No Parking
1032	05/09/2000	Woodland Road No Parking
1033	05/09/2000	Catlin Way Sewer Assessment
1034	06/13/2000	Dresher Overlay District Ordinance
1035	06/13/2000	Amended Animal Ordinance
1036	06/13/2000	Sidewalk and Curb Standards Ordinance
1037	07/11/2000	Mundock Road Sewer Project
1038	07/11/2000	Loch Alsh Avenue Permit Parking
1039	08/08/2000	Dresher Overlay District Boundaries
1040	08/08/2000	Amend Cellular Communication Antennas
1041	08/08/2000	Uses Permitted in "C" Residential District
1042	08/08/2000	Expansion of Use Permitted by Special Exception or Conditional Use

## **UPPER DUBLIN TOWNSHIP ORDINANCES**

<b><u>No.</u></b>	<b><u>Date</u></b>	<b><u>Description</u></b>
1043	09/12/2000	Amendment to Sidewalk and Curb Ordinance
1044	09/12/2000	Sanitary Sewer Regulations Ordinance
1045	10/10/2000	Amendment to Dresher Overlay District
1046	10/10/2000	Amendment to Fire Prevention - Key Lock Box
1047	10/10/2000	Amend 1998 General Obligation Note Use of Proceeds
1048	11/14/2000	Maple Glen Sanitary Sewer
1049	12/12/2000	Budget Ordinance for 2001
1050	12/12/2000	Set Tax Rates 2001
1051	12/12/2000	Fort Washington Office Park Transportation Development District
1052	01/09/2001	Establish Meeting Dates for 2001
1053	01/09/2001	Amend Twining Road Speed Limit
1054	01/09/2001	Amend and Restate the Upper Dublin Township Police Pension Plan
1055	01/09/2001	Amend and Restate the Upper Dublin Township Non-Uniformed Employee Pension Plan
1056	02/13/2001	Restricted Parking Vicinity of High School
1057	02/13/2001	Amend Sewer Rates In Upper Dublin Township Sewer District
1058	02/13/2001	Amend Sewer Rates in Fort Washington Industrial Park Sewer System
1059	02/13/2001	Increase Compensation of Township Treasurer
1060	03/13/2001	Amend Right Turns on Red Signal at Ft. Washington Ave and Limekiln Pike
1061	03/13/2001	Benefit Assessment to Property Owners for Public Sanitary Sewer on Limekiln Pike and Mundock Rd.

## UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
1062	05/08/2001	Snow and Ice Removal
1063	05/08/2001	Amend Upper Dublin Township Police Pension Plan
1064	06/12/2001	Willow Avenue Stop Sign
1065	07/10/2001	Conditional Use and Special Exception Expiration
1066	07/10/2001	Sign Ordinance
1067	08/14/2001	Parks and Recreation Rules and Regulations – Permits
1068	10/09/2001	Sale of Sanitary Sewer Systems
1069	10/09/2001	Loch Alsh Avenue Permit Parking
1070	10/09/2001	Maple Glen Sanitary Sewer Ordinance
1071	11/13/2001	Shaw Drive Parking
1072	12/11/2001	Budget Ordinance for 2002
1073	12/11/2001	Set Tax Rates 2002
1074	12/11/2001	Woodland Road Parking
1075	12/11/2001	General Obligation Bonds
1076	02/12/2002	Establish Meeting Dates for 2002
1077	02/12/2002	Two Hour Parking Vicinity of High School
1078	03/12/2002	Fort Washington Traffic Calming
1079	03/12/2002	Apel Avenue Parking
1080	03/12/2002	Accessory Dwellings
1081	03/12/2002	Leaf Waste Collection
1082	04/09/2002	EC Employment Center Overlay District
1083	04/09/2002	Fort Washington Industrial Park Sewer Fee

## UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
1084	04/09/2002	Shade Tree Commission Permits
1085	04/16/2002	Extension of Dresher Overlay District
1086	04/16/2002	Updated Zoning Map
1087	04/16/2002	Institutional Parking
1088	04/16/2002	Amendment to MHD - Mobile Home Development
1089	06/11/2002	Commercial Parking
1090	06/11/2002	Fort Washington Avenue Parking
1091	08/13/2002	Ward Reapportionment
1092	09/10/2002	Off Premise Sign
1093	10/08/2002	Outdoor Lighting
1094	10/08/2002	Sanitary Sewer System
1095	10/08/2002	Loch Alsh Avenue Parking
1096	11/12/2002	Escrow Fund
1097	12/10/2002	Budget Ordinance 2003
1098	12/10/2002	Set Tax Rates 2003
1099	12/10/2002	Permit Fees

TOWNSHIP OF UPPER DUBLIN  
Montgomery County, Pennsylvania

ORDINANCE 1000

AN ORDINANCE INCREASING THE NONELECTORAL INDEBTEDNESS OF TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, BY THE ISSUANCE OF A \$1,193,871 GENERAL OBLIGATION NOTE, SERIES OF 1999 FOR AND TOWARD FINANCING CERTAIN CAPITAL PROJECTS; FIXING THE FORM, DATE, INTEREST RATE AND MATURITY THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENTS; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITARY FOR THE NOTE; AND AUTHORIZING THE EXECUTION, SALE AND DELIVERY OF THE NOTE AND OTHER NECESSARY ACTION.

WHEREAS, the County of Montgomery, Pennsylvania (the "County") has undertaken an Infrastructure Loan Program (the "Program") whereby it loans funds to municipalities within the County for improvements to public infrastructure; and

WHEREAS, the Township of Upper Dublin, Montgomery County, Pennsylvania (the "Local Government Unit"), has determined to participate in the Program and to finance construction, reconstruction and improvement of various Local Government Unit streets, roads and highways, including sidewalk construction and certain related improvements in the Local Government Unit, as more specifically described in Exhibit A attached hereto and made a part hereof (the "Projects"); and

WHEREAS, the governing body of the Local Government Unit contemplates the authorization, sale, issuance and delivery of a note in the aggregate principal amount of \$1,193,871 to be designated as the General Obligation Note, Series of 1999 (the "Note") to finance the Projects, all in accordance with applicable and appropriate provisions of the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, as codified by the Act of December 19, 1996, P.L. 1158, No. 177 (the "Act"); and

WHEREAS, the proposed increase in indebtedness, together with the Local Government Unit's nonelectoral indebtedness and its lease rental indebtedness presently outstanding, will not cause the debt limitations of the Act to be exceeded.

NOW, THEREFORE, BE IT ENACTED, by the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, and it is hereby ordained and enacted as follows:

**SECTION 1.** The Local Government Unit hereby approves the Projects as more specifically described in Exhibit A to this Ordinance. The Local Government Unit hereby authorizes an increase in its indebtedness through the issuance of the Note in the aggregate principal amount of \$1,193,871, the same to be issued as nonelectoral debt under the Act and for the purpose of providing funds for and toward the Projects.

The Local Government Unit hereby reserves the right to undertake the Projects in such order and at such time or times as it shall determine and to allocate the proceeds of the Note 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 Note shall be used solely to pay the "costs," as defined in the Act, of the Projects.

It is hereby determined and stated that the estimated useful lives of the Projects, and realistic estimates of the costs of the Projects, determined through bid prices or estimates from persons qualified by experience to provide such estimates, are as set forth in Exhibit A to this Ordinance.

Principal on the Note is scheduled to mature in accordance with the limitations set forth in Section 8142(a)(2) of the Act. The estimated completion date for the Projects is October 1999.

**SECTION 2.** Said indebtedness shall be evidenced by one general obligation Note, in bearer form, in the sum of \$1,193,871, dated and bearing interest from the date of issuance of said Note on such amounts as have been advanced from time to time by the County, at the rate of interest equal to 0.00% per annum, calculated on a 30/360 day basis, with interest payable to the holder thereof on the unpaid balance of said Note on October 1 of each year, commencing October 1, 1999, to and including October 1, 2008 (each, an "Interest Payment Date"). Principal on the Note shall be payable to the holder thereof in installments as set forth on Exhibit B hereto.

The Note shall be subject to prepayment at any time by the Local Government Unit as set forth in the Form of Note contained in Section 4 hereof.

The principal of and interest on said Note shall be payable at the office of the sinking fund depositary selected for the Note in its capacity as paying agent as hereinafter provided.

The proceeds of the Note shall be advanced by the County from time to time to pay the costs of the Projects. Disbursements shall be made by the County not more frequently than twice a month by payment directly to the contractor, vendor or supplier for the costs of the Projects upon submission by the Local Government Unit to the County of a requisition, including a copy of the invoice from the contractor, vendor or supplier.

**SECTION 3.** The said Note is hereby declared to be a general obligation of the Local Government Unit. The Local Government Unit hereby covenants that the Local Government Unit shall include the amount of debt service on the Note for each fiscal year in which such sums are payable in its budget for that year; shall appropriate such amounts to the payment of such debt service; and shall duly and punctually pay or cause to be paid the principal of the Note and the

interest thereon on the dates and at the place and in the manner stated in the Note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the Local Government Unit is hereby irrevocably pledged. This covenant shall be specifically enforceable.

The amounts which the Local Government Unit hereby covenants to pay in each of the following fiscal years are as set forth in Exhibit B hereto.

**SECTION 4.** The form of said Note which shall be dated the date of issuance thereof shall be substantially as follows:

UNITED STATES OF AMERICA  
COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN  
GENERAL OBLIGATION NOTE, SERIES OF 1999

Dated as of July 13, 1999  
(TAXABLE)

TOWNSHIP OF UPPER DUBLIN, Pennsylvania, a political subdivision of the Commonwealth of Pennsylvania ("Borrower"), for value received, hereby promises to pay to the bearer hereof the principal sum of ONE MILLION ONE HUNDRED NINETY-THREE THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS (\$1,193,871) (the "Loan Amount"), or such lesser sum as shall have been advanced hereunder, and to pay interest from the date hereof on such amounts as have been advanced from time to time hereunder and remain unpaid at the applicable rate set forth below.

Principal of and interest on this Note shall be paid by the Borrower on October 1 of each year, commencing October 1, 1999 (each, a "Payment Date") in equal annual installments sufficient to fully amortize the Loan Amount over the remaining term of the loan, as set forth on the schedule attached hereto and incorporated herein by reference.

The interest payable on each Payment Date shall equal the accrued interest hereon at the applicable rate to the Payment Date.

Each such payment shall be applied first to the payment of fees, charges or expenses of Borrower, then to the payment of any interest accrued, and the balance of such installment shall be applied to any principal then due and payable. Anything herein to the contrary notwithstanding, the entire unpaid principal balance of this Note, together with all interest accrued thereon, shall be due and payable on October 1, 2008. This Note must be surrendered to the Paying Agent with final payment upon maturity of this Note.

This Note shall bear interest at a rate of zero and zero hundredths percent (0.00%) per annum.

All interest on this Note shall be calculated on the basis of a 360-day year and 30-day months. If the payment date for any payment of interest and/or principal falls on a Saturday, Sunday or bank holiday, such payment shall be made on the next succeeding business day (based on interest accrued through the nominal payment date).

Upon (i) the Borrower's failure to make any payment of principal or interest or other payment required to be paid hereunder on or before the date such payment is due, (ii) the Borrower's failure to complete the Projects (as defined in the Ordinance (as defined herein)) financed by this Note by the date set forth in the Ordinance, (iii) the Borrower's default in any payment of principal or interest on or other payments due under any material obligations for borrowed money (other than this Note) or for the deferred purchase price of property beyond any period of grace provided with respect thereto; (iv) the filing of a petition against the Borrower under any bankruptcy, reorganization,

arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction, whether now or hereafter in effect which is not dismissed within 30 days after such filing, provided that the holder hereof shall have the right to intervene in the proceedings prior to the expiration of such 30 days to protect its interests; (v) the filing of a petition in voluntary bankruptcy or the seeking of relief by the Borrower under any provision of any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction, whether now or hereafter in effect, or the Borrower's consenting to the filing of any petition against it under such law; (vi) the Borrower's admission of insolvency or bankruptcy or its failure to generally pay its debts as such debts become due, or its becoming insolvent or bankrupt or making an assignment for the benefit of creditors, or the appointment of a custodian (including without limitation a receiver, liquidator or trustee) of the Borrower, or of any of its property by court order or the taking of possession of the Borrower by a custodian, where such order remains in effect or such possession continues for more than 30 days, provided that the holder hereof shall have the right to intervene in the proceedings prior to the expiration of such 30 day period to protect its interests; (vii) any warranty, representation or statement made or furnished by or on behalf of the Borrower in connection with the making of the loan evidenced by this Note proving to have been false in any material respect when made or furnished; (viii) the use by the Borrower of any portion of the proceeds of this Note for any purpose other than the capital financing of the Projects; (ix) the failure of the Borrower to observe and perform any of the covenants contained in the Ordinance; or (x) any material provision of this Note at any time for any reason ceasing to be valid and binding on the Borrower, or being declared to be null and void, or the validity or enforceability of any thereof being contested by the Borrower or any governmental agency or authority (other than the holder hereof), or if the Borrower shall deny any further liability or obligation under this Note, in addition to any other remedies provided herein or by law, all remaining payments on this Note may be declared to be immediately due and payable to the extent permitted by law, without presentment, demand, protest, or further notice, all of which are expressly waived by the Borrower. In addition, the holder hereof may take whatever other action at law or in equity may appear necessary or desirable to collect the amounts then due and thereafter to become due hereunder and to enforce any other rights of the holder hereunder.

The Paying Agent for this Note is First Union Bank, with its principal corporate trust office in Philadelphia, Pennsylvania, Pennsylvania (the "Paying Agent"). Payments of principal of and interest on this Note are payable in lawful money of the United States of America upon presentation of this Note at the principal corporate trust office of the Paying Agent; upon presentment hereof any such payments shall be noted by the Paying Agent on the legend attached hereto.

This Note is in bearer form and is transferable by the holder hereof, or by any subsequent holder, by delivery hereof. Borrower and the Paying Agent may treat the bearer of this Note as the absolute owner of this Note for all purposes and despite notice to the contrary.

This Note is issued in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, as codified by the Act of December 19, 1996, P.L. 1158, No. 177 (the "Act"), and pursuant to an Ordinance of the Borrower duly enacted on June 8, 1999, (the "Ordinance"). The Note is issued for the purposes set forth in the Ordinance. Reference is hereby made to the Act and the Ordinance for a complete statement of the provisions thereof.

It is covenanted with the holders from time to time of this Note that the Borrower shall (i) include the amount of the debt service for the Note for each fiscal year in which such sums are payable in its budget for that year, (ii) appropriate such amounts from its general revenues for the payment of such debt service, and (iii) duly and punctually pay or cause to be paid from its sinking fund the principal of and the interest on this Note on the dates and at the place and in the manner stated in this Note according to the true intent and meaning thereof. For such budgeting, appropriation and payment, the Borrower pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable. Nothing in this paragraph shall be construed to give the Borrower any taxing power not granted by another provision of law.

Borrower may, at any time, prepay the unpaid principal sum hereof, in whole or in part, at a prepayment price of 100% of principal amount plus accrued interest to the prepayment date, subject to the following conditions: (i) that Borrower shall have given the holder hereof at least thirty (30) days prior written notice of Borrower's intention to make such prepayment; (ii) all prepayments shall be applied first to the payment of any then due and payable fees, charges or expenses of Borrower, then to the payment of interest accrued and other sums due as of the date of such prepayment, and then to a reduction of principal in inverse order of principal installments; and (iii) the Borrower shall obtain the written consent of the holder hereof prior to incurring any obligation or indebtedness, the proceeds of which will be used to prepay all or any portion of this Note.

It is hereby certified that all actions required by the Act to be taken to render this Note valid and obligatory have been duly taken 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 and in the authorization and issuance of this Note exist, have happened and have been performed in regular and due form and manner and as required by law; and that all existing indebtedness of the Borrower is within every limitation prescribed by the Constitution and the statutes of the Commonwealth of Pennsylvania.

The holder hereof shall not by an act of omission or commission be deemed to waive any of its rights or remedies hereunder unless such waiver be in writing and signed by such holder, and then only to the extent specifically set forth therein; a waiver of one event shall not be construed as continuing or as a bar to or waiver of such right or remedy on a subsequent event.

If any provision hereof is found by a court of competent jurisdiction to be prohibited or unenforceable, it shall be ineffective only to the extent of such prohibition or unenforceability, and such prohibition or unenforceability shall not invalidate the balance of such provision to the extent it is not prohibited or unenforceable, nor invalidate the other provisions hereof, all of which shall be liberally construed in favor of the holder hereof in order to effect the provisions of the Note.

This Note does not pledge the general credit or taxing power of the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth of Pennsylvania, other than the Borrower.

The word "Borrower" whenever occurring herein shall be deemed and construed to include the respective heirs, personal representatives, successors and assigns of Borrower. This instrument shall be construed according to and governed by the laws of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, and intending to be legally bound, Borrower has duly executed this Note as of July 13, 1999.

TOWNSHIP OF UPPER DUBLIN

By: \_\_\_\_\_  
(Vice) President

ATTEST:

\_\_\_\_\_  
(Assistant) Secretary

(SEAL)

### SCHEDULE OF DEBT SERVICE PAYMENTS

<b>Year Ending</b>	<b>Principal Payment</b>	<b>Interest Payment</b>	<b>Annual Debt Service</b>
December 31, 1999	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2000	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2001	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2002	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2003	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2004	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2005	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2006	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2007	\$ 119,387.10	0.00%	\$ 119,387.10
December 31, 2008	\$ 119,387.10	0.00%	\$ 119,387.10
<b>TOTAL</b>	<b>\$ 1,193,871.00</b>	<b>0.00%</b>	<b>\$ 1,193,871.00</b>

[END OF NOTE FORM]

**SECTION 5.** The said Note shall be executed in the name and under the corporate seal of the Local Government Unit by the President and attested to by the Secretary. The President is hereby authorized and directed to deliver said Note to the purchaser, and receive payment therefor on behalf of the Local Government Unit. The President and Secretary or Treasurer or any other officers of the Local Government Unit are authorized and directed to prepare, verify and file the debt statement required by Section 8110 of the Act, and to take all other action required by the Act or this Ordinance to effect the issuance of the Note, including, if necessary or desirable, any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidating or subsidized debt.

**SECTION 6.** First Union Bank with its principal corporate trust office in Philadelphia, Pennsylvania, Pennsylvania, is hereby designated as the Paying Agent and Sinking Fund Depository for the obligation herein authorized, and there is hereby created and established a Sinking Fund, to be known as "Sinking Fund-1999 General Obligation Note," for the payment of the principal and interest thereon which shall be deposited into the Sinking Fund no later than the date upon which the same becomes due and payable. The Secretary or Treasurer shall deposit into the Sinking Fund, which shall be maintained until such obligation is paid in full, sufficient amounts for payment of principal and interest on the obligation no later than the date upon which such payments shall become due. The Sinking Fund Depository shall, as and when said payments are due, without further action by the Local Government Unit, withdraw available monies in the Sinking Fund and apply said monies to payment of the principal of and interest on the obligation.

**SECTION 7.** The President and Secretary or any other officers of the Local Government Unit are hereby authorized to contract with First Union Bank, for its services as Sinking Fund Depository for the Note and Paying Agent for the same.

**SECTION 8.** In compliance with Section 8161 of the Act, the members of the governing body have determined that a private sale by negotiation rather than public sale is in the best interest of the Local Government Unit. Therefore, the Note in the amount of \$1,193,871, herein authorized to be issued and sold, is hereby awarded and sold to the County in accordance with its proposal to purchase the said Note at par; provided the said Note is dated the date of delivery thereof to the County and is substantially in the form set forth in Section 4 of this Ordinance; and further provided that the proceedings have been approved by the Department of Community and Economic Development if such approval is required under the provisions of the Act.

**SECTION 9.** The Local Government Unit shall not assume the payment of any tax or taxes in consideration of the purchase of the Note.

**SECTION 10.** The officers of the Local Government Unit are authorized to apply the proceeds of the Note to the purposes set forth in the recitals hereto.

**SECTION 11.** The Local Government Unit covenants for the benefit of the County to observe the covenants set forth hereinbelow.

(a) The Note proceeds shall be used by the Local Government Unit only for capital costs of the Projects, and shall not be used for operational, maintenance, planning, engineering or other similar costs or for the costs of issuance incurred in connection with the issuance of the Note.

(b) The Projects shall be completed no later than October 1999.

(c) (i) The Local Government Unit hereby covenants not to take or omit to take any action so as to cause interest on the County's General Obligation Bonds, Series of 1999 (the "Bond"), a portion of the proceeds of which were used to fund the Program, 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 Note. The Local Government Unit hereby covenants that it will neither make nor cause to be made any investment or other use of the proceeds of the Note which would cause the Bond to be arbitrage bonds under Section 148 of the Code and the regulations thereunder, and that it will comply with the requirements of such Section and any regulations applicable thereto throughout the term of the Note. To such end, the Local Government Unit hereby agrees to make available to the County any and all such information as it may reasonably request in order to comply with the Code. The Local Government Unit further covenants to take all actions necessary to enable the County 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.

(ii) The Local Government Unit will not take any action, or permit or suffer any action or event, which will cause the Bond to be a "private activity bond" within the meaning of Section 141 of the Code. The Local Government Unit further covenants that the payment of principal or interest on the Note will not be, directly or indirectly, (A) secured by any interest in (i) property used or to be used for a private business use by any person other than a state or local government unit or (ii) payments in respect of such property, or (B) derived from payments (whether or not by the Local Government Unit), in respect of property, or borrowed money, used or to be used for a private business use by any person other than a state or local government unit.

(iii) None of the property acquired or constructed as part of the Projects will be sold or disposed of in the foreseeable future.

(iv) None of the proceeds of the Note will be used to refund or refinance prior debt of the Local Government Unit.

(v) None of the proceeds of the Note will be used to make or finance a loan, grant or advancement to a governmental entity or private person or entity unless (i) the County receives a written opinion of nationally recognized bond counsel and (ii) prior to making or financing the loan, grant or advancement, the ultimate borrower or recipient executes a certificate in the form provided by the County, nor will any proceeds of the Note be used in any trade or business carried out by any person other than the Local Government Unit or in any other manner which would cause the Bond to become "private activity bonds" as defined in Code Section 141 unless the County receives a written opinion of nationally recognized bond counsel.

(vi) None of the Note proceeds will be used directly or indirectly, to replace funds which were used in any business carried on by any person other than the Local Government Unit unless the County receives a written opinion of nationally recognized bond counsel.

(vii) The Local Government Unit acknowledges that the aggregate temporary period (as defined in Section 148(c) of the Code) allowed with respect to the proceeds of the Note (pursuant to which it may invest proceeds of the Note at a higher yield) will not exceed three years from the date of issuance of the Bond (on or about June 1, 1999). The Local Government Unit covenants that it will proceed with due diligence to complete the Projects and to expend at least eighty-five percent (85%) of the Note proceeds it has borrowed by June 1, 2002. The three-year temporary period with respect to the proceeds for this loan ends on June 1, 2002. The Local Government Unit will incur a substantially binding obligation to a third party to expend at least 5% of the Note proceeds on the Projects within six months of the Note closing. Any proceeds remaining after June 1, 2002 will be restricted to the yield (as defined in Section 148(h) of the Code) on the Bond. Notwithstanding the preceding sentence, the yield on certain Nonpurpose Investments (as defined in Treasury Regulations §1.148-1(b)) acquired with proceeds of the Note will not be considered to be higher than the applicable yield limitation if the County makes or causes to be made "yield reduction payments" to the United States Treasury at the times and in the amounts described in Section 1.148-5(c) of the Treasury Regulations. The Local Government Unit agrees to use the calculation of the yield on the Bond, the Note, or the investments made with the Note proceeds, as determined by the County and agrees to follow the instructions of the County as to all matters relating to the restriction of yield on the investment of Note proceeds after the end of the relevant temporary period or with respect to the County's making yield reduction payments.

(viii) The Local Government Unit will not incur any obligation or indebtedness, the proceeds of which will be used to prepay the Note or make payments on the Note as they come due unless (A) the Local Government Unit receives the prior written consent of the County and (B) the County receives a written opinion of nationally recognized bond counsel.

(ix) The Local Government Unit does not have outstanding any other debt the proceeds of which will be used to finance the construction or acquisition of the Projects being financed with the proceeds of the Note.

(d) The Local Government Unit shall at all times protect, indemnify and save harmless the County from and against all liabilities, obligations, claims, damages, penalties, causes of action, costs and expenses (including, without limitation, attorneys fees and expenses) imposed upon or incurred by or asserted against the County on account of (a) any failure of the Local Government Unit to comply with any of the terms or representations in this Ordinance or (b) any loss or damage to property or any injury to or death of any person that may be occasioned by any cause whatsoever pertaining to the Projects or the use thereof. Nothing contained herein shall require the Local Government Unit to indemnify the County for any claim or liability resulting from the County's gross negligence or willful misconduct. If any action, suit or proceeding is brought against the County for any loss or damage for which the Local Government Unit is required to provide indemnification under this section, the Local Government Unit, upon request, shall at its

expense resist and defend such action, suit or proceeding or cause the same to be resisted and defended by counsel designated by the Local Government Unit and approved by the County, and such approval shall not be required in the case of defense by counsel designated by any insurance company undertaking such defense pursuant to any applicable policy of insurance. All references in this section to the County shall include their officers, employees and agents.

(e) The Local Government Unit agrees that it has not and will not purchase any of the Bond for its own account.

(f) Any and all streets, roads, and highways being improved as part of the Projects shall be repaired and maintained at the expense of the Local Government Unit.

**SECTION 12.** For the purpose of expediting the closing and the issuance and delivery of the Note, or in the event that the President or the Secretary of the Local Government Unit 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 or the Assistant Secretary or Treasurer of the Local Government Unit, respectively, are hereby authorized and directed to execute documents, or otherwise to act on behalf of the Local Government Unit in their stead.

**SECTION 13.** The proper officers of the Local Government Unit 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 Local Government Unit.

**SECTION 14.** This Ordinance is enacted pursuant to, and the Note issued hereunder shall be subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

**SECTION 15.** This Ordinance constitutes a contract with the holder of the Note and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

**SECTION 16.** In case any one or more of the provisions contained in this Ordinance or in the Note issued pursuant hereto 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 Note and this Ordinance or said Note shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

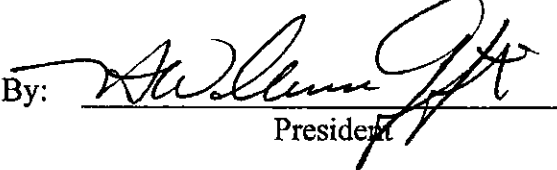
**SECTION 17.** The action of the proper officers and the advertising of a summary of this Ordinance as required by law in a newspaper of general circulation, is ratified and confirmed. The advertisement in said paper of the enactment of the Ordinance is hereby directed within fifteen (15) days following the day of final enactment.

**SECTION 18.** All Ordinances or parts of Ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.

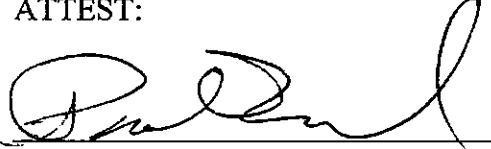
**SECTION 19.** This Ordinance shall take effect on the earliest date permitted by the Act.

ENACTED and ORDAINED this 8<sup>th</sup> day of June, 1999.

TOWNSHIP OF UPPER DUBLIN

By:   
President

ATTEST:

  
Secretary

(SEAL)

EXHIBIT A

DESCRIPTION OF CAPITAL PROJECTS

<b>Project</b>	<b>Estimated Useful Life</b>	<b>Project Cost</b>
construction, reconstruction and improvement of various Local Government Unit streets, roads and highways, including sidewalk construction and certain related improvements in the Local Government Unit	10 Years	\$1,193,871

EXHIBIT B

GENERAL OBLIGATION NOTE  
SERIES OF 1999

AMORTIZATION SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Debt Service
October 1, 1999	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2000	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2001	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2002	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2003	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2004	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2005	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2006	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2007	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
October 1, 2008	\$ 119,387.10	-0-	0.00%	\$ 119,387.10	\$ 119,387.10
<b>TOTAL</b>	<b>\$ 1,193,871.00</b>	<b>-0-</b>	<b>0.00%</b>	<b>\$ 1,193,871.00</b>	<b>\$ 1,193,871.00</b>

**TOWNSHIP OF UPPER DUBLIN  
COUNTY OF MONTGOMERY  
COMMONWEALTH OF PENNSYLVANIA**

**DEBT STATEMENT**

Prepared as of June 8, 1999  
in connection with the Issuance of  
\$1,193,871 General Obligation Note,  
Series 1999

I	Gross Incurred Debt	
A.	Debt Outstanding	
	1. Electoral	0
	2. Non-Electoral	
	General Obligation Bonds Series 1992	945,000
	General Obligation Bonds Series 1995	1,450,000
	General Obligation Bonds Series 1997	2,085,000
	General Obligation Note Series 1998	5,500,000
	Guaranteed Sewer Revenue Bonds Series 1992	3,625,313
	3. Lease Rental Debt	106,020
B.	Contracts and Other Debt	0
C.	Total Gross Indebtedness	13,711,333
II	Credits and Exclusions Presently Claimed	
	Self-Liquidating Debt:	
	Guaranteed Sewer Revenue Bonds Series 1992	(3,625,313)
	General Obligation Note Series 1998	(5,500,000)
	Net Non-Electoral and Lease Rental Debt Outstanding	4,586,020
III	Aggregate Principal Amount of Note being Issued (Non-electoral Debt) (1)	1,193,871
IV	Borrowing Base of Township	17,177,804
V	Applicable Non-Electoral Debt Limit (250% of Borrowing Base)	42,944,510
VI	Applicable Limit for Non-Electoral Debt plus Lease Rental Debt (350% of Borrowing Base)	60,122,314

(1) Represents the General Obligation Note, Series of 1999

The undersigned officers of the Township of Upper Dublin, Montgomery County, Pennsylvania, being duly sworn according to law, do hereby certify that the foregoing Debt Statement is a full and accurate statement of the debt of the Township of Upper Dublin as of the date hereof, prepared in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania.

UPPER DUBLIN TOWNSHIP

By: [Signature]  
President, Board of Commissioners

Attest: [Signature]  
Secretary

Sworn to and Subscribed before me on  
the 8th day of June, 1999

[Signature]  
Notary Public

My Commission Expires:

Notarial Seal  
James S. Arney, Notary Public  
of Upper Dublin Twp., Montgomery County  
Commission Expires Sept. 23, 2002  
Member, Pennsylvania Association of Notaries

**TOWNSHIP OF UPPER DUBLIN  
COUNTY OF MONTGOMERY  
COMMONWEALTH OF PENNSYLVANIA**

**BORROWING BASE CERTIFICATE**

**Prepared as of June 8, 1999  
for the issuance of the \$1,193,871 General Obligation Note, Series of 1999**

	<i>Year Ending December 31</i>		
	<u>1996</u>	<u>1997</u>	<u>1998</u>
Total Revenues Received	19,034,563	22,887,010	20,470,432
Less:			
Reimbursement for Debt Financed Projects	-	-	-
Revenues Pledged for Self-Liquidating Debt	2,631,700	2,603,888	2,700,510
Sinking Fund Interest	24,856	28,403	29,630
Grants and Gifts in Aid	185,297	313,573	193,114
Non-Recurring Receipts	26,081	2,090,687	30,853
Net Adjusted Revenues	16,166,629	17,850,459	17,516,325

Total Adjusted Revenues for 3 Years 51,533,413


Borrowing Base - Average Total Net Revenues  
for Three Fiscal Years Shown Above 17,177,804

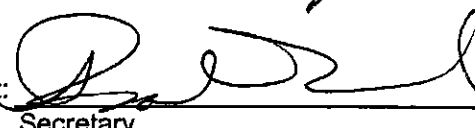
Gross Borrowing Capacity

Non-Electoral Debt - 250% of Borrowing Base	42,944,511
Aggregate Lease Rental and Non-Electoral Debt - 350 % of Borrowing Base	60,122,315

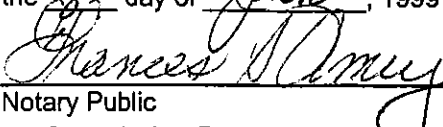
The undersigned authorized officials of the Township of Upper Dublin, being duly sworn according to law, do hereby certify and say that the foregoing Borrowing Base Certificate is true and correct to the best of their knowledge, information and belief.

UPPER DUBLIN TOWNSHIP

By:   
President, Board of Commissioners

Attest:   
Secretary

Sworn to and Subscribed before me on  
the 8<sup>th</sup> day of June, 1999

  
Notary Public  
My Commission Expires:

Notarial Seal  
Frances S. Amey, Notary Public  
Upper Dublin Twp., Montgomery County  
My Commission Expires Sept. 23, 2002

Member, Pennsylvania Association of Notaries

**AN ORDINANCE**

**NO. 1001**

**AN ORDINANCE, To Amend The Code Of The Township Of Upper Dublin, Chapter 255 Thereof, Entitled Zoning To Permit A Senior Assisted Living Residence In The MD Multi-Dwelling Zoning District And To Provide Residence, Development And General Regulations For Such Use.**

**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 VIII, "MD Multi-Dwelling District", Section 255-49, "Area Regulations", subsection (G), shall be added to read as follows:**

**§ 255-49. Area Regulations.**

**\* \* \* \* \***

**G. Impervious surface coverage. A maximum impervious surface coverage of thirty percent (30%) of the total lot area shall be permitted.**

**Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article VIII, "MD Multi-Dwelling District", Section 255-48, "Use Regulations", subsection (B), shall be amended by the addition of paragraph (8), to read as follows:**

**§ 255-48. Use Regulations.**

**A building may be erected or used and a lot may be used or occupied for the following purposes, provided that the requirements of the following are met:**

**\* \* \* \* \***

**B. Within a lot authorized for multiple dwelling use or occupancy, on each lot intended for multiple or apartment house erection and use, a building may be erected or used and a lot may be used or occupied for the following purposes, provided that the requirements of the following are met:**

\* \* \* \* \*

(8) Senior Assisted Living Residence.

Section 3. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, shall be amended by the addition of a new section 255-52, Senior Assisted Living Residence, to provide as follows:

§ 255-52. Senior Assisted Living Residence.

The following regulations shall apply only to a Senior Assisted Living Residence:

A. Residence Regulations.

- (1) The minimum unit size for each dwelling unit occupied by one (1) resident shall be 375 square feet. The minimum unit size for each residential unit occupied by two (2) residents shall be 750 square feet.
- (2) No more than two (2) residents shall be permitted to reside in any dwelling unit.
- (3) Each dwelling unit shall contain a fully private bathroom (including toilet, bathtub and/or shower and vanity/sink), personal closet space, emergency call systems, lockable entry doors accessible by master key or similar system available at all times in the Senior Assisted Living Residence and for designated staff, and pre-wiring for private telephone and television reception.
- (4) No less than eighty (80) square feet of floor area per resident shall be provided for community common areas for dining, active and passive recreation, circulation and socialization, exclusive of hallways and passageways.
- (5) A central dining area shall be provided, together with a private dining room available for use by residents and their families and guests for private visitation and entertaining.
- (6) All residential units shall be part of a complex, similar to multifamily housing. No stand-alone units or townhouses shall be permitted.

B. Development regulations.

- (1) **Density.** A maximum density of fourteen (14) units per acre shall be permitted. No more than twenty-five percent (25%) of the allowable units shall be provided for double-occupancy.
- (2) **Parking.** A minimum of one (1) parking space for every three (3) residents shall be provided, plus one (1) parking space for each full time staff member employed on the largest shift. A maximum of thirty-five percent (35%) of the required parking may be held in reserve if the applicant can demonstrate, 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 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 considered in calculating the 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.
- (3) **Buffer and screening requirements.** The buffer and screening requirements for a Senior Assisted Living Residence shall be the same as those outlined in the Landscape Ordinance.

C. General requirements.

- (1) **Utilities.** A Senior Assisted Living Residence shall be served by a public sewage system and public water system.
- (2) **Common areas and facilities.** Provisions shall be made for the maintenance and care of all internal and external common areas, including dining and social rooms, driveways, parking areas, walkways, landscaped planting areas, and recreation areas.
- (3) **Other facilities.** Such other improvements, including driveways, curbs, sidewalks and stormwater collection and control facilities as required by chapter 212, herein, Subdivision and Land Development, shall be provided.

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 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 <sup>5<sup>th</sup></sup> day of *June*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

By:   
WILLIAM H. GIFT, President

ATTEST:

  
PAUL A. LEONARD, Secretary

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AN ORDINANCE

NO. 102

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON THE NORTH SIDE OF GIRARD AVENUE FROM A POINT 300 FEET NORTH OF CHESTNUT AVENUE TO A POINT 400 FEET NORTH OF CHESTNUT 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 233-54, Parking Prohibited at All Times, shall be amended to provide as follows:

**§ 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
		*****
Girard Avenue	North	From a point 300 feet north of Chestnut Avenue to a point 400 feet north of Chestnut Avenue
		*****

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 13<sup>th</sup> day of JULY, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

ud\ord\vehtraf\girard ave parking

  
H. WILLIAM GIFT, PRESIDENT

**AN ORDINANCE**  
**NO. 1003**

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 **Permitting Wireless Communications Facilities On Property Owned Or Exclusively Leased By Upper Dublin Township And Used By The Township For Municipal Purposes.**

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 IV, Accessory Buildings, Structures and Uses, Section 255-30.1, "Cellular communications antennas", shall be amended to provide as follows:

**Section 255-30.1. Cellular communications antennas.**

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.

\* \* \* \* \*

(2) **A wireless communications facility is permitted on property owned and used by Upper Dublin Township for its municipal purposes in any zoning district.**

\* \* \* \* \*

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.

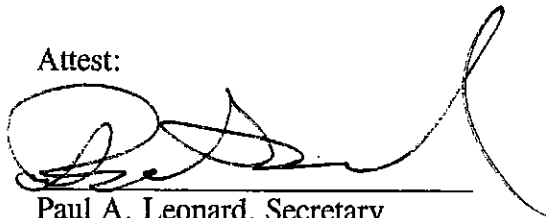
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this *10<sup>th</sup>* day of *August*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
H. William Gift, President

Attest:



Paul A. Leonard, Secretary

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**AN ORDINANCE**  
**NO. 1004**

An ordinance to amend the Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XX, Nonconforming Uses, Section 255-147, "Extension and expansion", to change the area that a nonconforming use may be extended and expanded.

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 XX, **Nonconforming Uses**, Section 255-147, "Extension and expansion", shall be amended to provide as follows:

**§ 255-147. Extension and expansion.**

A lawful nonconforming use may be expanded or extended when authorized as a special exception, subject to the following limitations:

- A. Any such expansion or extension shall be limited to the lot on which the use is located, as that lot was defined when the use became nonconforming.
- B. The total of all increases in the area within a building devoted to a non-conforming use shall not exceed 25% of the floor area devoted to the non-conforming use on August 20, 1956, or on the date the use became nonconforming, whichever is later. However, in no case shall the total of all such increases exceed 25% of the building coverage as it existed on such date. Where a non-conforming use is made of an area not within a building the total of all increases in such area shall not exceed 25% of the area actually utilized in connection with the non-conforming use on such date.
- C. Any such extension or expansion shall conform to the requirements of this chapter as it exists at the time of the proposed extension or expansion and with the height, yard, setback, buffer, floor and building area requirements of the zoning district in which the extension or expansion will be located.

**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 *14* day of *SEPT*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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**AN ORDINANCE**  
**NO. 1005**

An ordinance to amend the Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XIX, Off-Street Parking and Loading, by rescinding Section 255-141, "Travel lanes"; and to amend Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, Section 212-17, "Parking areas", to define the size of parking spaces and to allow two feet of the parking space length to be kept as lawn or otherwise landscaped.

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 XIX, Off-Street Parking and Loading, Section 255-141, "Travel lanes", shall be rescinded.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, Section 212-17, "Parking areas", shall be amended to provide as follows:

**§ 212-17.      Parking areas.**

\* \* \* \* \*  
\* \* \* \* \*

- F. A parking space available for the parking of one (1) motor vehicle shall be not less than nine and one-half (9 ½) feet in width and nineteen (19) feet in length, having an area not less than one hundred eighty and five-tenths (180.5) square feet. The length of a parking space may be reduced two (2) feet, provided that a motor vehicle may overhang that distance into the landscape area.

**Section 3.** Nothing in this Ordinance or in Chapters 212 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 212 and 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 14 day of SEPT., 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1066

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE: CHAPTER 255, ZONING, ARTICLE XXII, FLOODPLAIN CONSERVATION DISTRICT, SECTION 161, ESTABLISHMENT; BOUNDARIES, TO DEFINE THE FLOODPLAIN CONSERVATION DISTRICT, SECTION 163, PERMITTED USES, TO AMEND USES PERMITTED IN A FLOODPLAIN DISTRICT, SECTION 164, PROHIBITED USES, TO AMEND USES PROHIBITED IN A FLOODPLAIN AND A FLOODPLAIN DISTRICT, SECTION 165, CONDITIONAL USES, TO AMEND CONDITIONAL USES IN A FLOODPLAIN DISTRICT, SECTION 166, APPLICATION PROCEDURE, TO AMEND THE PROCEDURE FOR CONDITIONAL USE OR VARIANCE APPLICATIONS IN A FLOODPLAIN DISTRICT, SECTION 167, REVIEW AND ISSUANCE OF PERMIT, TO RENAME THIS SECTION TO "STANDARDS FOR CONDITIONAL USE OR VARIANCE, GENERALLY", AND TO AMEND THOSE STANDARDS, SECTION 170, USES RENDERED NONCONFORMING, TO AMEND PROVISIONS REGARDING NONCONFORMING USES; CHAPTER 122, FLOOD DAMAGE PREVENTION, SECTION 2, DEFINITIONS, TO REDEFINE BASE FLOOD ELEVATION, SECTION 20, ADMINISTRATION, TO AMEND THE APPLICATION OF THIS SECTION; CHAPTER 212, SUBDIVISION AND LAND DEVELOPMENT, ARTICLE II, TERMINOLOGY, SECTION 5, DEFINITIONS, TO REDEFINE FLOODPLAIN, ARTICLE VI, PLAN SUBMISSION REQUIREMENTS AND PROCESSING PROCEDURES, SECTION 44, MINOR SUBDIVISION PLAN (FINAL), TO AMEND THE CRITERIA FOR MINOR SUBDIVISIONS.

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 XXII, "Floodplain Conservation District", Section 255-161, Establishment; boundaries, shall be amended as follows:

**§ 255-161. Establishment; boundaries.**

- A. The Floodplain Conservation District (also referred to as "Floodplain District") is defined and established as those areas of the township subject to flooding as defined in Subsection A(1), (2) and (3) of this section. The most extensive of those areas described in the following sources shall determine the outermost boundary of the Floodplain Conservation District:

(1) **Floodplain.** Those areas subject to inundation by the waters of the one-hundred-year flood as prepared by the Federal Emergency Management Agency, Federal Insurance Administration, dated February 16, 1995, or the most recent revision thereof. Said floodplains shall be comprised of three subdistricts as follows:

(a) **Floodway (FW).** That portion of the Floodplain Conservation District identified as "Floodway" in the AE Zone in the Flood Insurance Study prepared by the Federal Emergency Management Agency. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.

(b) **Floodway fringe (FF).** Those portions of land within the Floodplain Conservation District subject to inundation by the one-hundred-year flood, lying beyond the floodway in areas where detailed study data and profiles are available.

(c) **Approximated floodplain (FA).** Those portions of land within the Floodplain Conservation District subject to inundation by the one-hundred-year flood, where a detailed study has not been performed, but where a one-hundred-year floodplain boundary has been approximated. When available, information from other federal, state and other acceptable sources shall be used to determine the one-hundred-year flood elevation, as well as a floodway area, if possible. When no other information is available, the one-hundred-year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

\* \* \* \* \*

(3) **The low area adjoining and including any water or drainage course or body of water subject to periodic flooding or overflow and delineated as alluvial soils or local alluvium by the Soil Conservation Service, United**

States Department of Agriculture, in the Soil Survey of Montgomery County, 1967. Alluvial soils shall include but not be limited to the following:

- (a) BM – Bermudian silt loam
- (b) BP – Bomansville silt loam
- (c) BrA – Bowmansville silt loam; local alluvium (0-3% slope)
- (d) BrB – Bowmansville silt loam; local alluvium (3-8% slope)
- (e) Ha – Hatboro silt loam
- (f) Rt – Rowland silt loam
- (g) Ru – Rowland silt loam; coal overwash
- (h) RwA – Rowland silt loam; local alluvium (0-3% slope)
- (i) RwB – Rowland silt loam; local alluvium (3-8% slope)
- (j) Bo – Boundary alluvial soil
- (k) Ch – Cordorus silt loam

- (4) Areas not reflected in subsections (1), (2) and (3) above, but which have been subject to inundation. These areas shall be identified by field survey and by hydrologic and hydraulic calculation and shall be subject to the review and approval of the Township Engineer, who shall make the determination as to the outermost boundary.

- B. The boundaries of the Floodplain District may be redefined or reestablished from time to time upon recommendation by the Township Engineer after application and presentation of detailed engineering studies and any additional pertinent supporting data to the Township Engineer. However, prior to any change to a floodplain area delineated in the Flood Insurance Study, approval must be obtained from the Federal Insurance Administration.
- C. Studies used to establish the boundaries shall be available in the Township Municipal Building for reference.
- D. Whenever there is a difference between any map setting forth the Floodplain Conservation District or a portion thereof and the data contained in the studies, the data contained in the studies shall determine the boundary of the District.
- E. Horizontal Floodplain Buffer Area. Uses and/or activity adjacent to the Floodplain Conservation District shall be in accordance with the

regulations and requirements of this Chapter and the zoning districts in which that area exists. However, no building or structure of any nature nor any work such as filling or excavation shall be permitted within a horizontal buffer area, established at one (1) foot above the base flood elevation. The buffer may be part of any lot to meet lot area and yard requirements. Said buffer shall be noted on the plan as "Horizontal Floodplain Buffer Area."

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, "Floodplain Conservation District", Section 255-163, Permitted uses, shall be amended as follows:

**§ 255-163. Permitted uses.**

A. The following uses shall be permitted in a Floodplain District:

\* \* \* \* \*

B. All permitted uses are subject to floodproofing regulations in applicable codes and in accordance with the provisions of Chapter 122, Flood Damage Prevention. Any of the uses in Subsection A above shall not be permitted within the designated floodway unless the effect of such proposed activity on flood heights is fully offset by accompanying stream improvements.

Section 3. 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.**

A. The following uses shall be specifically prohibited in a floodplain as defined in § 255-161A(1) herein and no variance shall be granted. In accordance with the administrative regulations promulgated by the Department of Community Affairs to implement the Pennsylvania Floodplain Management Act (Act 166 of 1978), the following activities have been identified as being dangerous to human life or posing a special hazard in a floodplain:

- (1) Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 55 gallons or other comparable volume or any amount of radioactive

substances) of any of the following dangerous materials or substances on the premises:

\* \* \* \* \*

(4) On-site sewage disposal systems.

B. The following uses shall be specifically prohibited in a Floodplain District although variances may be granted by the Zoning Hearing Board for any of these uses in accordance with the requirements and provisions of this Chapter for variances:

(1) Construction, enlargement or expansion of all freestanding structures, buildings, with the exception of flood retention dams, culverts and bridges as approved by the Pennsylvania Department of Environmental Resources.

(2) The relocation of any watercourse. A variance may be granted by the Zoning Hearing Board to relocate a watercourse only after 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 Resources. 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.

(3) Sanitary landfills, dumps, junkyards, outdoor storage of vehicles and materials.

(4) Private water supply wells.

Section 4. 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:

**§ 255-165. Conditional uses.**

The following conditional uses in a Floodplain District may be allowed or denied by the Board of Commissioners after 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:

\* \* \* \* \*

- B. Commercial recreation use, whether open to the public or restricted to private membership, such as parks, camps, picnic areas, golf courses, fishing, sport or boating clubs; not to include enclosed structures, excepting toilet facilities, but permitting piers, docks, floats or shelters usually found in developed outdoor recreation areas. Any toilet facilities provided shall be connected to public water and sewage systems and subject to the floodproofing regulations in applicable ordinances and in accordance with the provisions of Chapter 122, Flood Damage Prevention.
  
- C. Storm sewers or impoundment basins, with the approval of the township Engineer and subject to the floodproofing regulations in applicable ordinances and in accordance with the provisions of Chapter 122, Flood Damage Prevention.

\* \* \* \* \*

- F. Paved roads and driveways, parking lots, where required by the regulations for the district applicable to the lot without consideration of this district, provided that:
  - (1) In case of roads and driveways, no such facilities shall be permitted by conditional use if alternative alignments are feasible.
  
  - (2) In the case of parking facilities, no such facility shall be permitted by conditional use unless satisfactory evidence is submitted that such parking will not be utilized during periods of flood flow, thus posing no threat to safety of the vehicles, their uses and/or to downstream properties. Temporary parking for periods not to exceed one hour and/or parking for recreation uses would be examples of such uses.

\* \* \* \* \*

- G. Grading or regrading of lands, including the deposit of topsoils and the grading thereof and the construction of retaining walls. In addition, a conditional use application for such use shall also be

accompanied by a plan indicating the 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 5. 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:

**§ 255-166. Application procedure.**

A. Applications shall be submitted as follows:

- (1) In a Floodplain District, as defined in § 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.

\* \* \* \* \*

- (3) For a use listed in section 255-164B, 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.

\* \* \* \* \*

B. The application for conditional use or use by variance shall be accompanied by the following and until the following has been supplied and analyzed to the satisfaction of the Board of Commissioners no final decision other than rejection of the application shall be made:

- (1) Detailed engineering studies indicating the effects on drainage and streams on all affected or adjacent properties as well as the property in question.
- (2) An application for amending the boundaries of the Floodplain Conservation District if the boundaries will be affected by the proposed conditional use or use by variance.

- (3) A determination of elevations of the existing ground, proposed finished ground, base flood elevation and lowest floor (including basement) certified by a registered professional engineer or architect.
- C. All applications for approval of a conditional use or variances shall be considered using standards listed in § 255-167.
- (1) The Board of Commissioners for a conditional use or the Zoning Hearing Board for a variance shall hold a public hearing within 60 days after an application is filed, unless the applicant has agreed in writing to an extension of time, pursuant to public notice.

\* \* \* \* \*

Section 6. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, "Floodplain Conservation District", Section 255-167, Review and issuance of permits, shall be retitled "Standards for conditional use or variance, generally" and amended as follows:

**§ 255-167. Standards for conditional use or variance, generally.**

- A. The Board of Commissioners and Zoning Hearing Board shall exercise discretion in allowing only those uses which are substantially in accord with the stated objectives in § 255-160 herein. The applicant shall demonstrate to the Board of Commissioners, in considering conditional uses, and the Zoning Hearing Board, in considering variance exceptions or variance applications, the following:

\* \* \* \* \*

- B. An affirmative decision shall not be issued by the Board of Commissioners or the Zoning Hearing Board for an application within the designated floodway unless the effect of such proposed activity on flood heights is fully offset by accompanying stream improvements.
- C. The Board of Commissioners or the Zoning Hearing Board shall notify the applicant, in writing, that the issuance of a decision to allow construction of a structure below the base flood elevation will result in increased premium rates for flood insurance, and such construction below the base flood elevation increases risk to life and property. Such notification shall be maintained with a record of all decisions as required in Subsection D.

- D. The Board of Commissioners and the Zoning Hearing Board shall maintain a record of all decisions, including jurisdiction for their issuance, and report such decisions issued in its annual report submitted to the Federal Insurance Administration.
- E. Elevation and floodproofing of structures.
- (1) Any new structures permitted by the conditional use or by variance shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater. Such structures shall be elevated in accordance with the provisions contained in Chapter 122, Flood Damage Prevention and Chapter 73, Building Construction, as amended.
  - (2) Any new structure permitted as a conditional use or by variance shall be floodproofed in accordance with the provisions contained in Chapter 122, Flood Damage Prevention and Chapter 73, Building Construction, as amended.
    - (a) All such structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.
    - (b) All such structures shall be constructed so as to prevent the entrance of floodwaters into the water supply and waste treatment systems as well as other utility and facility systems. In addition, waste treatment systems shall be designed to minimize or eliminate discharges from the systems into the floodwaters.
  - (3) Any additions to existing structures permitted as a conditional use or by variance shall be elevated to the greatest extent possible according to the provisions contained in Chapter 122, Flood Damage Prevention and Chapter 73, Building Construction, as amended. However, any portion of the structure not so elevated shall be floodproofed, also in accordance with Chapter 122, Flood Damage Prevention and Chapter 73, Building Construction, as amended.

Section 7. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXII, "Floodplain Conservation District", Section 255-170, Uses rendered nonconforming, shall be amended as follows:

**§ 255-170. Uses rendered nonconforming.**

Following the adoption of this article, any use or structure which is situated within the boundaries of the Floodplain Conservation District and which does not conform to the permitted uses specified in § 255-163 herein shall become a nonconforming use or structure, regardless of its conformance to the requirements of the zoning district in which it is located, without consideration of this article.

- A. The expansion or continuance of a nonconforming use or structure which is nonconforming with respect to the zoning district in which it is located without consideration of this article shall be governed by the requirements of Article XX of this chapter. However, the Zoning Hearing Board shall ensure that the standards contained in § 255-167 herein are applied to the expansion or continuance of said nonconforming use or structure.

\* \* \* \* \*

Section 8. The Code of the Township of Upper Dublin, Chapter 122 thereof, entitled Flood Damage Prevention, Section 122-2, Definitions, shall be amended as follows:

**§ 122-2. Definitions.**

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

\* \* \* \* \*

**BASE FLOOD ELEVATION** -- The one-hundred-year flood elevation, as referenced in the Upper Dublin Township Flood Insurance Study, prepared by the Federal Insurance Administration, Federal Emergency Management Agency. Within the approximated floodplain as delineated in the Flood Insurance Study, or other areas subject to flooding outside of the Flood Insurance Study, the base flood elevation shall be established as a point on the boundary of the Floodplain District as defined in Chapter 255, Zoning, closest to the construction site in question. When available, information from other federal, state and other acceptable sources shall be used to determine the one-hundred-year flood elevation, as well as a floodway area, if possible.

\* \* \* \* \*

Section 9. The Code of the Township of Upper Dublin, Chapter 122 thereof, entitled Flood Damage Prevention, Section 122-20, Administration, shall be amended as follows:

**§ 122-20. Administration.**

To ensure that the aforementioned flood damage controls are being employed in all new construction and improvements within the Floodplain Conservation District, the Building Inspector shall provide the applicant information concerning the location of the district boundaries relative to his proposed construction or improvements and the water surface elevation of the one-hundred-year flood at the proposed construction site. The source of the information concerning the district boundary shall be the Flood Insurance Study for Upper Dublin Township as prepared by the Federal Emergency Management Agency, Federal Insurance Administration, and other sources as appropriate according to those cited in Article XXII of Chapter 255, Zoning, regarding the Floodplain Conservation District for Upper Dublin Township. The source for the information concerning the base flood elevation shall be the Flood Insurance Study. For those areas of the Floodplain Conservation District where this study does not contain this information, the base flood elevation shall be determined as specified in § 122-2 of this chapter.

Section 10. 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:

**§ 212-5. Definitions.**

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

\* \* \* \* \*

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.

\* \* \* \* \*

Section 11. 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 212-44, Minor subdivision plan (final), shall be amended as follows:

**§ 212-44. Minor subdivision plan (final).**

It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor subdivisions 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 subdivisions. A minor subdivision is a subdivision of a tract that:

\*\*\*\*\*

- (6) No steep slopes (over 15%), Floodplain Conservation District (as defined in the Township Code Chapter 255; Zoning, Article XXII, Floodplain Conservation District) or drainage courses exist or are needed on the tract being subdivided.

Section 12. Nothing in this Ordinance or in Chapter 255 or Chapter 122 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 122 or Chapter 212 prior to the adoption of this amendment.

Section 13. 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.

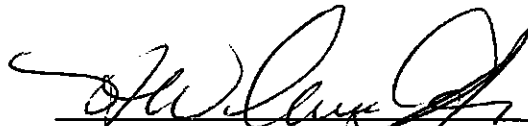
Section 14. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 14 day of SEPT, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 1007

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE: CHAPTER 192, SEWERS, SECTION 4, COMMERCIAL OR INDUSTRIAL USE, TO ADD THE REQUIREMENT FOR PROPERTY USED AS A COMMERCIAL OR INDUSTRIAL USE TO PAY ADDITIONAL TAPPING FEES; CHAPTER 110, FEES, SECTION 110-10, SEWERS, TO REQUIRE THE PAYMENT OF ADDITIONAL TAPPING FEES FOR COMMERCIAL AND INDUSTRIAL PROPERTIES BASED UPON AVERAGE DAILY WASTEWATER FLOW IN EXCESS OF THE FLOW ESTIMATED FOR THE PROPERTY.

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 192 thereof, entitled Sewers, Section 192-4, Commercial and industrial use, shall be added as follows:

**§ 192-4. Commercial or industrial use.**

Each property zoned for a commercial or industrial use, or used for a commercial or industrial use located within either the Upper Dublin Township Sewer District or the Fort Washington Park Sewer District that is connected to or shall connect to either of these sewer systems shall pay additional tapping fees as set forth in Chapter 110, Fees.

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.

1. 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 350 gallons of daily

wastewater flow as determined by historical wastewater flow records, or the criteria set forth by the Pennsylvania Department of Environmental Protection 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

2. There is hereby further imposed upon each owner of property which is presently connected to the sewer system and used for a commercial or industrial use or which shall be used at some point in the future for a commercial or industrial use within the Upper Dublin Township Sewer District, an additional tapping fee for average daily wastewater flow in excess of the flow represented by the EDUs purchased in Section 1 herein. The additional tapping fee shall be for each additional EDU or portion thereof, necessary to meet the actual average daily wastewater flow. Any fractional EDU shall be rounded off to the next higher whole EDU. An EDU shall be equal to 350 gallons of daily wastewater flow as determined by the Township of Upper Dublin. The Township shall annually determine the average daily wastewater flow by dividing the total number of gallons used per year by the number of business days during that year. The additional tapping fee shall be paid as determined by the Township and shall be based upon the schedule set forth in Section 1 herein.

Section 3. Nothing in this Ordinance or in Chapter 192 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 192 or Chapter 110 prior to the adoption of this amendment.

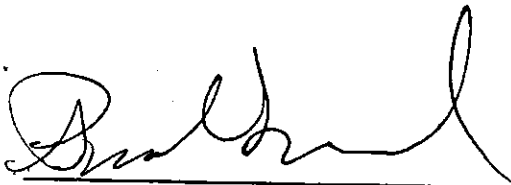
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 14 day of SEPT, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

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UPPER DUBLIN TOWNSHIP

ORDINANCE NO. 1008

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 CENTER OF THE CUL-DE-SAC OF CATLIN WAY IN A NORTHWESTERLY DIRECTION, FOR 190 FEET TO A TERMINAL MANHOLE CONTAINED WITHIN EASEMENT AREA OF THE ANDOVER ESTATES SUBDIVISION.

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 1. Sanitary Wastewater Sewer Facilities

(A) A public sanitary sewer collection line shall be constructed to extend an existing 8" sanitary sewer main from the center of the cul-de-sac of Catlin Way in a northwesterly direction, for 190 feet to a terminal manhole contained within easement area of the Andover Estates Subdivision. Providing for 2 new lateral connections to service 2 existing dwellings and one multi-family dwelling 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 2. 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 (30<sup>th</sup>) 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 14 day of SEPT., 1999.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

By:   
H/ William Gift, President

Attest:   
Paul A. Leonard, Secretary

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UPPER DUBLIN TOWNSHIP

ORDINANCE NO. 1009

AN ORDINANCE PROVIDING FOR THE DESIGN, LAYING OUT, CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER COLLECTION LINE EXTENDING A NEW 8" SANITARY SEWER MAIN FROM AN EXISTING 12" SANITARY SEWER INTERCEPTOR CONTAINED WITHIN TOWNSHIP EASEMENT, IN A SOUTHEASTERLY DIRECTION FOR SEVENTY-TWO FEET (72') TO A TERMINAL MANHOLE CONTAINED WITHIN EASEMENT AREA OF THE ANDOVER ESTATES SUBDIVISION.

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 1. Sanitary Wastewater Sewer Facilities

(A) A public sanitary sewer collection line shall be constructed to extend a new 8" sanitary sewer main from an existing 12" sanitary sewer interceptor contained within Township easement, in a southeasterly direction for seventy-two feet (72') to a terminal manhole contained within easement area of the Andover Estates Subdivision. Providing for 2 new lateral connections to service 2 existing dwellings 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 2. 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 (30<sup>th</sup>) 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 14 day of Sept, 1999.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

By:   
H. William Gift, President

Attest:   
Paul A. Leonard, Secretary

**AN ORDINANCE**  
**NO. 1010**

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ENTITLED ZONING, ARTICLE I, GENERAL PROVISIONS, SECTION 255-7, "DEFINITIONS", TO CHANGE THE DEFINITION OF DAY CARE AND LICENSED DAY CARE CENTER TO INCLUDE ADULT DAY CARE; ARTICLE XIII, INST INSTITUTIONAL DISTRICTS, SECTION 255-88, "USE REGULATIONS", TO REMOVE DAY-CARE CENTER AS A USE PERMITTED BY SPECIAL EXCEPTION; ARTICLE XV, SC SHOPPING CENTER DISTRICT, SECTION 255-98, "USE REGULATIONS", TO PERMIT LICENSED DAY-CARE CENTER USES.

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 I, **General Provisions**, Section 255-7, "Definitions", shall be amended to provide as follows:

**§ 255-7. Definitions.**

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

\*\*\*\*\*

DAY-CARE -- An out-of-home care provided for:

1. Children 15 years of age and younger, excluding care provided by relations, for a part of a twenty-four-hour day. Day-care service for children shall not include day care furnished in a place of worship during religious service.
2. Adults who require assistance, for a part of a twenty-four-hour day, to meet personal needs and who, because of physical or mental infirmity, cannot themselves meet these needs. Day-care service for adults shall not include care provided by relations or nursing care.

LICENSED DAY-CARE CENTER -- A facility which is licensed by the Commonwealth of Pennsylvania and in which care is provided for either seven or more children, 15 years old or younger, at any one time, or four or more adults, at any one time.

\*\*\*\*\*

**Section 2.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIII, **INST Institutional Districts**, Section 255-88, "Use regulations", shall be amended to provide as follows:

**§ 255-88. Use regulations.**

\*\*\*\*\*

B. The following uses are permitted as a special exception when authorized by the Zoning Hearing Board in accordance with the provisions of Article XXIII:

- (1) Conversion of an existing residential building.
- (2) Recreational facility owned or operated by a nongovernmental agency.
- (3) Private club or lodge.
- (4) Community center, adult education center or other similar facility.
- (5) Parking area.
- (6) Customary home occupation or professional office accessory to a dwelling in accordance with § 255-27 herein.
- (7) Place of religious worship.

\*\*\*\*\*

**Section 3.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XV, **SC Shopping Center District**, Section 255-98, "Use regulations", shall be amended to provide as follows:

**§ 255-98. Use regulations.**

In an SC Shopping Center District, a building or combination of buildings may be erected or used and a lot area may be used or occupied for any of the following purposes and no other:

\*\*\*\*\*

E. Theater, not including outdoor motion picture establishment; assembly hall or community building, indoor recreational establishments or library; licensed day-care center.

- (1) Amusement games, provided that there are no more than three per establishment.
- (2) Amusement games, in excess of three, when allowed as a special exception by the Zoning Hearing Board in accordance with Chapter 61, Amusement Games.

**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.

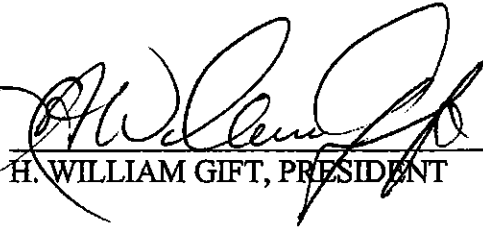
**Section 6.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *12* day of *OCTOBER*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

g:\ud\ord\adult daycare ord sig

AN ORDINANCE  
NO. 1011

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN: CHAPTER 212, ENTITLED SUBDIVISION AND LAND DEVELOPMENT, SECTION 212-25, TO REQUIRE THE SUBDIVISION OR LAND DEVELOPMENT PLAN TO COMPLY WITH THE STORMWATER MANAGEMENT PROVISIONS.

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 212-25 shall be amended to provide as follows:

§ 212-25

A. General provisions.

\* \* \* \* \*

- (7) The subdivision or land development plan must comply with the provisions of Chapter 206, Stormwater Management, which is incorporated herein by reference.

**Section 2.** Nothing in this Ordinance 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 212 prior to the adoption of this amendment.

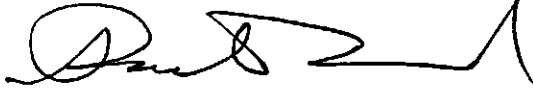
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 9 day of *NOVEMBER*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

g:\ud\ord\stormwater refer ord

  
H. WILLIAM GIFT, PRESIDENT

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2000.

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 2000.

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 2000 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	10,606,115
Receipts from Taxes of Prior Years	42,000
Other Revenues and Receipts	<u>7,087,185</u>
<b>TOTAL ESTMATED RECEIPTS AND CASH</b>	<b>17,735,300</b>

SUMMARY OF ALL APPROPRIATIONS

<b>GENERAL GOVERNMENT</b>	
Administration and Finance	1,433,155
Treasurer and Tax Collector	18,215
Library	563,165
Municipal Buildings	<u>213,078</u>
<b>TOTAL</b>	<b>2,227,613</b>
<b>PROTECTION TO PERSON AND PROPERTY</b>	
Police	3,323,385
Fire	<u>615,264</u>
<b>TOTAL</b>	<b>3,938,649</b>

SEWER	
Conveyance	575,057
Treatment	1,502,507
Capital	666,890
Debt Service	<u>1,070,738</u>
	TOTAL
	3,815,192
SANITATION	2,070,188
NON EXPENDABLE TRUSTS	14,650
HIGHWAY MAINTENANCE	2,092,728
DEBT SERVICE	731,570
CAPITAL PROJECTS	
General Capital	1,037,414
Open Space	<u>431,929</u>
	TOTAL
	1,469,343
PARKS AND RECREATION	1,040,447
CODE ENFORCEMENT	320,170
COMMUNITY CONTRIBUTIONS	<u>14,750</u>
	TOTAL APPROPRIATIONS
	17,735,300

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.

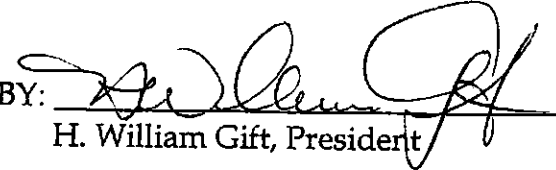
SECTION 4: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

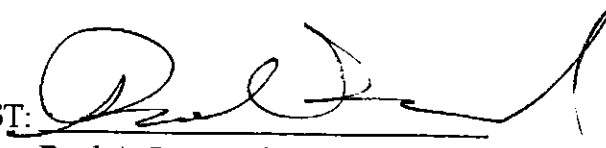
SECTION 5: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, 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, 2000.

ENACTED AND ORDAINED THIS 14<sup>th</sup> day of December 1999.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
H. William Gift, President

ATTEST:   
Paul A. Leonard, Secretary

ORDINANCE NO. 1013

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2000 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2000 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2000 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2000 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 2000 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 2000, as follows:

Tax rate for General Purposes, the sum of	1.300 mils
on each dollar of assessed valuation, or the sum of	13.00 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	1.300	13.00

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 2000, 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 2000, 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 2000, as follows:

Tax rate for Parks and Recreation, the sum of 0.385 mils  
on each dollar of assessed valuation, or the sum of 3.850 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	.385	3.850

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 2000, 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.

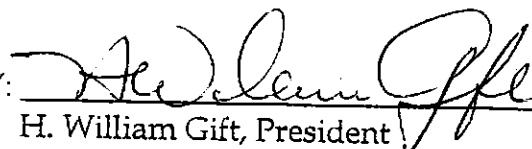
SECTION 7: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

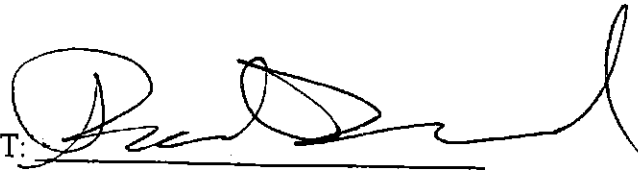
SECTION 8: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, 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, 2000.

ENACTED AND ORDAINED THIS 14<sup>th</sup> day of December 1999.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
H. William Gift, President

ATTEST:   
Paul A. Leonard, Secretary

AN ORDINANCE  
NO. 1014

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 255, ZONING, ARTICLE VII, RESIDENTIAL DISTRICTS, BY ADDING SECTION 255-43A, A-1 AND A-2 RESIDENTIAL DISTRICTS, TO ADD REGULATIONS FOR THE DEVELOPMENT OF AREAS ZONED A-1 OR A-2 RESIDENTIAL.

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**, to add Section 255-43A, A-1 and A-2 Residential Districts, as follows:

**§ 255-43A. A-1 and A-2 Residential Districts.**

A. In an A-1 Residential District, the following regulations shall apply:

- (1) With a public water supply and sanitary sewers installed and capped for future use, as approved by the Township as a condition of approval of a subdivision plan; as follows:

<b>Regulation</b>	<b>Requirement</b>
Lot area (minimum)	26,000 square feet
Width at building line (minimum)	120 feet
Front Yard (minimum)	50 feet
Side yard, each (minimum)	25 feet
Rear yard (minimum)	50 feet
Height (maximum)	
Principal building	35 feet
Accessory building	20 feet
Building coverage (maximum)	15% of the total lot area

- (2) With sanitary sewers and a public water supply, as follows:

<b>Regulation</b>	<b>Requirement</b>
Lot area (minimum)	22,000 square feet
Width at building line (minimum)	110 feet
Front Yard (minimum)	50 feet

Side yard, each (minimum)	25 feet
Rear yard (minimum)	50 feet
Height (maximum)	
Principal building	35 feet
Accessory building	20 feet and not exceeding one story
Building coverage (maximum)	15% of the total lot area

B. In an A-2 Residential District, a Residential Development Plan is required in accordance with Article VI, Planned Residential Areas, of this Code. Public water and sanitary sewers are required. The following regulations shall apply:

<b>Regulation</b>	<b>Requirement</b>
Lot area (minimum)	15,000 square feet, however, at least 40% of the lots in the development must be 18,000 square feet or larger
Width at building line (minimum)	100 feet
Front Yard (minimum)	40 feet
Side yard, each (minimum) 15 feet	An aggregate of 40 feet, minimum of 15 feet for either side. A side yard may be further reduced to 10 feet provided the adjacent lot is not already 10 feet on the side facing thereto
Rear yard (minimum)	40 feet
Height (maximum)	
Principal building	35 feet
Accessory building	20 feet and not exceeding one story
Building coverage (maximum)	15% of the total lot area

**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.

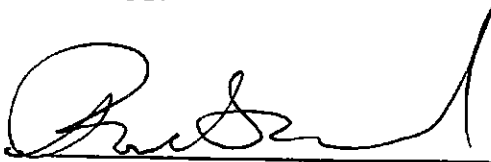
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 *14* day of *DECEMBER*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
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PAUL A. LEONARD, SECRETARY  
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\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

**AN ORDINANCE**  
**NO. 1015**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, entitled Zoning, Article VII, Residential Districts, §255-39 "Permitted Uses" To Permit Duplex Dwellings In The C Residential District.

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**, §255-39, Permitted uses, shall be amended to provide as follows:

**§ 255-39. Permitted uses.**

- A. A building may be erected, altered or used and a lot or premises may be used for any one use permitted in this section. Permitted uses on each lot in A and B Residential Districts shall be as follows:

\*\*\*\*\*

- B. Permitted uses on each lot in C Residential Districts shall be as follows:

- (1) Any use permitted in A and B Residential Districts.
- (2) Duplex dwelling and twin dwelling, when approved by Zoning Hearing Board as a special exception, provided that the area of the lot upon which either a duplex dwelling or two twin dwellings (two units) sharing a common wall shall be constructed, is at least 12,000 square feet.

**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.

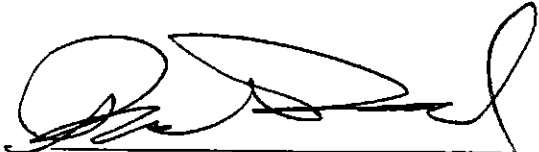
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences,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

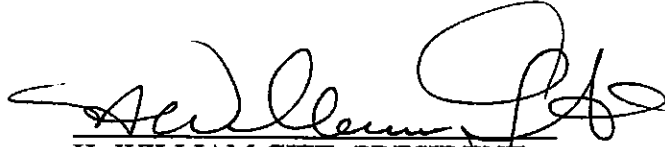
**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *14<sup>th</sup>* day of *December*, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE  
NO. 106

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 FRANKLIN LANE AT THE INTERSECTION OF HOWE 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 VIII, Schedules, Section 233-50, Stop Intersections, shall be amended to provide as follows:

Stop Sign On	Direction of Travel	At Intersection of
Franklin Lane	West	Howe Lane

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 DECEMBER, 1999.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY  
g:\ud\ord\Franklin Ln Stop Ord

  
H. WILLIAM GIFT, PRESIDENT

**AN ORDINANCE**  
**NO. 1017**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-59, "STOPPING, STANDING AND PARKING PROHIBITED " BY RESTRICTING PARKING ON THE EAST SIDE OF SCHOOL LANE AND JILL ROAD FROM A POINT 195 FEET FROM THE CENTERLINE OF NORTH HILLS AVENUE NORTH FOR 1300 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 VIII, "Schedules", Section 233-59, Schedule XVIII: Stopping, Standing and Parking Prohibited, shall be amended to provide as follows:

**§ 233-59. Schedule XVIII: Stopping, Standing and Parking Prohibited.**

<b>Name of Highway</b>	<b>Side</b>	<b>Hours</b>	<b>Location</b>
		*****	
School Lane/Jill Road	East	7:30 a.m. to 9:30 a.m. and 2:30 p.m. to 4:00 p.m., Monday through Friday	From a point 195 feet from the centerline of North Hills Avenue north for 1300 feet
		*****	

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

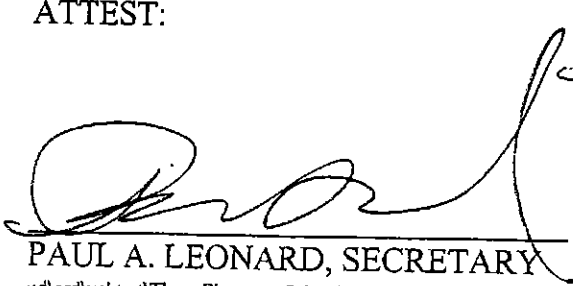
unconstitutional section, sentence, clause, part, or provision had not been included herein.

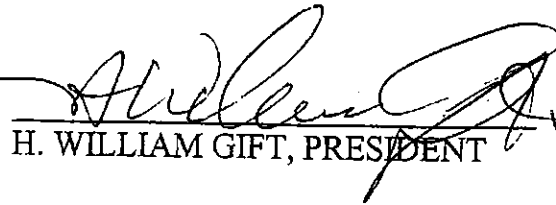
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 11<sup>th</sup> day of JAN, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY  
ud\ord\vehtraf\Thms Fitzwater School Parking

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

**AN ORDINANCE**

**NO. 1018**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 203, entitled, Solid Waste, Article I, Garbage and Refuse Collection, §203-11 "Unacceptable refuse" To Provide That The Township Shall Not Collect Municipal Waste From Apartment Buildings Containing Three Or More Dwelling Units.

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 203 thereof, entitled Solid Waste, Article I, Garbage and Refuse Collection, §203-11 "Unacceptable refuse", shall be amended to provide as follows:

**§ 203-11. Unacceptable refuse.**

A. The following refuse shall be considered to be not acceptable for collection by the township:

\* \* \* \* \*

C. No refuse will be collected from apartment buildings containing three or more dwelling units.

**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 11<sup>th</sup> day of JAN, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

g:\ud\ord\Trash Collection Ord

AN ORDINANCE

NO. 1019

**AN ORDINANCE PROVIDING FOR A BENEFIT ASSESSMENT TO BE CHARGED TO EACH PROPERTY OWNER BENEFITED BY THE CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER WASTEWATER COLLECTION LINE EXTENDING A NEW 8" SANITARY SEWER MAIN FROM AN EXISTING 12" SANITARY SEWER INTERCEPTOR CONTAINED WITHIN TOWNSHIP EASEMENT, IN A SOUTHEASTERLY DIRECTION FOR SEVENTY-TWO FEET (72') TO A TERMINAL MANHOLE CONTAINED WITHIN EASEMENT AREA OF THE ANDOVER ESTATES SUBDIVISION, WITH THE BENEFIT ASSESSED FOR EACH BENEFITED ABUTTING PROPERTY IN THE AMOUNT OF - \$4,115.00.**

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. 1009 enacted by the Board of Commissioners of the Township of Upper Dublin on September 14, 1999, a public sanitary sewer collection line has been constructed and installed to extend a new 8" sanitary sewer main from an existing 12" sanitary sewer interceptor contained within Township easement, in a southeasterly direction for seventy-two feet (72') to a terminal manhole contained within easement area of the Andover Estates Subdivision (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 December 1, 1999 as certified by the

Township Manager and the Township Director of Public Works.

Section 2. The total cost for the construction and installation of the Project has been determined to be \$8,230.00 in accordance with the Statement of Costs dated December 10, 1999, including contract cost of installation, engineering fees, legal fees, and Township inspections of the Project.

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

Section 4. In accordance with the benefit assessment method provided for in the First Class Township Code, each of the two properties benefited by the Project will be assessed for an appraised benefit in the following amounts:

1441 North Limekiln Pike, Parcel No. 54-00-10325-007	\$4,115.00
--	------------

1486 Mundock Road, Parcel No. 54-00-12133-008	\$4,115.00
---	------------

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 has 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. The Board of Commissioners has also agreed to offer an option for the owner to include the amount of the connection fee in the assessment installment payment agreement.

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 11 day of JAN, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

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**AN ORDINANCE**  
**NO. 1020**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON THE NORTH SIDE OF HIGHLAND AVENUE FROM A POINT 660 FEET WEST OF THE CENTER OF FORT WASHINGTON AVENUE TO THE INTERSECTION OF HIGHLAND AVENUE WITH VAN SANT 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 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.**

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

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
		*****
Highland Avenue	North	From a point 660 feet west of the center of Fort Washington Avenue to the intersection of Highland Avenue with Van Sant Lane

\*\*\*\*\*

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

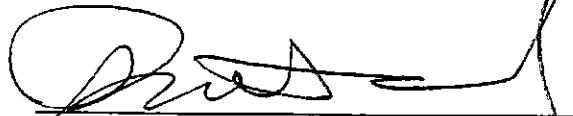
of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional 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 11 day of JAN, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY  
ud\ord\vehtraf\highland ave no parking

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

**AN ORDINANCE**  
**NO. 1021**

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 69, BRUSH, GRASS AND WEEDS, SECTION 69-6, "NOTICE FOR REMOVAL" BY PROVIDING FOR DELIVERY OF NOTICE BY ACTUAL DELIVERY, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL; CHAPTER 82, CABLE TELEVISION FRANCHISES, ARTICLE V, BONDS, INSURANCE AND INDEMNIFICATION, SECTION 82-23, "PERFORMANCE BOND; LETTER OF CREDIT" BY PROVIDING FOR DELIVERY OF NOTICE BY ACTUAL DELIVERY, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL; CHAPTER 206, STORMWATER MANAGEMENT, ARTICLE V, ADMINISTRATION, SECTION 206-28, "SCHEDULE OF INSPECTIONS" BY PROVIDING FOR DELIVERY OF THE TOWNSHIP ENGINEER'S REPORT BY ACTUAL DELIVERY, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL; CHAPTER 230, VEHICLES, ABANDONED, SECTION 230-1, "DEFINITIONS" BY PROVIDING FOR DELIVERY OF NOTICE BY ACTUAL DELIVERY, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL; CHAPTER 230, VEHICLES, ABANDONED, SECTION 230-5, "ENFORCEMENT" BY PROVIDING FOR DELIVERY OF NOTICE BY ACTUAL DELIVERY, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL; CHAPTER 255, ZONING, ARTICLE XXIV, ADMINISTRATION, SECTION 255-186, "POWERS AND DUTIES OF ZONING OFFICER" BY PROVIDING FOR DELIVERY OF WRITTEN ORDERS BY PERSONAL SERVICE, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL, AND; CHAPTER 255, ZONING, ARTICLE XXVI, ENFORCEMENT; VIOLATIONS AND PENALTIES, SECTION 255-197, "ENFORCEMENT" BY PROVIDING FOR DELIVERY OF NOTICE BY ACTUAL DELIVERY, CERTIFIED MAIL, REGISTERED MAIL OR FIRST CLASS MAIL.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 69 thereof, entitled Brush, Grass and Weeds, Section 69-6, "Notice for removal", shall be amended to provide as follows:

**§ 69-6. Notice for removal.**

The township will provide one (1) notice, by actual delivery, certified mail, registered mail or first class mail to the owner, as set forth and at the address indicated on the tax duplicate for the property, of the duty to cut or remove such plant growth within seven (7) days after the date of such notice.

Section 2. The Code of the Township of Upper Dublin, Chapter 82 thereof, entitled Cable Television Franchises, Article V, Bonds, Insurance and Indemnification, Section 82-23, "Performance bond; letter of credit", shall be amended to provide as follows:

**§ 82-23. Performance bond; letter of credit.**

\*\*\*\*\*

- F. Notification. Within three (3) days of a withdrawal from the letter of credit or performance bond, the township shall deliver to the grantee, by actual delivery, certified mail, registered mail or first class mail written notification of the amount, date and purpose of such withdrawal.
- G. Replenishment of letter of credit or performance bond. No later than thirty (30) days after delivery to the grantee of notification of a withdrawal pursuant to Subsection F above, the grantee shall replenish the letter of credit or performance bond in an amount equal to the amount so withdrawn. Failure to make timely replenishment of such amount to the letter of credit or performance bond shall constitute a substantial violation of this chapter.

\*\*\*\*\*

Section 3. The Code of the Township of Upper Dublin, Chapter 206 thereof, entitled Stormwater Management, Article V, Administration, Section 206-28, "Schedule of inspections", shall be amended to provide as follows:

**§ 206-28. Schedule of inspections.**

\*\*\*\*\*

- 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 deliver a copy of the report to the developer by actual delivery, certified mail, registered mail or first class mail. The report shall be made and delivered within five days after final inspection by the Township Engineer.

\*\*\*\*\*

Section 4. The Code of the Township of Upper Dublin, Chapter 230 thereof, entitled Vehicles, Abandoned, Section 230-1, "Definitions", shall be amended to provide as follows:

**§ 230-1. Definitions.**

\* \* \* \* \*

B. The following words, terms and phrases as used in this chapter shall have the meanings given herein:

\* \* \* \* \*

NOTICE - A notice, in writing, delivered by actual delivery, certified mail, registered mail or first class mail to the owner, if known, and, if not known, by posting or attaching said notice to the vehicle.

\* \* \* \* \*

Section 5. The Code of the Township of Upper Dublin, Chapter 230 thereof, entitled Vehicles, Abandoned, Section 230-5, "Enforcement", shall be amended to provide as follows:

**§ 230-5. Enforcement.**

The enforcement of the provisions of this chapter shall be under the direction and supervision of the police. Upon the finding of any abandoned or wrecked vehicle or tractor believed to be abandoned, the police shall give notice to the owner or lessee of the vehicle and the owner, lessee or occupant of the real property upon which the abandoned or wrecked vehicle or tractor is found. Notice to the owner, lessee or occupier of the real property shall be in writing and delivered to the owner, lessee or occupier, if known, and by posting a true and compared copy on said abandoned vehicle. Where the owner, lessee or occupier of the real property is not known or cannot be found in the township, said notice shall be sent by registered, certified or first class mail to the owner as indicated on the tax duplicate of the township.

Section 6. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXIV, Administration, Section 255-186, "Powers and duties of Zoning Officer", shall be amended to provide as follows:

**§ 255-186. Powers and duties of Zoning Officer.**

It shall be the duty of the Zoning Officer and he shall have power:

\* \* \* \* \*

- D. To make written orders requiring compliance with the provisions of this chapter to be served personally or by certified, registered or first class mail.

\* \* \* \* \*

Section 7. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXVI, Enforcement; Violations and Penalties, Section 255-197, "Enforcement", shall be amended to provide as follows:

**§ 255-197. Enforcement.**

It shall be the duty of the Zoning Officer to take cognizance of violations of this chapter. He shall investigate each violation which comes to his attention, whether by observation or communication. He shall promptly give notice, in writing, of a violation of any of the provisions of this chapter, and, when notice of a violation of any provision of this chapter has been served by the Zoning Officer, such violation shall be discontinued immediately. Notice, as aforesaid, shall be considered served when delivered in person or sent by certified, registered or first class mail to the owner, agent, occupant, contractor or builder, if known, and, if not known, posted upon a conspicuous place on the property upon which the violation exists. Failure to secure a zoning permit or Zoning Hearing Board certificate, when required, previous to the erection, construction, extension or addition to a building or failure to secure a use and/or occupancy permit shall be a violation of this chapter, and prosecution for a violation may follow, without notice.

Section 8. Nothing in this Ordinance or in Chapters 69, 82, 206, 230 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 69, 82, 206, 230 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 from and after its approval as

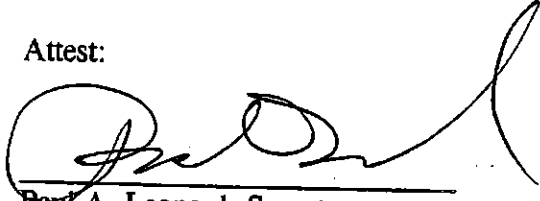
required by law.

Approved by the Board this 8 day of FEB , 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
\_\_\_\_\_  
H. William Gift, President

Attest:



\_\_\_\_\_  
Paul A. Leonard, Secretary

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AN ORDINANCE

NO. 1072

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 SEVENTY CENTS (\$2.70) TO TWO DOLLARS AND EIGHTY CENTS (\$2.80) PER ONE THOUSAND GALLONS OF WATER.

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, 2000 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 eighty cents (\$2.80) 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.

\*\*\*\*\*

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.

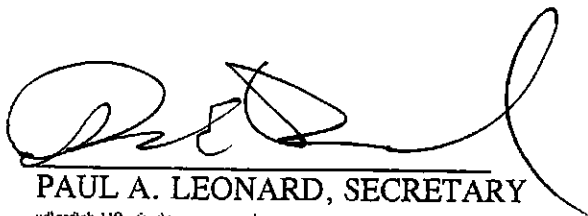
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 8 day of February, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

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WILLIAM H. GIFT, PRESIDENT

**AN ORDINANCE**  
**NO. 1023**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-56, "SCHEDULE XV: TIME LIMIT PARKING" BY RESTRICTING PARKING TO THIRTY MINUTES BETWEEN THE HOURS OF 8:00 AM AND 4:00 PM, MONDAY THROUGH FRIDAY ON THE NORTH SIDE OF HIGHLAND AVENUE FROM A POINT 80 FEET WEST OF THE CENTER OF FORT WASHINGTON AVENUE TO A POINT 580 FEET WEST; AND SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON THE NORTH SIDE OF HIGHLAND AVENUE FROM FORT WASHINGTON AVENUE TO A POINT 80 FEET WEST OF THE CENTER LINE OF 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 VIII, "Schedules", Section 233-56, Schedule XV: 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:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
		*****	
Highland Avenue	North	30 minutes/ 8:00 a.m. to 400 p.m. Monday through Friday	From a point 80 feet west of the center line of Fort Washington Avenue to a point 580 feet west.
		*****	

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 to provide as follows:

§ 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
Highland Avenue	North	From Fort Washington Avenue to a point 80 feet west of the center line of Fort Washington 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.

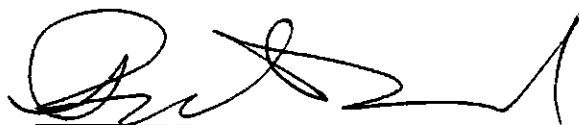
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 8<sup>th</sup> day of FEB, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

ud\ord\CH 233 VEHICLES & TRAFFIC\highland ave 30 min parking

  
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 2000.

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 2000 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 2000 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 2000 shall be held on the first Tuesday of each month following the workshop meeting, 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.

SECTION 4. The Commerce & Interior Committee meeting for the year 2000 shall be held on the fourth Tuesday of each month at 6:30 PM, local time, unless the same shall be a legal holiday, in which case the meeting will be held on the next regular business day following.

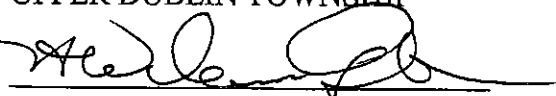
SECTION 5. The Finance Committee meeting for the year 2000 shall be held on the third Tuesday of April, July and October at 7:30 PM, local time, or as needed.

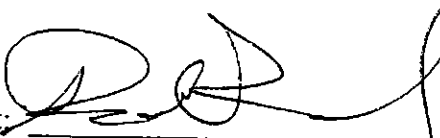
SECTION 6. The public is welcome to attend all meetings, and participation by the public is welcome.

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. 1025**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 110, Entitled Fees, Section 110-17, "Zoning", To Impose A Fee For Appeals From Determinations Of The Zoning Officer Or Township Engineer, To Require An Escrow For Engineering Review Of Applications, And To Impose A Fee For Challenging The Substantive Validity Of A Land Use Ordinance.

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 110-17, "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 \$1,000.
- B. Conditional use application. An applicant for a conditional use approval shall pay a fee of \$500.
- C. Zoning Hearing Board. An applicant for a variance or a special exception or an appellant from the determination of the zoning officer or Township Engineer shall pay the following fees:

Use	Fee
Residential	\$ 500.00
Commercial or industrial	1,500.00
- D. The annual inspection fee for day camps shall be \$100.
- E. The fee for written zoning certifications shall be \$100.
- F. Engineering review fees. Where the Zoning Code requires engineering review to process an application, the applicant shall be responsible for the Township Engineer's charges. At the time of application the applicant shall deposit the sum of \$1000 in escrow with the Zoning Officer to be applied against such charges.
- G. Appeals. An appellant challenging the substantive validity of a land use ordinance before either the Zoning Hearing Board or the Board of Commissioners shall pay a

fee of \$1,000 in addition to any other charges set forth herein.

- H. Continuance. A fee of \$50 shall be paid for any continuance of a hearing before the Zoning Hearing Board or the Board of Commissioners, or for the rescheduling of a hearing if requested by an applicant.

**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.

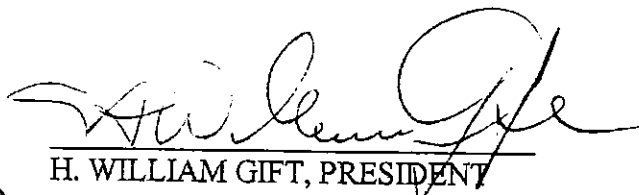
**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 14<sup>th</sup> day of MARCH, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 1026

An Ordinance To Amend The Upper Dublin Township Code Chapter 192, Sewers As Follows: Section 192-2, "Area Of District", To Describe Those Properties Within The Watershed Area Of Upper Dublin Township Not Part Of The Upper Dublin Township Sewer District; Section 192-6, "Definitions", To Include Authorized Representatives In The Definition Of Township; Section 192-9 "Compliance Required; Rules And Regulations", To Remove The Obligation Of a Tenant To Give Notice To The Township Of Vacated Premises; Section 192-12, "Abbreviations", To Designate Meanings For Various Abbreviations; Section 192-13, "Definitions", To Define Various Terms; Section 192-14, "General Discharge Prohibitions", To Include Various Substances That A User Shall Not Introduce Into A Publicly Owned Treatment Works; Section 192-17, "Specific Pollutant Limitations", To Replace The Existing Pollutants With New Pollutants And New Concentrations; Section 192-18, "Dilution", To Permit The Department To Impose Dilution Limitations; Section 192-19, "Pretreatment Facilities", To Replace The Term Township With The Term Department; Section 192-20, "Additional Pretreatment Measures", To Permit The Department To Require Users To Restrict Their Discharge, To Permit The Department To Require Users To Install A Flow-Control Facility; To Correct The Numbering Of Various Articles; Section 192-23, "Permit Required", To Require Users To Submit Information To The Department; Section 192-24, "New Connections", To Retitle The Section "Existing and New Connections", To Require Any Non-Domestic User To Obtain A Wastewater Discharge Permit; Section 192-32, "Permit Transfer", Is Deleted In Its Entirety; Section 192-43, "Notification Of Discharge Of Hazardous Waste", To Require The User To Notify The Department; Section 192-44, "Analytical Requirements", To Adopt Analysis Test Methods; And Section 110-10, "Sewers", To Impose A Surcharge To A Customer When The Customer's Discharge Is In Excess Of Provided Maximum Concentrations.

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 192 thereof, entitled Sewers, Article I. "Sewer District", Section 192-2, Area of district, shall be amended as follows:

**§ 192-2. Area of district.**

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- B. The following described areas shall not be considered to be a part of the Upper Dublin Township Sewer District, and as such are not presently subject to the payment of sewer rental charges to Upper Dublin Township in accordance with the schedule of charges, as set forth in § 192-3 of this Article; nor is the township liable to provide sanitary sewer service to the properties within these excluded areas, except to the extent that such properties are located within the Fort Washington Industrial Park Sewer District.

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- (2) The portion of the Eastern Office property of Prudential Insurance Company of America located on Welsh Road at the Pennsylvania Turnpike served by the Upper Moreland - Hatboro Joint Sewer Authority under a special agreement with the township.

Section 2. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Article II. "Connections", Section 192-6, Definitions, shall be amended as follows:

**§ 192-6. Definitions.**

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

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TOWNSHIP – Upper Dublin Township or its authorized representative.

Section 3. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Article II. "Connections", Section 192-9, Compliance required; rules and regulations, shall be amended as follows:

**§ 192-9. Compliance required; rules and regulations.**

No connection shall be made to the sewer system except in compliance with the appropriate ordinances of the township and with such rules and regulations of the township as may be approved from time to time by ordinance of the township. The following rules and regulations are approved for adoption by the township and shall have the force and effect as though promulgated by the township:

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- G. Vacated premises. When premises are vacated, the owner shall give notice thereof to the township, and the owner will be responsible for the sewage charges until such notice is given.

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Section 4. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article III. "General Provisions", Section 192-12, Abbreviations, shall be amended as follows:

**§192-12. Abbreviations.**

The following abbreviations shall have the designated meanings:

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CBOD            Carbonaceous Biochemical Oxygen Demand

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DEP            Pennsylvania Department of Environmental Protection

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GPD            Gallons Per Day

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MGD            Million Gallons Per Day

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Section 5. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article III. "General Provisions", Section 192-13, Definitions, shall be amended as follows:

**§192-13. Definitions.**

Unless the context specifically indicates otherwise, the following terms and phrases, as used in these regulations, shall have the following meanings:

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CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND (CBOD) - The quantity of oxygen utilized in the biochemical oxidation of carbonaceous organic matter under standard laboratory procedures, five (5) days at 20 degrees centigrade (20°C), expressed in terms of concentration [milligrams per liter (mg/l)].

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GRAB SAMPLE - A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

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INSTANTANEOUS MAXIMUM ALLOWABLE DISCHARGE LIMIT - The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected; independent of the industrial flow rate and the duration of the sampling event.

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pH - A measure of the acidity or alkalinity of a solution, expressed in standard units.

POLLUTANT - Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, municipal, agricultural and industrial waste, or any other contaminant discharged into water. The term includes certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, CBOD, COD, toxicity or odor).

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PRETREATMENT REQUIREMENTS - Any substantive or procedural requirement related to pretreatment as mandated by the Department and contained in this Chapter. These requirements are in addition to any National Categorical Pretreatment Standard and they shall take precedent over the National Categorical Pretreatment Standards when this Chapter's requirements are more restrictive.

PRETREATMENT STANDARDS or STANDARDS - Pretreatment Standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

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PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES - Absolute prohibitions against the discharge of certain substances as identified elsewhere in these regulations.

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SLUG LOAD or SLUG -- Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards stated elsewhere in these regulations.

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TOTAL SUSPENDED SOLIDS OR SUSPENDED SOLIDS (TSS) -- The total suspended matter that floats on the surface of or is suspended in water, wastewater or other liquids and which is removable by laboratory filtering expressed in terms of concentration [milligrams per liter (mg/l)].

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UPPER DUBLIN SEWER TREATMENT PLANT -- The sewer treatment plant owned and operated by the Township of Upper Dublin, and also referred to as THE UPPER DUBLIN WASTEWATER TREATMENT PLANT.

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Section 6. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article IV. "Regulations", Section 192-14, General discharge prohibitions, shall be amended as follows:

**§192-14. General discharge prohibitions.**

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B. No user shall introduce or cause to be introduced into a POTW the following:

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- (19) Oil and grease of animal or vegetable origin, as measured by EPA test method 1664, in concentrations greater than are stated elsewhere herein; oil and grease in the form of Total Recoverable Petroleum Hydrocarbons (TRPH) as measured by EPA test method 1664, in concentrations greater than are stated elsewhere herein.
- (20) Wastewater causing two successive readings on an explosion hazard meter at the point of discharge into a POTW, or at any point in a POTW, of more than 5% or any single reading over 10% of the lower explosive limit of the meter.

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- (22) Any wastewater containing any organic chemical in excess of the following, except as may be permitted in writing in a valid wastewater discharge permit issued by the Department.

<u>Organic Chemical</u>	<u>Maximum Instantaneous Concentration (ug/L)</u>
ACID COMPOUNDS	
2,4,6-Trichlorophenol	10
2,4-Dichlorophenol	10
2,4-Dimethylphenol	10
2,4-Dinitrophenol	50
2-Chlorophenol	10
2-Nitrophenol	10
2,6-Dinitro-o-cresol	50
4-Chloro-3-methylphenol	20

<u>Organic Chemical</u>	<u>Maximum Instantaneous Concentration (ug/L)</u>
4-Nitrophenol	50
Pentachlorophenol	50
BASE NEUTRALS	
1,2,4-Trichlorobenzene	10
1,2-Dichlorobenzene	10
1,2-Diphenylhydrazine	10
1,3-Dichlorobenzene	10
1,4-Dichlorobenzene	10
2,3,7,8- Tetrachlorodibenzodioxin	10
2,4-Dinitrotoluene	10
2,6-Dinitrotoluene	10
2-Chloronaphthalene	10
3,3'-Dichlorobenzidine	20
3,4-Benzofluoranthene	10
4-Bromophenyl phenyl ether	10
4-Chlorophenyl phenyl ether	10
Acenaphthene	10
Acenaphthylene	10
Anthracene	10
Benzidine	20
Benzo(a)anthracene	10
Benzo(a)pyrene	10
Benzo(ghi)perylene	10
Benzo(k)fluoranthene	10
Bis(2-Chloroethoxy)methane	10
Bis(2-Chloroethyl) ether	10
Bis(2-Chloroisopropyl) ether	10
Bis(2-Ethylhexyl) Phthalate	10
Butylbenzyl Phthalate	10
Chrysene	10
Di-n-butyl Phthalate	10
Di-n-octyl Phthalate	10
Dibenzo(a,h)anthracene	10
Diethyl Phthalate	10
Dimethyl Phthalate	10
Fluoranthrene	10
Fluorene	10
Hexachlorobenzene	10
Hexachlorobutadiene	10
Hexachlorocyclopentadiene	10

<u>Organic Chemical</u>	<u>Maximum Instantaneous Concentration (ug/L)</u>
Hexachloroethane	10
Indeno(1,2,3-cd)pyrene	10
Isophorone	10
N-nitrosodi-n-propylamine	10
N-nitrosodimethylamine	10
N-nitrosodiphenylamine	10
Naphthalene	10
Nitrobenzene	10
Phenanthrene	10
Pyrene	10
PCBs	
PCB-1016	50
PCB-1221	50
PCB-1232	50
PCB-1242	50
PCB-1248	50
PCB-1254	50
PCB-1260	50
PESTICIDES	
4,4'-DDD	10
4,4'-DDE	10
4,4'-DDT	10
Aldrin	10
Alpha-BHC	10
Beta-BHC	10
Chlordane	10
Delta-BHC	10
Dieldrin	10
Endosulfan I	10
Endosulfan II	10
Endosulfan sulfate	10
Endrin	10
Endrin aldehyde	10
Heptachlor	10
Heptachlor Epoxide	10
Lindane; Gamma BHC	10
Toxaphene	10
VOLATILES	
1,1,1-Trichloroethane	5
1,1,2,2-Tetrachloroethane	5
1,1,2-Trichloroethane	5

<u>Organic Chemical</u>	<u>Maximum Instantaneous Concentration (ug/L)</u>
1,1-Dichloroethane	5
1,1-Dichloroethylene	5
1,2-Dichloroethane	5
1,2-Dichloropropane	5
2-Chloroethylvinyl Ether	5
Acrolein	50
Acrylonitrile	50
Benzene	5
Bromoform (Tribromomethane)	5
Bromomethane	10
Carbon Tetrachloride	5
Chlorobenzene	5
Chlorodibromomethane	5
Chloroethane	10
Chloroform	5
Chloromethane	10
Cis-1,3-Dichloropropylene	5
Dichlorobromomethane	5
Ethylbenzene	5
Methylene Chloride	5
Tetrachloroethylene	5
Toluene	5
Trans-1,2-Dichloroethylene	5
Trans-1,3-Dichloropropylene	5
Trichloroethylene	5
Trichlorofluoromethane	5
Vinyl Chloride	10

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C. In addition, the following activities are prohibited:

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Section 7. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article IV. "Regulations", Section 192-17, Specific pollutant limitations, shall be amended as follows:

**§192-17. Specific pollutant limitations.**

- A. No person shall discharge wastewater to the Upper Dublin Wastewater Treatment Plant containing in excess of the following unless specifically authorized by the Department through issuance of a valid wastewater discharge permit.

<u>Pollutant</u>	<u>Maximum Instantaneous Concentration, (mg/L)</u>
COD	775
CBOD	250
BOD	250
TSS	250
Oil & Grease (Animal/Vegetable)	100
Oil & Grease (Total Recoverable Petroleum Hydrocarbons)	50
Total Kjeldahl Nitrogen (TKN)	40
Ammonia	30
Phenols	0.20
Total Cyanide	0.100
Free Cyanide	0.012
Arsenic	0.023
Beryllium	0.005
Cadmium	0.008
Total Chromium	0.028
Hexavalent Chromium	0.028
Copper	0.430
Lead	0.100
Mercury	0.005
Molybdenum	0.012
Nickel	0.199
Selenium	0.016
Silver	0.048
Zinc	0.240

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Section 8. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article IV. "Regulations", Section 192-18, Dilution, shall be amended as follows:

**§192-18. Dilution.**

No user shall ever increase the use of process water or in any way attempt to dilute a

discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Department may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate.

Section 9. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article V, "Pretreatment of Wastewater", Section 192-19, Pretreatment facilities, shall be amended as follows:

**§192-19. Pretreatment facilities.**

Users shall provide wastewater treatment as necessary to comply with these regulations and shall comply with all categorical pretreatment standards, local limits and the prohibitions set out in these regulations within the time limitations specified by EPA, the state or the Department, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Department for review and shall be acceptable to the Department before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Department under the provisions of these regulations.

Section 10. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article V, "Pretreatment of Wastewater", Section 192-20, Additional pretreatment measures, shall be amended as follows:

**§192-20. Additional pretreatment measures.**

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- C. Whenever deemed necessary, the Department may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this Chapter.
- D. The Department may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

Section 11. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article IV, "Wastewater Discharge Permit

Administration", shall be amended as follows:

**ARTICLE VI**  
**Wastewater Discharge Permit Administration**

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Section 12. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VI, "Wastewater Discharge Permit Administration", Section 192-23, Permit required, shall be amended as follows:

**§192-23. Permit required.**

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- D. When requested by the Department, a user must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Department is authorized to prepare a form for this purpose and may periodically require users to update this information.

Section 13. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VI, "Wastewater Discharge Permit Administration", Section 192-24, New connections, shall be amended as follows:

**§192-24. Existing and new connections.**

Any non-domestic user who discharges into a POTW must obtain a wastewater discharge permit. An application for a wastewater discharge permit under these regulations must be filed in accordance with the following schedule.

- A. For new or existing connections for which a new non-domestic user will be discharging into a POTW, a wastewater discharge permit application must be filed in accordance with these regulations at least thirty (30) days prior to the date upon which any discharge is proposed to begin or recommence.
- B. For existing non-domestic users which intend to modify operations or modify usage and for existing non-domestic users which intend to add or modify connections to a POTW, a wastewater discharge permit application in accordance with these regulations must be filed at least thirty (30) days prior to the date proposed for initiating such modifications.
- C. For existing non-domestic users, which intend to continue current operations with no modifications, a wastewater discharge permit application in accordance with these regulations, must be filed within 180 days of notification by the Department.

Section 14. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VI, "Wastewater Discharge Permit Administration", Section 192-32, Permit transfer, shall be deleted in its entirety:

**§192-32. THIS SECTION RESERVED.**

Section 15. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article V, "Reporting Requirements", shall be amended as follows:

**ARTICLE VII  
Reporting Requirements**

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Section 16. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VII, "Reporting Requirements", Section 192-43, Notification of discharge of hazardous waste, shall be amended as follows:

**§192-43. Notification of discharge of hazardous waste.**

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- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Department, the EPA Regional Waste Management Waste Division Director and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

Section 17. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VII, "Reporting Requirements", Section 192-44, Analytical requirements, shall be amended as follows:

**§192-44. Analytical requirements.**

- A. The following test methodology shall be adopted by all users for analysis of the specified pollutants unless otherwise stipulated under a valid wastewater discharge permit issued by the Department:

**ANALYSIS TEST METHODS**

The following test methods are considered the basis for future pollutant analysis of waste streams within the Upper Dublin collection system and at the Upper

Dublin Wastewater Treatment Plant, except as may be permitted in writing in a valid wastewater discharge permit issued by the Department.

<u>Analysis</u>	<u>Test Method</u>
BOD	SM-5210B
COD	EPA 410.4
CBOD	SM-5210B
TSS	SM-2540D
Oil & Grease (Animal/Vegetable)	EPA 1664
Oil & Grease (Total Recoverable Petroleum Hydrocarbons)	EPA 1664
Total Kjeldahl Nitrogen (TKN)	EPA 351.3
Ammonia	EPA 350.2
Phenols	EPA 420.2
Cyanide (total)	EPA 335.4
Cyanide (free)	SM-4500CN-I
Arsenic	EPA 206.2
Barium	EPA 200.7
Cadmium	EPA 213.2
Chromium (total)	EPA 218.2
Chromium (hex.)	SM-3500-CRD
Copper	EPA 200.7
Lead	EPA 239.2
Mercury	EPA 245.1
Molybdenum	EPA 200.7
Nickel	EPA 200.7
Selenium	EPA 270.2
Silver	EPA 272.2
Zinc	EPA 200.7
Volatile Organics	EPA 624
Semi Volatile Organics (incl. PCB's and Pesticides)	EPA 625

Note: The test method prefix "SM" refers to a method published in Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association (latest edition).

- B. All pollutant analysis, including sampling techniques to be submitted by any user as part of a wastewater discharge permit application or self monitoring report, shall be performed in accordance with the techniques described in 40 CFR, Part 136, unless otherwise specified under Standard Methods in the case of BOD, CBOD, TSS, Free Cyanide, or Hexavalent Chromium, or unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR, Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analysis must be in

accordance with procedures approved by EPA.

- C. Samples for oil & grease, temperature, pH, cyanides, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

Section 18. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VI, "Compliance Monitoring", shall be amended as follows:

**ARTICLE VIII  
Compliance Monitoring**

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Section 19. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VII, "Enforcement Remedies", shall be amended as follows:

**ARTICLE IX  
Enforcement Remedies**

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Section 20. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article VIII, "Affirmative Defenses to Discharge Violations", shall be amended as follows:

**ARTICLE X  
Affirmative Defenses to Discharge Violations**

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Section 21. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article X, "Affirmative Defenses to Discharge Violations", Section 192-58, Bypass, shall be amended as follows:

**§192-58. Bypass.**

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- C. (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the Department at least 10 days before the date of the bypass, if possible.
- (2) A user shall submit oral notice to the Department of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the

time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass. The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

**D. Exceptions.**

- (1) Bypass is prohibited, and the Department may undertake an enforcement action against a user for a bypass, unless:
  - (a) The bypass was unavoidable to prevent loss of life, personal injury or severe property damage;
  - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (c) The user submitted notices as required under Subsection C of this section.
- (2) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed in Subsection D(1) of this section.

Section 22. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article IX, "Building Sewers and Connections", shall be amended as follows:

**ARTICLE XI  
Building Sewers and Connections**

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Section 23. The Code of the Township of Upper Dublin, Chapter 192 thereof, entitled Sewers, Part 2, "Wastewater Control Regulations", Article X, "Ambler Wastewater Treatment Plant", shall be amended as follows:

**ARTICLE XII**  
**Ambler Wastewater Treatment Plant**

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Section 24. 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:

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- C. Fort Washington Industrial Park Sewer District. All connection fees, discounts, penalties and other rules and regulations heretofore existing with respect to the Upper Dublin Township Sewer District and/or the sewer system located therein shall, upon the effective date of this chapter, become applicable to the Fort Washington Industrial Park Sewer District and the sewer system located therein; provided, however, that all properties located in the Fort Washington Industrial Park Sewer District may continue to be billed on a quarterly basis, notwithstanding the amount of their annual sewer rental bill. The township reserves the right to and may, from time to time, adopt, revise and amend and readopt such rules and regulations as it deems necessary and proper for the use and operation of the sewer systems, and all such rules and regulations shall be and become a part of this chapter. This section shall become effective upon the acquisition by the township of the wastewater treatment and collection system currently owned by Delaware Valley Industrial Sewage, Inc. In addition, the area plan of the Fort Washington Industrial Park Sewer District is on file in the township offices.

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- (4) The Department of Public Works of the Township of Upper Dublin (hereinafter referred to in this subsection as Department) may impose a surcharge to any Customer, whenever applicable, in instances where any pollutant listed in Upper Dublin Township Code, Chapter 192, Article IV, Section 192-17 is received in the customer's wastewater in excess of the maximum instantaneous concentrations listed in said Section. The surcharge, which shall be additive for each individual pollutant, shall be based on the following base calculation methods and procedures.
- (a) The quantity charge identified in subsection C(1)(a) shall be multiplied by a factor of "F", calculated by the following formula:

$$F = \frac{(A_i - A_a)}{A_a} + \frac{(B_i - B_a)}{B_a} + (\dots) + \frac{(Z_i - Z_a)}{Z_a} + 1.0$$

F = Factor applied to basic treatment rate;

A<sub>i</sub> = Solid concentration of first pollutant in the wastewater in mg/l received from Customer or the respective maximum instantaneous concentration limit for that pollutant, which ever is greater;

A<sub>a</sub> = The applicable maximum instantaneous concentration in mg/l of the first pollutant as specified under Upper Dublin Township Code Chapter 192, Section 192-17.

B<sub>i</sub> = Concentration of the second pollutant in the wastewater in mg/l received from Customer or the respective maximum instantaneous concentration limit for that pollutant, which ever is greater;

B<sub>a</sub> = The applicable maximum instantaneous concentration in mg/l of the second pollutant as specified under Upper Dublin Township Code Chapter 192, Section 192-17.

Z<sub>i</sub> = Concentration of last pollutant in the wastewater in mg/l received from the Customer or the respective maximum instantaneous concentration limit for that pollutant, which ever is greater;

Z<sub>a</sub> = The applicable maximum instantaneous concentration mg/l of the last pollutant as specified under Upper Dublin Township Code Chapter 192, Section 192-17.

- (b) The strength of wastes shall be determined from 24-hour composite samples taken by the Department or its designated agent, unless analytical test methods specified in Upper Dublin Township Code Chapter 192, Section 192-44 otherwise require only grab samples, in which case grab samples will be used to determine waste strength. Samples shall be obtained at a minimum frequency of yearly, without prior notice to the Customer. Samples shall be obtained on the customer's property or at a location which provides unaltered

material for cumulative sampling purposes in such a manner as the Department may prescribe. Samples shall be taken at such number of times as the Department shall deem reasonable, and the Customer shall be notified in writing of the number of such samples to be taken on a quarterly or yearly basis, which the Department shall determine to be representative of the effluent characteristics. The results of the samples and the analysis thereof shall be used in the determination of the amount of surcharge.

- (c) If, in the Department's judgement, sampling of wastewater is neither feasible nor practical, the Department, for billing purposes, may base the strength of the wastes on sampling results for a similar discharge and/or values obtained from technical literature.
- (d) Customer discharging wastewater subject to the surcharge shall, as prescribed by the Department:
  - (i) install and maintain such facilities for sampling and measuring the wastewater discharged from their properties; and
  - (ii) maintain such records and information deemed necessary for the determination of the surcharge.
- (e) Customer, as required from time to time, shall file with the Department a permit application, permit application revision, or permit application renewal, establishing or revising pertinent information on the quantity of flow and the quality of wastewater and other data deemed necessary for the determination of the surcharge.
- (f) Measurements, tests, and analyses of the characteristics of wastewater subject to surcharge shall be determined in accordance with that specified in Chapter 192 - Sewers.
- (g) The surcharge shall be applied to the total wastewater discharged less any portion excluded by the Department.
- (h) The cost of sampling and laboratory analysis used for establishing the surcharge shall be borne by the Customer.

Section 25. Nothing in this Ordinance or in Chapter 192 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 192 or Chapter 110 prior to the adoption of this amendment.

Section 26. 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 27. 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 MARCH, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1027

An Ordinance To Amend The Upper Dublin Township Code, Chapter 192, Sewers, Part 1, General Provisions, Article II, Connections, §192-6, Definitions, Defining Occupied Building To Include Structures Situate 300 Feet Or Less From The Nearest Edge Of A Sanitary Sewer Easement.

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 192, thereof entitled Sewers, Part 1, General Provisions, Article II, Connections, Section 192-6, Definitions, shall be amended as follows:

**§192-6. Definitions.**

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

\* \* \* \* \*

**OCCUPIED BUILDING** -- Any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged, and a portion or all of which structure is situate 300 feet or less from the nearest edge of the right-of-way or a sanitary sewer easement, providing such property abuts or has direct access to the right-of-way or easement.

Section 2. Nothing in this Ordinance or in Chapter 192 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 192 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.

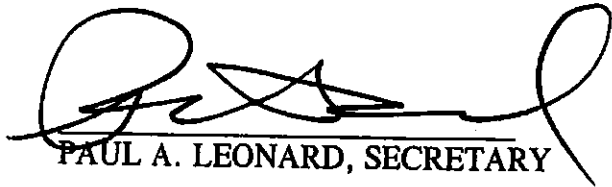
Section 4. This Ordinance shall take effect and be in force from and after its approval as

required by law.

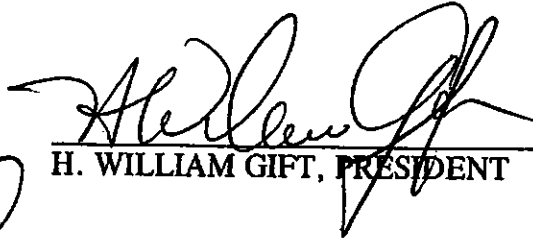
ENACTED AND ORDAINED this 11 day of APRIL, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY



H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1028

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 117, Entitled Fire Prevention, Section 117-7, "Fire Protection Equipment; Sprinkler And Standpipe Systems", Changing The Building Area Increase Necessary To Require Fire Sprinkler Systems From 20% To 50%.

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 117 thereof entitled Fire Prevention, Section 117-7, "Fire protection equipment; sprinkler and standpipe systems" shall be amended to provide 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 National Fire Protection Association (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 50% or more from the area of the building or occupancy existing as of the date of adoption of this section 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.

\*\*\*\*\*

**Section 2.** 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 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

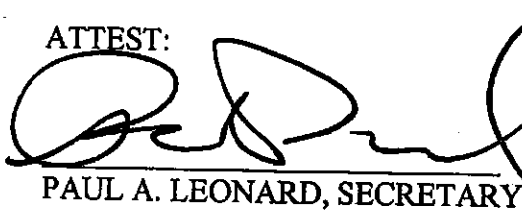
competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional 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 APRIL, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1029

AN ORDINANCE TO ADOPT A MAP OF THE STREETS IN THE TOWNSHIP TO BE KNOWN HEREINAFTER AS THE "OFFICIAL MAP OF THE TOWNSHIP OF UPPER DUBLIN".

WHEREAS, the Pennsylvania Municipalities Planning Code, act of December 21, 1988, P.L. 1329, No. 170, as amended, 53 P.S. §10101, provides that a municipality may cause to be made an official map of the municipality including, but not limited to, existing and proposed public streets; and

WHEREAS, the Board of Commissioners of the Township of Upper Dublin has directed the Township Engineer to update the existing street map to be used as the "Official Map of the Township of Upper Dublin" to show the existing and proposed streets in the Township, a true and correct copy of which is attached hereto and made a part hereof.

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

Section 1. The attached map of existing and proposed public streets and known private roads and streets in the Township is hereby designated and adopted as the "Official Map" of the Township of Upper Dublin.

Section 2. The Official Map may be amended from time to time as provided in the Pennsylvania Municipalities Planning Code, and such amendments shall be duly noted on the Official Map.

Section 3. 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 prior to the adoption of this Ordinance.

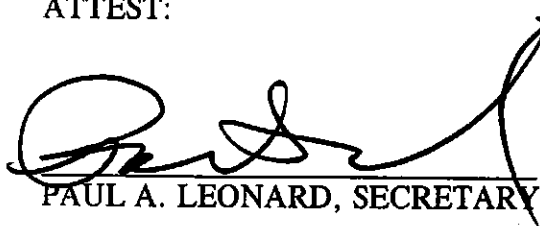
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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.

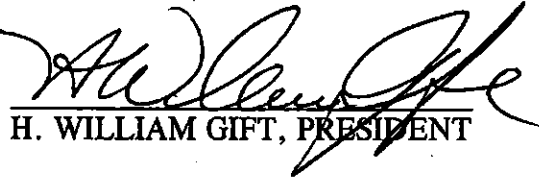
Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9th day of May, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

g:\ud\ord\Official Map ord

UPPER DUBLIN TOWNSHIP

ORDINANCE NO. 1030

An Ordinance Providing For The Design, Laying Out, Construction, Installation Of A Public Sanitary Sewer Collection Line And For A Benefit Assessment To Be Charged To Each Property Owner Benefited By The Construction And Installation Of A Public Sanitary Sewer Wastewater Collection Line Beginning At A Manhole In The Intersection Of Highland Avenue And Trinity Place, Extending 110 Feet In A Southeasterly Direction To A New Terminal Manhole, Providing Service To Two Existing Residential Properties With The Benefit Assessed For Each Benefited Abutting Property In The Amount Of - \$7,064.50.

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, a public sanitary sewer collection line has been constructed, beginning at a manhole in the intersection of Highland Avenue and Trinity Place, extending 110 feet in a southeasterly direction to a new terminal manhole; 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 1. Sanitary Wastewater Sewer Facilities

(A) A public sanitary sewer collection line has been constructed, beginning at a manhole in the intersection of Highland Avenue and Trinity Place, extending 110 feet in a southeasterly direction to a new terminal manhole. Providing for 2 new lateral connections to service 2 existing dwellings SITUATE in Upper Dublin Township, Montgomery County, Pennsylvania.

(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 2. 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) 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.

(C) The Project has been completed as of March 15, 2000, as certified by the Township Manager and the Township Director of Public Works.

(D) The total cost for the construction and installation of the Project has been determined to be \$14,129.00 in accordance with the Statement of Costs dated March 15, 2000, including contract cost of installation, engineering fees, legal fees, and Township inspections of the Project.

(E) The Township has determined that two properties abutting the Project have been presently benefited by the Project.

(F) In accordance with the benefit assessment method provided for in the First Class Township Code, each of the two properties benefited by the Project will be assessed for an appraised benefit in the following amounts:

424 Highland Avenue, Parcel No. 54-00-08491-005	\$7,064.50
428 Highland Avenue, Parcel No. 54-00-08494-002	\$7,064.50

(G) The Township Manager is directed to forward Notices of Assessment to each abutting property owner benefited by the Project.

(H) The Township Manager is directed to advise each property owner that the Board of Commissioners has 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. The Board of Commissioners has also agreed to offer an option for the owner to include the amount of the connection fee in the assessment installment payment agreement.

(I) 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.

(J) 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.

(K) 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 (30<sup>th</sup>) 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

Section 3. 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 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 9<sup>th</sup> day of MAY, 2000.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

By:   
H. William Gift, President

Attest:   
Paul A. Leonard, Secretary

**AN ORDINANCE**  
**NO. 1231**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON THE EAST SIDE OF PINETOWN ROAD FROM A POINT 665 FEET NORTH OF THE CENTER LINE OF DELAWARE DRIVE TO 755 FEET NORTH OF THE CENTER LINE OF DELAWARE 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 VIII, "Schedules", Section 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended to provide as follows:

**§ 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
		*****
Pinetown Road	East	From 665 feet north of the center line of Delaware Drive to 755 feet north of the center line of Delaware 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

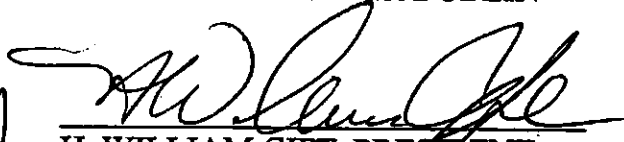
sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

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

ENACTED AND ORDAINED this *9<sup>th</sup>* day of *MAY*, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
H. WILLIAM GIFT, PRESIDENT

  
PAUL A. LEONARD, SECRETARY  
ud\vord\CH 233 VEHICLES & TRAFFIC\Pinetown Rd No Parking

AN ORDINANCE  
NO. 1032

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON THE NORTH SIDE OF WOODLAND ROAD FROM DUNDEE DRIVE IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 240 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 VIII, "Schedules", Section 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended to provide as follows:

**§ 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
	*****	
Woodland Road	North	From Dundee Drive in a southeasterly direction for a distance of 240 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 *9<sup>th</sup>* day of *MAY*, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

ud\ord\CH 233\Woodland Rd No Parking

AN ORDINANCE

NO. 1033

**AN ORDINANCE PROVIDING FOR A BENEFIT ASSESSMENT TO BE CHARGED TO EACH PROPERTY OWNER BENEFITED BY THE CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER WASTEWATER COLLECTION LINE EXTENDING AN EXISTING 8" SANITARY SEWER MAIN FROM THE CENTER OF THE CUL-DE-SAC OF CATLIN WAY IN A NORTHWESTERLY DIRECTION, FOR 190 FEET TO A TERMINAL MANHOLE CONTAINED WITHIN EASEMENT AREA OF THE ANDOVER ESTATES SUBDIVISION, WITH THE BENEFIT ASSESSED FOR EACH BENEFITED ABUTTING PROPERTY IN THE AMOUNT OF - \$1,885.75 FOR EACH SINGLE DWELLING AND \$3,771.50 FOR THE MULTI-FAMILY DWELLING.**

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. 1008 enacted by the Board of Commissioners of the Township of Upper Dublin on September 14, 1999, a public sanitary sewer collection line has been constructed to extend an existing 8" sanitary sewer main from the center of the cul-de-sac of Catlin Way in a northwesterly direction, for 190 feet to a terminal manhole contained within easement area of the Andover Estates Subdivision (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 15, 2000, as certified by the Township Manager and the Township Director of Public Works.

Section 2. The total cost for the construction and installation of the Project has been determined to be \$7,543.00 in accordance with the Statement of Costs dated March 15, 2000, including contract cost of installation, engineering fees, legal fees, and Township inspections of the Project.

Section 3. The Township has determined that three properties abutting the Project have been presently benefited by the Project, two of the properties contain one dwelling each, the remaining property contains one multi-family dwelling.

Section 4. In accordance with the benefit assessment method provided for in the First Class Township Code, each of the three properties benefited by the Project will be assessed for an appraised benefit in the following amounts:

1411 North Limekiln Pike, Parcel No. 54-00-10340-001	\$1,885.75
1417 North Limekiln Pike, Parcel No. 54-00-10339-002	\$3771.50
1477 Broad Street, Parcel No. 54-00-02703-006	\$1,885.75

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 has 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. The Board of Commissioners has also agreed to offer an option for the owner to include the amount of the connection fee in the assessment installment payment agreement.

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 9<sup>th</sup> day of MAY, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

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**AN ORDINANCE**  
**NO. 1034**

An Ordinance Amending The Code Of The Township Of Upper Dublin, Chapter 212, Subdivision And Land Development, To Amend The Sidewalk And Streetlighting Provisions For The Dresher Overlay District; Chapter 255, Zoning, To Amend And Add Definitions, To Add Article XXIX DO Dresher Overlay District, To Provide For The Development And Redevelopment Of Properties In The District, To Provide For New Suitable Land Uses For Which The Area Is Not Currently Zoned, To Create A Transition In Intensity Between Residential And Commercial Uses, To Preserve Existing Historic Properties, To Promote A Village-Like Atmosphere, To Encourage Shared Use Of Driveways And Parking Areas, To Provide For Safe Pedestrian Use, To Encourage Attractive And Appropriate Landscaping, And To Amend The Upper Dublin Township Zoning Map To Show The DO Dresher Overlay District.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-18. "Sidewalks", shall be amended to provide as follows:

**§ 212-18. Sidewalks.**

\*\*\*\*\*

- B. Width. Sidewalks shall not be less than four feet in width in residential areas. A greater width may be required in areas in which apartments or business buildings are located, or deemed necessary at the discretion of the Board. Sidewalks in the DO Dresher Overlay District shall not be less that six feet in width.
  
- C. On public streets, sidewalks shall be located between the curb and right-of-way line. The grade and paving of the sidewalk shall be continuous across driveways except in certain cases where heavy traffic volume dictates special treatment. Sidewalks in the DO Dresher Overlay District shall be located six feet from the curb or cartway if no curb is present, and a planting strip shall be placed between the edge of the curb or cartway and edge of sidewalk.

\*\*\*\*\*

Section 2. The Code of the Township of Upper Dublin, Chapter 212 thereof, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-29. "Streetlighting", shall be amended to provide as follows:

**§ 212-29. Streetlighting.**

Streetlighting shall be installed in each subdivision by and at the expense of the developer. An approved plan of the subdivision shall be submitted to the Philadelphia Electric Company for the purpose of preparing a suggested plan of streetlighting. The suggested plan of streetlighting shall be submitted to the township for approval. In the DO Dresher Overlay District, streetlighting shall be model "Old Town #A8850 SR" as manufactured by Sternberg Vintage Lighting, or equal as approved by the Board of Commissioners. Poles for light fixtures shall be model 5700-KP as manufactured by Sternberg Vintage Lighting, or approved equal.

Section 3. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, General Provisions, §255-7. "Definitions", shall be amended as follows:

**§ 255-7. Definitions.**

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

\* \* \* \* \*

BED AND BREAKFAST INN -- A building used for the purpose of furnishing temporary lodging to guests together with food service to such guests, limited to breakfast and sometimes lunch or afternoon tea, prepared and served on-site only to such guests, and having an owner or manager in residence on the property. The building may contain no more than eight guest rooms. Such temporary lodging would normally be for a few nights and may not exceed two weeks.

\* \* \* \* \*

CULTURAL STUDIO -- A facility used for providing to the public instruction in the performing arts, limited to dance, music, and theater, and the fine arts, including drawing, painting, photography and sculpture.

\* \* \* \* \*

RESIDENTIAL CONVERSION -- The conversion of a single family dwelling into a dwelling for a greater number of families.

RESTAURANT -- A building or an area within a building with four or more indoor tables (more than 12 chairs), used primarily for the purpose of furnishing

to the public food to be consumed on the premises, but not including a restaurant with drive-in services, a restaurant used primarily for take-out services, or a restaurant opened before 6:30 A.M. or after 11:00 P.M. on a single day.

Section 4. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, is amended by the addition of "Article XXIX DO Dresher Overlay District", which is set forth as follows:

**Article XXIX  
DO Dresher Overlay District**

**§ 255-216. Declaration of legislative intent.**

The DO Dresher Overlay District is intended and designed to:

- A. Provide the Dresher Triangle area of the Township with the ability to incorporate new suitable land uses, for which the area is not currently zoned.
- B. Permit new development on vacant land and encourage the redevelopment of existing structures in such a way as to create a transition in intensity between existing residential and commercial uses.
- C. Encourage development and redevelopment that can be accommodated by existing structures, lot sizes, and other physical attributes of properties in the district while preserving existing historic houses.
- D. Maintain the neighborhood scale of existing development while promoting a village-like atmosphere.
- E. Encourage shared use of access driveways to reduce the number of existing or future driveways and produce more efficient access.
- F. Encourage parking in side or rear yard areas and encourage adjoining properties to share parking.
- G. Provide for sufficient and safe pedestrian access from street and parking areas to various permitted uses, while striving to complete a district-wide sidewalk network, it being the intent of this district to create a pedestrian friendly area wherein all properties are accessible to one another without the use of a motor vehicle.
- H. Encourage attractive and appropriate landscaping throughout individual parcels undergoing development and redevelopment, especially those bordering a residential district.

**§ 255-217. Overlay.**

The DO Dresher Overlay District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot located within the District. The regulations, requirements and restrictions set forth in this Article shall apply to all uses and development in the DO Dresher Overlay District in addition to those regulations, requirements and restrictions applicable to the underlying zoning district. Where the provisions of this Article and the provisions in the underlying zoning district conflict, the provisions of this Article shall apply.

**§ 255-218. Uses.**

In the DO Dresher Overlay District the following regulations shall apply:

- A. Permitted uses. All uses permitted in the underlying districts shall be permitted in accordance with the regulations of the underlying districts.
- B. Conditional uses. A building may be erected, altered or used and a lot or premises may be used for any one of the following uses, in lieu of a use permitted in the underlying district, when authorized by the Board of Commissioners as a conditional use in accordance with all use and dimensional regulations contained in this section and all other applicable zoning ordinance requirements:
  - 1. Residential conversion
  - 2. Bed and breakfast inn
  - 3. Professional office or cultural studio
  - 4. Child and/or adult day care facility
  - 5. Senior assisted living or personal care facility
  - 6. Library, educational or religious facility
  - 7. Restaurant

**§ 255-219. Use and dimensional requirements.**

- A. The following regulations shall be applicable to all uses and development in the DO Dresher Overlay District:
  - 1. All development must be served by public water and sewer service.

2. All utility lines serving the proposed development must be placed underground from the edge of the right-of-way to the place of service.
3. **Buffer Requirements.** Where any proposed development other than single-family detached dwelling or residential conversion abuts an existing residential district or use, a screen buffer shall be provided as required by § 212-32.F(3).
4. **Architectural guidelines.** In consideration of the special nature of that part of the Township encompassed within the Dresher Overlay District, the following regulations shall apply to the erection, construction and alteration of structures:
  - a) Flat roofs shall be prohibited on one-story buildings but are allowed on buildings of two stories or more, provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane. Architectural embellishments that serve a function and add visual interest to roofs, such as dormers, masonry chimneys, cupolas, towers, and other similar elements shall be included in the design of buildings. Gable roofs shall have a minimum pitch of 9/12. Hipped roofs shall have a minimum pitch of 6/12. Both gable and hipped roofs shall provide overhanging eaves on all sides extending a minimum of one (1) foot beyond the building wall.
  - b) Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned wherever possible. To the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.
  - c) Windowless walls, if visible from a right of way or vehicular or pedestrian circulation area, are prohibited unless the construction of a blank wall is necessitated by local building codes, in which case the wall should be articulated by one or more of the following: details in masonry courses; the provision of blank window openings trimmed with frames, sills, and lintels; or, if the building is occupied by a commercial use, recessed or projecting display window cases.

- d) The maximum height of any building constructed under these overlay regulations shall be 35 feet.
  - e) Architectural embellishments that add interest to the side and rear elevations of buildings shall be encouraged. To discourage long, straight expanses of side and rear walls, buildings may encroach up to 25% of the required rear or side yard so long as the average set back of that face of the building is not less than the required set back for that yard.
  - f) The Board of Commissioners may, by conditional use, approve the use of architectural concepts and designs which differ from those set forth above, if the applicant demonstrates to the satisfaction of the Board that such concepts and designs are in furtherance of the legislative intent of this Article and the intent of this subsection.
5. Signs. Signs shall be designed and constructed to give the appearance of natural materials, shall be of muted color and shall not be internally illuminated. Signs anchored in the ground shall not exceed ten feet in height. In all other respects, signs shall comply with Article XXI.
6. Bicycle Storage. Sufficient area for the storage of bicycles shall be provided as approved by the Township Engineer, including racks or other permanently affixed storage devices to accommodate one bicycle for each five required vehicular parking spaces, at a minimum. Bicycle storage facilities may be held in reserve upon approval of the Township Engineer upon a finding that the requirements set forth herein exceed the foreseeable need therefore.
- B. Conditional use standards. All conditional use applications shall be filed and processed in compliance with Article XXV. In addition, applicants shall demonstrate compliance with the following:
- 1. Retention and use of existing principal buildings constructed prior to 1900:
    - a) The proposed use shall retain and use the existing principal building(s) on the lot when compatible with the use proposed, and shall retain the general appearance, character, and types of building materials of the front and side facades of the existing building, existing front and side porches, and window openings.

- b) Expansion shall be permitted only to the sides and rear of the existing principal building.
    - 1) Expansion to the side or rear shall conform in general appearance, scale, and building materials to the front façade of the existing building.
    - 2) Rooflines shall be similar or complimentary to those of the existing building.
  - c) The applicant shall submit architectural drawings for evaluation of the proposed principal building expansion, including building elevations and colored renderings. The Board of Commissioners may approve expansion different from the existing building, provided that it compliments the existing building and does not detract from the intent of this Article to enhance the district's appearance.
  - d) Existing, healthy, mature trees shall be preserved in the front and side yards unless they must be removed to provide vehicular access appropriate for the proposed use.
2. Traffic Control. The conditional use application shall be accompanied by a transportation impact study and parking analysis as provided in § 212-35.1.. The study shall set forth the improvements needed to provide for the safe, efficient and orderly movement of traffic and shall be subject to the approval of the Township Engineer.
- a) Uses conditionally permitted shall provide shared access, access easements, cross easements, driveway interconnections, shared parking, and parking easements with adjoining lots in order to facilitate the objectives of this District.
  - b) Access easements and maintenance agreements or other suitable legal mechanisms shall be provided, acceptable to the Board of Commissioners in consultation with the Township Solicitor.
  - c) When it is not yet appropriate to construct driveway interconnections, shared access or shared parking, access easements shall be set aside for future use.
  - d) Use of individual parcels shall be limited to those that require less than 750 vehicle trips per day, per

Pennsylvania Department of Transportation's (PennDOT) standard for a Low Volume Driveway. Applicant's traffic impact study shall include projected traffic generation data sufficient to establish compliance with this paragraph in a form acceptable to the Township Engineer.

3. Applicant shall provide appropriate transit shelters for integration with public or private transit services.
- C. Regulations applicable to specific permitted conditional uses listed in Section 255-218. These regulations are in addition to those contained in Article XXV.
1. Residential conversion. The conversion of a single family dwelling into a dwelling for a greater number of families shall be permitted by conditional use, rather than special exception, subject to the requirements of §255-19(B-G).
  2. Bed and breakfast inn. The use of an existing detached dwelling for the accommodation of transient guests shall be permitted subject to the following requirements:
    - a) The minimum lot area shall be 30,000 sq. ft.
    - b) There shall be no external alteration of the building except as may be necessary for safety considerations. Exterior stairways shall be located, whenever practicable, to the rear of the building.
    - c) There shall be no separate cooking facilities in any guest room.
  3. Professional office, cultural studio uses. The professional office of a practitioner licensed by the Commonwealth of Pennsylvania as a doctor, lawyer, dentist, psychologist, psychiatrist, engineer, architect, accountant or a rabbi, priest or minister affiliated with a local religious institution or the cultural studio of an artist or musician shall be permitted subject to the following regulations:
    - a) The front yard shall have a minimum depth of 20 feet.
    - b) Two side yards shall be provided, each of which shall have a minimum width of 20 feet.
    - c) The rear yard shall have a minimum depth of 50 feet.

- d) Maximum building coverage shall be 40 percent.
  - e) Maximum impervious coverage shall be 60 percent.
  - f) If an existing structure is being converted to professional office or cultural studio use, the character of the existing building shall be maintained.
4. Licensed day-care center shall be permitted subject to the following regulations:
- a) The minimum lot area shall be 30,000 sq. ft.
  - b) The front yard shall have a minimum depth of 20 feet.
  - c) Two side yards shall be provided, each of which shall have a minimum width of 20 feet.
  - d) The rear yard shall have a minimum depth of 50 feet.
  - e) Maximum building coverage shall be 40 percent.
  - f) Maximum impervious coverage shall be 60 percent.
  - g) An outdoor recreation area shall be provided with a minimum area of 200 sq. ft. per child and 100 sq. ft. per disabled or elderly person. This area shall be located to the side or rear of the lot and shall not include parking or driveway areas. A softening buffer shall be maintained between the recreational area and adjacent properties pursuant to § 212-32(F)(2).
  - h) Sufficient facilities for the safe and orderly loading and unloading of passengers as approved by the Township Engineer shall be provided.
5. Senior assisted living residence or personal care facility. Either is permitted, but both shall be subject to the parking, buffering, residence regulations and general requirements of § 255-90.1, and subject to the following regulations:
- a) The minimum lot area shall be 40,000 sq. ft.
  - b) The front yard shall have a minimum depth of 40 feet.

- c) Two side yards shall be provided, each of which shall have a minimum width of 30 feet.
  - d) The rear yard shall have a minimum depth of 50 feet.
  - e) Maximum building coverage shall be 40 percent.
  - f) Maximum impervious coverage shall be 60 percent.
  - g) Up to twenty-five percent (25%) of the allowable density may be set aside for use as nursing beds, when permitted by conditional use.
6. Library, educational, or religious facility. Public libraries; licensed public, private, or religious schools (excluding commercial trade schools); and places of worship or religious instruction are permitted subject to the following regulations:
- a) The minimum lot area shall be 80,000 sq. ft., with a minimum lot width of 200 feet.
  - b) The front yard shall have a minimum depth of 60 feet.
  - c) Two side yards shall be provided, each of which shall have a minimum width of 50 feet.
  - d) The rear yard shall have a minimum depth of 50 feet.
  - e) The maximum building coverage shall be 40 percent.
  - f) The maximum impervious coverage shall be 60 percent.
  - g) Outdoor recreational areas for use by students shall be provided on the same lot as the building housing the use. Any recreational structures shall be setback a minimum of 50 feet from any property line. A softening buffer shall be maintained between any recreational area and adjacent properties pursuant to § 212-32(F)(2).

**§ 255-220. Vehicular access.**

- A. Each lot shall not have more than one curb cut per street frontage for a two-way driveway for vehicular access. If sufficient room is not available for one two-way driveway, the Board of Commissioners may approve two curb cuts for two one-way driveways, subject to approval by PennDOT where required.

- B. Applicants shall seek agreements for shared vehicular access as the preferred means for reducing the total number of curb cuts within the district for traffic safety and congestion reasons.
  - 1. When two or more abutting lots share an access driveway, that driveway shall be designed as the main access to those lots, and one or more existing access driveways shall be closed.
  - 2. Where development of three or more adjoining parcels consolidates vehicular access into one shared driveway, that driveway shall be upgraded into a medium volume driveway according to PennDOT standards.
  - 3. Shared access may be located entirely on one lot or be split along a common lot line.
- C. Driveway widths, grades, and setbacks from intersections shall be regulated by Section 212-16 of the Subdivision and Land Development Code.

**§ 255-221. Parking.**

- A. Parking capacity shall comply with the standards of Article XIX.
- B. Shared parking is encouraged and may be located along or across a common lot line. The required aggregate parking capacity may be reduced up to 50% by the Board of Commissioners and held in reserve, where shared parking allows greater efficiency for the uses proposed, subject to review and recommendation by the Township Engineer. 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 therefor.
- C. Parking is encouraged behind principal buildings where possible, however, parking in the front yard setback shall be permitted only under the following conditions:
  - 1. Parking shall be set back a minimum of fifteen feet from the street curb, and a maximum of two parallel rows of parking may be provided.

2. Parking is partially screened by dense landscaping, such as hedging, that does not block sight distance at the driveway entrance.

- D. Parking spaces and driveways shall be set back a minimum of five feet from rear and side property lines abutting nonresidential uses within the DO Dresher Overlay District unless parking is shared with an abutting lot, in which case parking may abut or cross the property lines shared by the common users.
- E. Parking spaces and driveways shall be set back a minimum of twenty-five feet from rear and side property lines abutting residential uses or districts within the DO Dresher Overlay District.
- F. Parking spaces shall be set back a minimum of five feet from all buildings.

**§ 255-222. Landscaping and buffer requirements.**

- A. Landscaping. All areas of a developed or redeveloped lot not covered by building and/or impervious paving materials shall be maintained as landscaped areas containing trees, shrubs and ground cover materials.
  - 1. Buffers. A softening buffer shall be maintained between parking lots and side and rear property lines pursuant to § 212-32(F)(2), except as follows:
    - a) Along side or rear property lines the buffer shall be a minimum width equal to the required parking setback from the property line.
    - b) Buffer planting is not required along those segments of lot lines where shared access and/or shared parking are located.
- B. All other landscaping and buffering standards shall be satisfied in accordance with Section 212-32 of the Subdivision and Land Development Code.

**§ 255-223. Lighting.**

- A. Lighting facilities shall not produce any glare, or hazardous interference on abutting properties or highway.
- B. Glare control shall be accomplished through the selection and application of lighting equipment, including shields.

- C. All lighting shall be directed away from residential properties.
- D. Light fixtures shall be located at least twenty feet from a residential district.
- E. Light fixtures shall not be located higher than twelve feet above grade.
- F. Light fixtures in parking lots shall be installed within a raised landscape island.

**§ 255-224. Refuse disposal areas.**

- A. Trash and refuse shall be stored inside the building or within a secured, enclosed, opaque screened area. Such screening shall be at least six feet in height to shield the use.
- B. Screened refuse areas shall be located at least fifty feet from a residential district.
- C. Where possible, refuse areas shall be centrally located for the joint use of tenants.

Section 5. The Zoning Map of the Upper Dublin Township Zoning Ordinance, as amended, is further amended by designating the below-described tract as “DO DRESHER OVERLAY DISTRICT” with the new DO Dresher Overlay District to overlay and not replace the existing zoning districts which shall remain as set forth on the Zoning Map of the Upper Dublin Township Zoning Ordinance:

**Beginning** at a point, the intersection of the centerline of Limekiln Pike (SR0152) and the centerline of Susquehanna Road (SR2017).

**Thence** proceeding along the centerline of Susquehanna Road in a Northwesterly direction, the distance of 1,650 feet more or less to a corner of units 13, and 21 of tax block 9 of Upper Dublin Township. Thence along unit 13, block 9, the following five courses: 1) Leaving the centerline of Susquehanna Road in a Northeasterly direction  $\pm$  198 feet; 2) Northwesterly approximately parallel to the centerline of Susquehanna Road, a distance of  $\pm$  75 feet; 3) Northeasterly at approximately perpendicular to Susquehanna Road along lines of unit 5, block 9, a distance of  $\pm$  100 feet to a point in line of unit 34, block 9; 4) Southeasterly approximately parallel to Susquehanna Road, a distance of  $\pm$  27 feet to a corner of units 13 and 34; 5) Northeasterly along the rear property line of units 34 and 35 fronting on Golden Drive  $\pm$  292 feet to a corner of units 35, 36, 13 and 9. Thence, continuing in the same direction along units 36, 37, 39 and 9 the distance of  $\pm$  525 feet to the centerline of Limekiln Pike. Thence, continuing from the centerline of Limekiln Pike in a Northeasterly direction in line of lot 72,

tax block 10 and along lands of units 108 and 12, tax block 10, Northeasterly  $\pm$  621 feet to a corner in line of units 78 and 72, block 10. Thence, continuing along the rear property line of units 78, 77, 76, 75, 11 and 8 in a Southeasterly direction, the distance of  $\pm$  948 feet to the center line of Dreshertown Road. Thence, along the centerline of Dreshertown Road in a Southwesterly direction the distance of  $\pm$  300 feet to a corner of units 46, block 12 and unit 163, block 12A. Thence, along the property line of unit 46 and unit 163 in a Southeasterly direction the distance of  $\pm$  871 feet to a point in line of unit 12, block 12. Thence, along said unit 12, the following three (3) courses; 1) Southwesterly along the line of unit 46, a distance of  $\pm$  248 feet; 2) Southwesterly along line of unit 49, a distance of  $\pm$  323 feet; 3) Southeasterly along unit 45, block 12, the distance of  $\pm$  248 feet to a corner of unit 45 and to a point in line of unit 13, block 12D. Thence, along said unit 13, block 12D, the following five courses: 1) Southwesterly along unit 45, a distance of  $\pm$  136 feet. Thence continuing Southwesterly along unit 45, a distance of  $\pm$  190 feet corner of unit 61. Thence along said unit 61 in a Southwesterly direction,  $\pm$  119 feet to a corner of unit 71. Thence continuing along unit 71, the following two courses: Southeasterly  $\pm$  171 feet to a corner on the Northwestern most side of a access R/W to unit 13, block 12D. Thence, continuing along the Northwest side said access in a Southwesterly direction along unit 71, a distance of  $\pm$  250 feet to the centerline of Limekiln Pike. Thence, continuing along the centerline of Limekiln Pike in a Southeasterly direction,  $\pm$  120 feet to a point at intersection of the centerline of Susquehanna Road as the first mentioned point and point of beginning.

Containing approximately 57  $\pm$  acres.


Section 6. Nothing in this Ordinance or in Chapters 212 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 212 or 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.

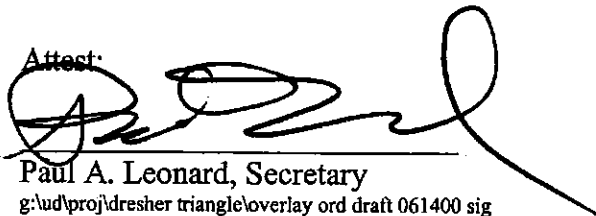
Section 8. This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this 13<sup>th</sup> day of JUNE, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
\_\_\_\_\_  
H. William Gift, President

Attest:

  
\_\_\_\_\_  
Paul A. Leonard, Secretary  
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**AN ORDINANCE**  
**NO. 1035**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 64, Entitled Animals, Article II, Animal At Large, To Require Owners Of Cats Permitted To Run At Large To Place A Collar And Tag Certifying Vaccination Against Rabies On All Such Cats.

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 64 hereof, entitled Animals, Article II, **Animals at Large**, Section 64-11, "Cats", shall be amended to provide as follows:

**§ 64-11. Cats.**

- A. Hereafter, it shall be unlawful for an owner or keeper of any cat or cats, to permit such cat or cats to run at large unaccompanied by the owner or keeper without identification on said cat or cats demonstrating vaccination against rabies. The following means of identification demonstrating vaccination shall be acceptable: collar and tag, a microchip inserted under the skin, a tattoo on the inside of the ear or thigh, an ear tip, or an ear notch. The word "owner," as used in this section, shall include every person having a right of proprietorship or ownership in a cat and every person who keeps, feeds or harbors a cat or has it in his care, and every person who permits a cat to remain on or about any premises occupied by him. A cat shall be deemed "at large" if off the premises of the owner and not on a leash.
- B. The Board of Health of Upper Dublin Township shall be empowered to issue a declaration prohibiting cats from running at large in the Township of Upper Dublin if an epidemic of rabies is confirmed in the township or in any municipality adjacent to the township. The end of the period of prohibition shall be determined by the Board of Health. Notice of the declaration prohibiting cats from running at large and notice of the end of the period of prohibition shall be given to the public by means of an announcement in a newspaper of general circulation within the township and by means of appropriate announcements through other available media sources. Following the issuance of such declaration, it shall be unlawful for the owner of any cat to allow such cat off a leash while outside.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 64 hereof, entitled Animals, Article II, **Animals at Large**, Section 64-12, "Disposal of unclaimed dogs", shall be amended as follows:

**§ 64-12. Disposal of unclaimed dogs and cats.**

Any dog, dogs, cat, or cats not claimed within a reasonable time, as determined by the township police, and by virtue of the provisions of this article, shall be disposed of in accordance with the Acts of Assembly of the Commonwealth of Pennsylvania in such case made and provided.

**Section 3.** The Code of the Township of Upper Dublin, Chapter 64 hereof, entitled Animals, Article II, **Animals at Large**, Section 64-13, "Construal of provisions", shall be amended as follows:

**§ 64-13. Construal of provisions.**

It is the intent that this article shall be supplemental to any laws of the Commonwealth of Pennsylvania hereinbefore or hereinafter adopted covering dogs and/or cats within the Commonwealth of Pennsylvania and specifically in the Township of Upper Dublin. Should any of the provisions of this article be contrary to the provisions of any Act of Assembly, it is the intent that the Act of Assembly shall supersede this article.

**Section 4.** The Code of the Township of Upper Dublin, Chapter 64 hereof, entitled Animals, Article II, **Animals at Large**, Section 64-134 "Implementation", shall be amended as follows:

**§ 64-14. Implementation.**

The proper officers of the township are authorized to enter into such agreements or contracts with any individual or individuals or corporations as may be reasonably necessary to implement the provisions of this article in regard to the care and custody of such dogs and cats detained by the township pursuant to the provisions of this article and to provide for the reasonable compensation of such person, persons or corporations for such services.

**Section 5.** Nothing in this Ordinance or in Chapter 64 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 64 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 *B<sup>th</sup>* day of *JUNE*, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

ud/ord/ch 64/cat vaccination ord

**AN ORDINANCE**  
**NO. 1036**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 207, Entitled Streets And Sidewalks, Article VI, Sidewalk Construction, Section 207-31, "Duty Of Property Owners; Failure: Costs", To Reference Township Criteria Regarding The Condition And Repair Of Curbs, Sidewalks And Driveway Aprons.

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 207-31 "Duty of property owners; failure; costs" shall be amended to provide as follows:

**§ 207-31. Duty of property owners; failure; costs.**

\* \* \* \* \*

- B. It shall be the duty of all owners of property abutting upon any public street within the township to keep and maintain the sidewalk and curb in front of their respective properties in good order, condition and repair in accordance with the township's criteria for replacement of existing concrete curb, sidewalk or driveway apron. Within 90 days after receipt of a notice from the township, and at owner's expense, the sidewalk and curb, or either of them, shall be replaced or repaired as specified in the notice and in accordance with the township's engineering standards.

**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 13<sup>th</sup> day of JUNE, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY



\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

ORDINANCE NO. 1037

AN ORDINANCE PROVIDING FOR THE DESIGN, LAYING OUT, CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER COLLECTION LINE BEGINNING AT AN INTERCEPTOR MANHOLE, ADJACENT TO THE RAPP RUN CROSSING OF LIMEKILN PIKE, EXTENDING IN A SOUTHERLY DIRECTION FOR 960 FEET, ALSO EXTENDING IN A SOUTHWESTERLY DIRECTION ALONG MUNDOCK ROAD FOR 242 FEET AND INCLUDING FIFTEEN LATERAL CONNECTIONS TO ADJACENT PROPERTIES WITH FRONTAGE ON LIMEKILN PIKE OR MUNDOCK ROAD; 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 beginning at an interceptor manhole, adjacent to the Rapp Run crossing of Limekiln Pike, extending in a southerly direction for 960 feet; also extending in a southwesterly direction along Mundock Road for 242 feet and including fifteen lateral connections to adjacent properties with frontage on Limekiln Pike or Mundock Road, 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.

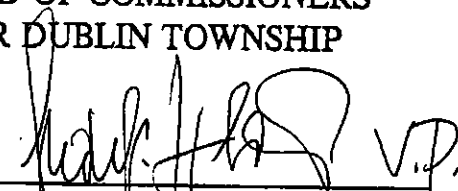
(d) Upon confirmation of the report of the viewers if one is called for depending on the method of assessment, or upon preparation of a Declaration of Completion of the project by the Township, the Township Manager shall make out bills for the amounts assessed against each abutting property benefited 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 (30<sup>th</sup>) 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.

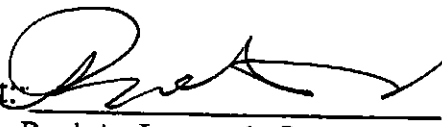
ENACTED AND ORDAINED this 11<sup>th</sup> day of JULY, 2000.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

By:

  
H. William Gift, President  
JUDY R. HEROLD

Attest:

  
Paul A. Leonard, Secretary

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**AN ORDINANCE**  
**NO. 1038**

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, 2001: LOCH ALSH AVENUE, NORTH SIDE, 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, 2001, 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. 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.

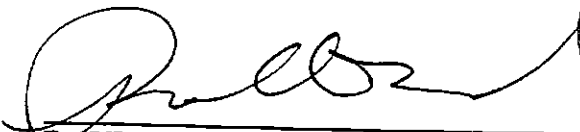
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences,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

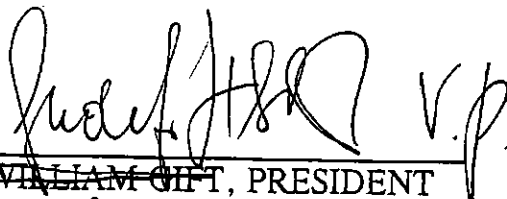
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 11 day of JULY, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

 v.p.  
\_\_\_\_\_  
~~H. WILLIAM GIFT, PRESIDENT~~  
JUDY R. HERALD

ud\ord\vehtra\highschoolpermitparkingord2000

**AN ORDINANCE**  
**NO. 1639**

An Ordinance To Amend The Upper Dublin Township Zoning Map To Include Property Within The DO Dresher Overlay District.

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

Section 1. The Zoning Map of the Upper Dublin Township Zoning Ordinance, as amended, is further amended by designating the below-described tract as "DO DRESHER OVERLAY DISTRICT" with the new DO Dresher Overlay District to overlay and not replace the existing zoning districts which shall remain as set forth on the Zoning Map of the Upper Dublin Township Zoning Ordinance:

**BEGINNING** at the center line of Susquehanna Road at the corner of units 5 and 21; thence proceeding in a northeasterly direction perpendicular to Susquehanna Road 130.9 ± feet to a corner; thence in a southeasterly direction approximately parallel to Susquehanna Road 44.0 ± feet to a corner; thence in a northeasterly direction perpendicular to Susquehanna Road 51.0 ± feet to a corner; thence in a southeasterly direction parallel to Susquehanna Road 74.9 ± feet to a corner; thence southwesterly direction perpendicular to Susquehanna Road 198.4 ± feet to a corner and center line of Susquehanna road; thence along the center of Susquehanna Road in a northwesterly direction 118.9 ± feet to the first point mentioned and place of beginning.

Containing approximately 21,350 sq. ft. or 0.5 acres ±.

Being: 1660 Susquehanna Road, Unit 21 Block 9, Tax Parcel No. 54-00-14854-005.

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.

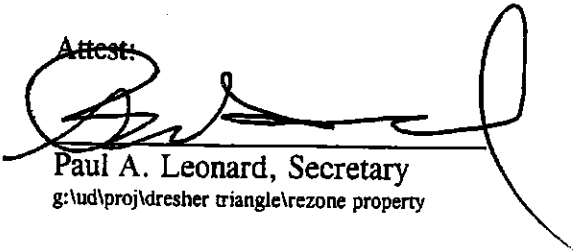
Approved by the Board this 8 day of Aug, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN



H. William Gift, President

Attest:



Paul A. Leonard, Secretary  
g:\ud\proj\dresher triangle\rezone property

AN ORDINANCE  
NO. 1040

An ordinance to amend the Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article IV, Accessory Buildings, Structures and Uses, Section 255-30.1, "Cellular communications antennas" to limit the height of cellular communications systems on existing structures other than buildings.

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 IV, **Accessory Buildings, Structures and Uses**, Section 255-30.1, "Cellular communications antennas", shall be amended to provide as follows:

**§ 255-30.1 Cellular communications antennas.**

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

\*\*\*\*\*

D. Standards of approval of all wireless communications antennas.

- (1) Antenna height. Communications antennas attached to an existing building or structure shall be permitted to exceed the height limitations of the applicable Zoning District or the highest elevation of the building or structure, whichever height is less, by no more than 20 feet.

\*\*\*\*\*

**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.

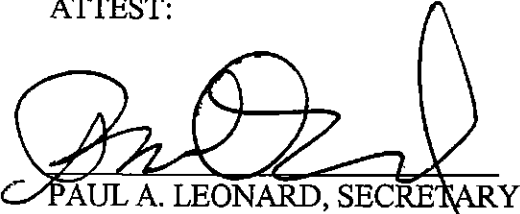
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences,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

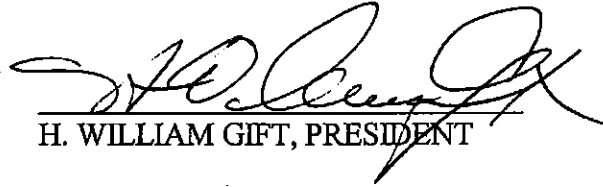
**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 8 day of AUG, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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**AN ORDINANCE**  
**NO. 1041**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, entitled Zoning, Article VII, Residential Districts, §255-39 "Permitted Uses" To Clarify Lot Areas For Twin Dwellings And Duplex Dwellings In The C Residential Zoning District.

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**, §255-39, Permitted uses, shall be amended to provide as follows:

**§ 255-39. Permitted uses.**

A. A building may be erected, altered or used and a lot or premises may be used for any one use permitted in this section. Permitted uses on each lot in A and B Residential Districts shall be as follows:

\*\*\*\*\*

B. Permitted uses on each lot in C Residential Districts shall be as follows:

- (1) Any use permitted in A and B Residential Districts.
- (2) Duplex dwelling and twin dwelling, when approved by Zoning Hearing Board as a special exception, provided that the area of the lot shall be at least 6,000 square feet for each dwelling unit.

**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.

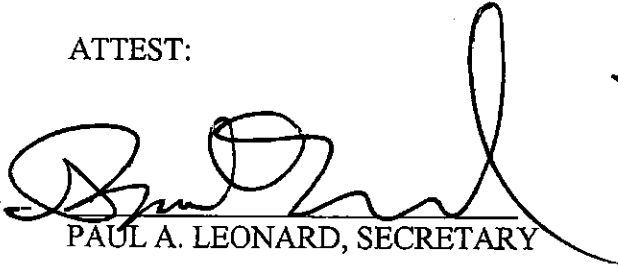
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences,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

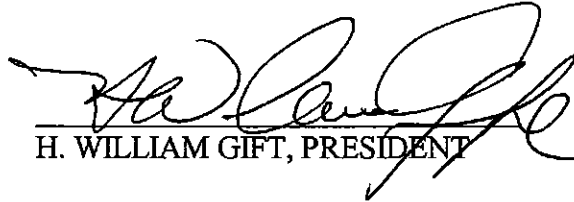
**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 8 day of AUG, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1042

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Entitled Zoning, Article III, General Regulations, Section 255-13, Permitting The Expansion Of Any Use Permitted By Special Exception Or Conditional Use Only In Like Manner.

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, Section 255-13, "Expansion of use permitted by special exception or conditional use", shall be added to provide as follows:

**§255-13. Expansion of use permitted by special exception or conditional use.**

Any use permitted in any zoning district by special exception or conditional use can only be expanded in like manner.

**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 8 day of Aug, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE  
NO. 1043

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 207, Entitled Streets And Sidewalks, Article VI, Sidewalk Construction, Section 207-31, "Duty Of Property Owners; Failure: Costs", Allowing 30 Days Notice For Replacement or Repair Of Curbs, Sidewalks And Driveway Aprons In Emergency Circumstances.

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 207-31 "Duty of property owners; failure; costs" shall be amended to provide as follows:

**§ 207-31. Duty of property owners; failure; costs.**

\* \* \* \* \*

- B. It shall be the duty of all owners of property abutting upon any public street within the township to keep and maintain the sidewalk and curb in front of their respective properties in good order, condition and repair in accordance with the township's criteria for replacement of existing concrete curb, sidewalk or driveway apron. Within 90 days after receipt of a notice from the township, and at owner's expense, the sidewalk and curb, or either of them, shall be replaced or repaired as specified in the notice and in accordance with the township's engineering standards. In emergency circumstances, within 30 days after receipt of a notice from the township, and at owner's expense, the sidewalk and curb, or either of them, shall be replaced or repaired as specified in the notice and in accordance with the township's engineering standards.

**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<sup>th</sup> day of SEPT, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 104A

An Ordinance To Amend The Upper Dublin Township Code, Chapter 192, Sewers, Part 2 Wastewater Control Regulations, Article III, General Provisions, §192-11, Purpose And Policy, To Reference Wastewater Control Regulations For Wastewater Collected In The Township But Treated By Adjacent Wastewater Systems.

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 192 thereof, entitled Sewers, Part 2, Wastewater Control Regulations, Article III, General Provisions, §192-11, Purpose and policy, shall be amended as follows:

§ 192-11. Purpose and policy.

\* \* \* \* \*

- D. Portions of the township's wastewater collection system discharge wastewater to adjacent wastewater systems for treatment. The township may from time to time, upon recommendation from the appropriate officials of the adjacent wastewater system, adopt regulations by resolution applicable to contributors' wastewater treated by said adjacent wastewater system. However, the regulations set forth in this chapter shall apply to all contributors in the township who discharge wastewater that is treated by adjacent wastewater systems, excepting those instances where the regulations of the adjacent wastewater system are more stringent than those set forth in §192-14B(22) and §192-17B. Where the adjacent wastewater system regulations are more stringent, the more stringent regulations shall apply.

Section 2. Nothing in this Ordinance or in Chapter 192 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 192 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.

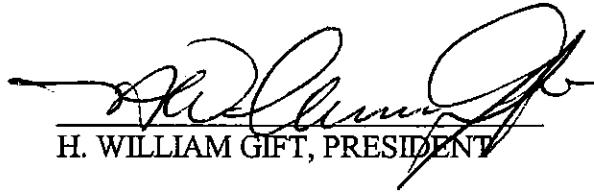
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12<sup>th</sup> day of SEPT, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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**AN ORDINANCE**  
**NO. 1045**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, entitled **Zoning**, Article XXIX DO Dresher Overlay District, §255-219 "Use And Dimensional Requirements" To Include The Professional Office Of A Realtor, Insurance Agent Or Financial Advisor As Conditional Uses.

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 XXIX DO Dresher Overlay District, §255-219, Use and dimensional requirements, shall be amended to provide as follows:

**§ 255-219. Use and dimensional requirements.**

\* \* \* \* \*

C. Regulations applicable to specific permitted conditional uses listed in Section 255-218. These regulations are in addition to those contained in Article XXV.

\* \* \* \* \*

3. Professional office, cultural studio uses. The professional office of a practitioner licensed by the Commonwealth of Pennsylvania as a doctor, lawyer, dentist, psychologist, psychiatrist, engineer, architect or accountant; or a realtor, insurance agent or financial advisor; or a rabbi, priest or minister affiliated with a local religious institution; or the cultural studio of an artist or musician shall be permitted subject to the following regulations:

\* \* \* \* \*

**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

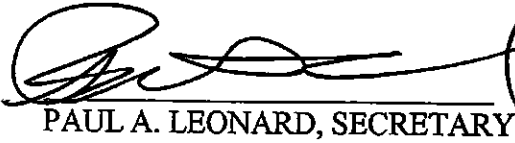
the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

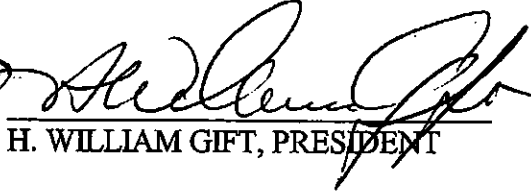
**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *10<sup>th</sup>* day of *OCT*, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1046

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 117, Entitled Fire Prevention, To Add Section 117-9, "Key Lock Box Systems", Requiring Commercial, Industrial, Or Institutional Buildings Protected By An Alarm System Or Automatic Sprinkler System, Or Any Other Building Secured To Restrict Access During An Emergency To Install A Key Lock Box System; Providing The Fire Marshal Of Upper Dublin With The Authority To Choose A Key Lock Box System To Install And Regulate; Setting Forth Those Items That Must Be Contained In The Key Lock Box.

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 117 thereof entitled Fire Prevention, Section 117-9, "Key lock box systems" shall be added to provide as follows:

**§117-9. Key lock box systems.**

- A. Commercial, industrial, or institutional buildings protected by an alarm system, central station protective system or automatic sprinkler system, or such structures that are secured in a manner that restricts access during an emergency shall be equipped with a key lock box at or near the main entrance or such other location required by the Fire Marshal.
- B. All newly constructed buildings subject to this section shall have the key lock box installed and operational prior to the issuance of an occupancy permit. All buildings in existence on the effective date of this section and subject to this section shall have one year from the effective date of this section to have a key lock box installed and operational.
- C. The Fire Marshall shall designate the type or types of key lock box to be implemented within the township and shall have the authority to require all buildings to use the designated system. The Fire Marshal, the Fire Department of Upper Dublin Township and the Police Department of Upper Dublin Township shall be the only entities permitted to possess the key to the key lock box.
- D. The owner or tenant of a building required to have a key lock box shall, at all times, keep the following items in the key lock box:
  1. Keys to locked points of egress, whether on the interior or exterior of such building.

2. Keys to locked mechanical equipment rooms.
  3. Keys to locked electrical rooms.
  4. Keys to elevator controls.
  5. Keys to locked elevator rooms.
  6. Keys to any fence or secured area.
  7. Keys to any other areas as directed by the Fire Marshal.
- E. The Fire Marshal shall be authorized to implement rules and regulations for the use of the lock box system.

**Section 2.** 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 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 10<sup>th</sup> day of oct, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

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H. WILLIAM GIFT, PRESIDENT

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN,  
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1047

AMENDING ORDINANCE NO. 968 OF THE TOWNSHIP TO EXPAND THE PURPOSES FOR WHICH THE PROCEEDS OF THE TOWNSHIP'S GENERAL OBLIGATION NOTE, SERIES OF 1998, MAY BE USED TO INCLUDE RENOVATIONS, ADDITIONS AND IMPROVEMENTS TO THE TOWNSHIP'S ADMINISTRATION BUILDING AND AUTHORIZING THE PROPER OFFICERS OF THE TOWNSHIP TO TAKE OTHER NECESSARY ACTION IN CONNECTION WITH SUCH AMENDMENT.

WHEREAS, the Township of Upper Dublin, Montgomery County, Pennsylvania (the "Township") is a township of the first class and has the power and authority under the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, as codified by the Act of December 19, 1996, P.L. 1158, No. 177, as amended (the "Act"), to incur indebtedness and to issue bonds and notes to finance capital projects; and

WHEREAS, on June 9, 1998, the Board of Commissioners of the Township enacted Ordinance No. 968 (the "Original Ordinance") authorizing the incurrence of nonelectoral debt pursuant to which the Township issued its General Obligation Note, Series of 1998, in a principal amount of \$5,500,000 (the "1998 Note"), to provide funds for (i) the construction of improvements to the Township's wastewater treatment plant and (ii) the payment of the costs incurred to issue the 1998 Note; and

WHEREAS, Section 8103 of the Act permits the Township to change the purposes of nonelectoral general obligation debt at any time and the Township now desires to amend the Original Ordinance to expand the purposes of such debt to include constructing renovations, additions and improvements to the Township's Administration building, comprised generally of a new roof for a portion of the building, improvements to the heating, ventilating and air conditioning systems, demolition of a portion of the existing building and construction of a new and expanded building area for police department and administrative purposes (the "Additional Project").

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

Section 1. Authorization of Additional Project, Amendment to Original Ordinance.

The Township hereby approves the Additional Project (as described in the recitals hereto) and the use of proceeds of the Township's 1998 Note for the purpose thereof. The purposes for which the Township previously incurred nonelectoral debt, as evidenced by the issuance of its 1998 Note and as authorized by the enactment of the Original Ordinance, are hereby expanded to include the Supplemental Project. It is hereby determined and stated that the Township has obtained realistic estimates of the costs of the Additional Project through bid prices or professional cost estimates from

persons qualified by experience to provide such estimates and that the estimated useful life of the Additional Project is not less than twenty (20) years.

Section 2. Confirmation of Original Ordinance. All other terms of the Original Ordinance are hereby ratified and confirmed.

Section 3. Officers Authorized to Act. The proper officers of the Township are hereby authorized and directed to publish all notices and take all other actions necessary or desirable in connection with the enactment of this amendatory Ordinance, including filing a copy of the same with the Pennsylvania Department of Community and Economic Development.

Section 4. Severability. In case any one or more of the provisions contained in this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any of the provisions of this Ordinance and this Ordinance shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained herein.

Section 5. Repealer. Except for the Original Ordinance, all ordinances and resolutions and parts thereof heretofore adopted to the extent that the same are inconsistent herewith are hereby repealed.

Section 6. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

ENACTED AND ORDAINED this 10<sup>th</sup> day of October, 2000.

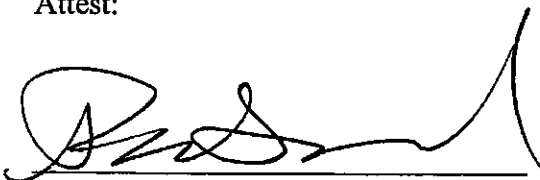
UPPER DUBLIN TOWNSHIP  
BOARD OF COMMISSIONERS



H. WILLIAM GIFT  
President of the Board of Commissioners  
Township of Upper Dublin

[SEAL]

Attest:



PAUL A. LEONARD  
Secretary, Township of Upper Dublin

CERTIFICATE OF SECRETARY

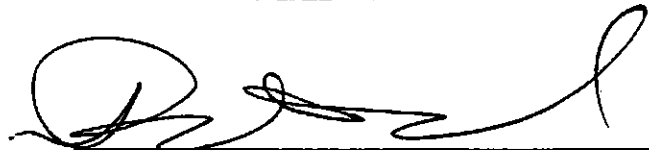
The undersigned, Secretary of the Township of Upper Dublin, DOES HEREBY CERTIFY THAT:

The foregoing Ordinance was duly moved and seconded and enacted by a majority vote of all of the Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on October 10, 2000; 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>
H. William Gift, President	Yes
Judy Herold, , Vice President	Yes
William Bryers	Yes
Michael Cassidy	Yes
Chester H. Derr, III	Yes
Jules Mermelstein	Yes
Robert Pesavento	Yes

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

WITNESS, my hand and seal of the Township this 10<sup>th</sup> day of October, 2000.



Paul A. Leonard, Secretary

(TOWNSHIP SEAL)

ORDINANCE NO. 1048

AN ORDINANCE PROVIDING FOR THE DESIGN, LAYING OUT, CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER EXTENSION CONSISTING OF 8-INCH PVC PIPE ORIGINATING FROM AN EXISTING SEWER MANHOLE LOCATED IN HORSHAM TOWNSHIP ALONG THE NORTHEAST SIDE OF WELSH ROAD, WITHIN THE ULTIMATE RIGHT OF WAY, APPROXIMATELY 265 FEET SOUTHWEST OF LIMEKILN PIKE. THE SEWER EXTENSION WILL CROSS WELSH ROAD INTO UPPER DUBLIN TOWNSHIP TAX BLOCK 4B UNIT 1; THEN CONTINUING IN A SOUTHWESTERLY DIRECTION WITHIN A VARIABLE WIDTH EASEMENT ALONG THE NORTHWESTERN PROPERTY BOUNDARY LINE, 211 FEET, UNTIL REACHING TAX BLOCK 4B UNIT 26; THEN RUNNING IN A SOUTHEASTERLY DIRECTION WITHIN AN EASEMENT THROUGH THIS PROPERTY AND THROUGH A PORTION OF THE REAR YARD OF TAX BLOCK 4B UNIT 27, 185 FEET TO A POINT IN THE SOUTHERN CORNER OF TAX BLOCK 4B UNIT 27 AND IMMEDIATELY ABUTTING TAX BLOCK 4B UNIT 26, AT WHICH LOCATION THE EXTENSION WILL END. A SEPARATE LEG OF THIS SEWER WILL EXTEND TOWARD LIMEKILN PIKE 83 FEET, WITHIN TAX BLOCK 4B UNIT 36, ALONG ITS BOUNDARY WITH TAX BLOCK 4B UNIT 23; THEN EXTENDING PARALLEL TO AND OUTSIDE OF THE EXISTING LEGAL RIGHT OF WAY OF LIMEKILN PIKE IN A SOUTHERLY DIRECTION 170 FEET TO ITS TERMINUS ADJACENT TO TAX BLOCK 4B UNIT 25. FURTHER 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 consisting of 8-inch PVC pipe shall be constructed originating from an existing sewer manhole located in Horsham Township along the northeast side of Welsh Road, within the ultimate right of way, approximately 265 feet southwest of Limekiln Pike. The sewer extension will cross Welsh Road into Upper Dublin Township Tax Block 4B Unit 1, then continuing in a southwesterly direction within a variable width easement along the northwestern property boundary line, 211 feet, until reaching Tax Block 4B Unit 26; then running in a southeasterly direction within an easement through this property and through a portion of the rear yard of Tax Block 4B Unit 27, 185 feet to a point in the southern corner of Tax Block 4B Unit 27 and immediately abutting Tax Block 4B Unit 26, at which location the extension will end. A separate leg of this sewer will extend toward Limekiln Pike 83 feet, within Tax Block 4B Unit 36, along its boundary with Tax Block 4B Unit 23; then extending parallel to and outside of the existing legal right of way of Limekiln Pike in a southerly direction 170 feet to its terminus adjacent to Tax Block 4B Unit 25, and including eight lateral connections to adjacent properties with frontage on Limekiln Pike, Welsh Road or Norristown Road, 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"), with said waste to be treated by the Horsham Township Water and Sewer Authority.

(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.

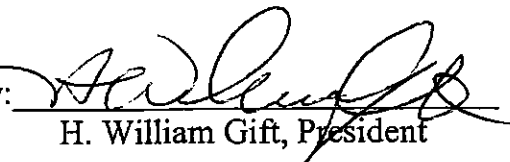
(c) Upon completion of the said Project and determination of all costs in connection therewith, the Engineer shall deliver the same in writing to the Township Manager.

(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 (30<sup>th</sup>) 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 *14* day of *NOV*, 2000.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

By:   
H. William Gift, President

Attest:   
Paul A. Leonard, Secretary

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ORDINANCE NO. 1049

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2001

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 2001.

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 2001 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	11,504,650
Receipts from Taxes of Prior Years	43,000
Other Revenues and Receipts	<u>12,899,284</u>
<b>TOTAL ESTMATED RECEIPTS AND CASH</b>	<b>24,446,934</b>

SUMMARY OF ALL APPROPRIATIONS

<b>GENERAL GOVERNMENT</b>	
Administration and Finance	1,545,549
Treasurer and Tax Collector	17,840
Library	592,838
Municipal Buildings	<u>209,498</u>
<b>TOTAL</b>	<b>2,365,725</b>
<b>PROTECTION TO PERSON AND PROPERTY</b>	
Police	3,632,668
Fire	1,265,347
Emergency Services	<u>176,262</u>
<b>TOTAL</b>	<b>5,074,277</b>

SEWER	
Conveyance	584,449
Treatment	1,532,036
Capital	674,260
Debt Service	<u>1,074,602</u>
	TOTAL
	3,865,347
SANITATION	2,121,591
NON EXPENDABLE TRUSTS	7,900
HIGHWAY MAINTENANCE	2,168,420
DEBT SERVICE	837,187
CAPITAL PROJECTS	
General Capital	866,339
Township Building Project	5,000,000
Open Space	<u>662,525</u>
	TOTAL
	6,528,864
PARKS AND RECREATION	1,130,265
CODE ENFORCEMENT	335,108
COMMUNITY CONTRIBUTIONS	<u>12,250</u>
	TOTAL APPROPRIATIONS
	24,446,934

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.

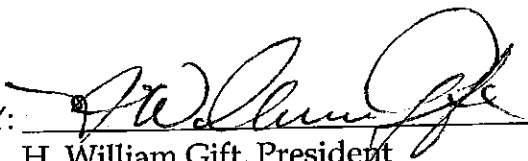
SECTION 5: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences,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

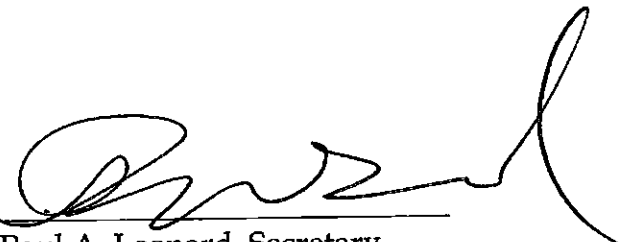
intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2001.

ENACTED AND ORDAINED THIS 12<sup>th</sup> day of December 2000.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
H. William Gift, President

ATTEST:   
Paul A. Leonard, Secretary

ORDINANCE NO. 1050

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2001 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2001 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2001 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2001 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 2001 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 2001, as follows:

Tax rate for General Purposes, the sum of	1.498 mils
on each dollar of assessed valuation, or the sum of	14.98 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	1.498	14.98

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 2001, 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 2001, 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 2001, as follows:

Tax rate for Parks and Recreation, the sum of 0.406 mils  
on each dollar of assessed valuation, or the sum of 4.060 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	.406	4.060

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 2001, 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.

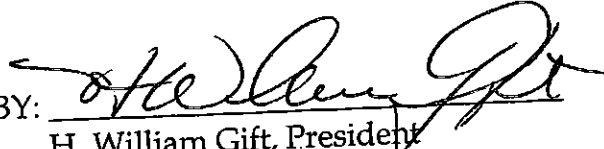
SECTION 7: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.


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, 2001.

ENACTED AND ORDAINED THIS 12<sup>th</sup> day of December 2000.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
H. William Gift, President

ATTEST:   
Paul A. Leonard, Secretary

ORDINANCE NO. 1051

AN ORDINANCE AUTHORIZING THE CREATION OF THE FORT WASHINGTON OFFICE PARK TRANSPORTATION DEVELOPMENT DISTRICT WITHIN UPPER DUBLIN TOWNSHIP AND ASSESSING THE COSTS THEREOF AGAINST BUSINESS PROPERTIES WITHIN THE DISTRICT.

WHEREAS, the Upper Dublin Township Board of Commissioners has determined that economic growth and development within a portion of the Township has made the transportation facilities and devices inadequate; and

WHEREAS, the Township desires to establish the Fort Washington Office Park Transportation Development District ("District") for the purpose of planning, financing, acquiring, developing, constructing and operating transportation facilities and services within the District, in order to expand or improve existing transportation facilities and services; and

WHEREAS, the District is described more fully in the Plan and list of properties attached hereto as Exhibit "A" and "B" respectively; and

WHEREAS, the Upper Dublin Township Board of Commissioners has determined that the proposed transportation facilities and services will benefit existing as well as newly developed business properties within the designated district; and

WHEREAS, the proposed facilities and services are more fully described in Exhibit "C" attached hereto; and

WHEREAS, the proposed facilities and services shall be financed by the imposition of a fair and reasonable assessment upon business property located within the District; and

WHEREAS, the Upper Dublin Township Board of Commissioners has held public hearings at which interested parties were heard.

The Township of Upper Dublin of Montgomery County, Pennsylvania does hereby ENACT and ORDAIN:

Section 1. The Upper Dublin Township Board of Commissioners hereby creates a Transportation Development District to expand or improve existing transportation facilities and services and assesses the costs thereof against all benefited business properties within the District.

Section 2. The District is described in the Plan attached hereto as Exhibit "A" and the list of properties attached hereto as Exhibit "B".

Section 3. The proposed facilities and services and the proposed priority of completion are described in Exhibit "C" attached hereto.

Section 4. The proposed projects within the District are scheduled to be completed in five years.

Section 5. All business properties having a substantial relationship to the proposed transportation facility or service are considered benefited by the facility or service and are thus included in the District. The Transportation Analysis prepared by Orth-Rodgers & Associates, Inc., identifies the beneficiaries of all projects in the District and includes an analysis of cost allocation among beneficiaries prorated according to benefits to be received. The benefited properties are listed in Exhibit "B" attached hereto.

Section 6. In order to finance the proposed projects within the District, the Township shall impose a fair and reasonable assessment upon business property within the District, which assessment is determined by multiplying the total service and improvement costs by the ratio of the assessed value of the benefited property to the total assessed valuation of all benefited properties in the District.

Section 7. The total assessed value for each business property within the District, based upon the properties' assessed values as of March 1, 2000, is more fully set forth in the chart attached hereto as Exhibit "D". The owner of each assessed property has been provided clear and specific information from which the property owner can clearly understand the amount of assessment to be imposed on the landowner's property. The assessment shall be payable in ten (10) annual installments for each business property in the District.

Section 8. For the year 2001, each business property within the District shall be assessed an installment payment in the amount set forth in Exhibit "E" attached hereto. For each subsequent year, the amount of the annual installment shall be recalculated based upon the assessed value of the benefited property as of January 1<sup>st</sup> of that year. Each annual installment subsequent to the year 2001 shall be determined by deducting the amount assessed for each prior year from the total service and improvement costs and multiplying the remainder by the ratio of the assessed value of the benefited property to the total assessed valuation of all benefited properties in the District. Each installment shall be payable within thirty (30) days of the date of the assessment notice. If the owner of the benefited property defaults in the payment of any installment for a period of ninety (90) days after the payment becomes due, the claim for the overdue installment, with interest and penalties, shall become a lien from the due date of the installment. Further, if any installment or portion thereof remains due and unpaid for one year after it has become due and payable, then the entire assessment with accrued interest and penalties shall become due and become a lien from the due date of the installment. No action taken to enforce a claim for any installment or installments shall affect the status of any subsequent installment of the same assessment, each of which shall continue to become a lien upon the property annually.

Section 9. Each installment not paid on or before the date payment becomes due shall be subject to interest at the rate of six percent (6%) per annum. In addition, for each installment

not paid on or before the date payment becomes due, a penalty of one-half of one percent (1/2 of 1%) of the amount of the unpaid installment for each month or fraction thereof during which the installment remains unpaid, shall be added and collected.

Section 10. The Township Solicitor is authorized to file a municipal lien with the Prothonotary of the Montgomery County Court of Common Pleas against each benefited property that defaults in the payment of any installment for a period of ninety (90) days after the payment becomes due. Where suit is brought for the recovery of any such installment, the person liable therefor shall, in addition, be liable for the costs of collection and the interest and penalties herein imposed.

Section 11. This Ordinance is being enacted pursuant to the provisions of the Transportation Partnership Act, Act of July 9, 1985, P.L. 187, No. 47, § 1, as amended, 53 Pa.C.S.A., Sections 1621, et seq., and the Business Improvement District Act, Act of November 30, 1967, P.L. 658, § 1, as amended, 53 Pa.C.S.A., Sections 5401, et seq.

Section 12. 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 13. 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 14. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED and ORDAINED this 12<sup>th</sup> day of DEC, 2000.

UPPER DUBLIN TOWNSHIP  
BOARD OF COMMISSIONERS

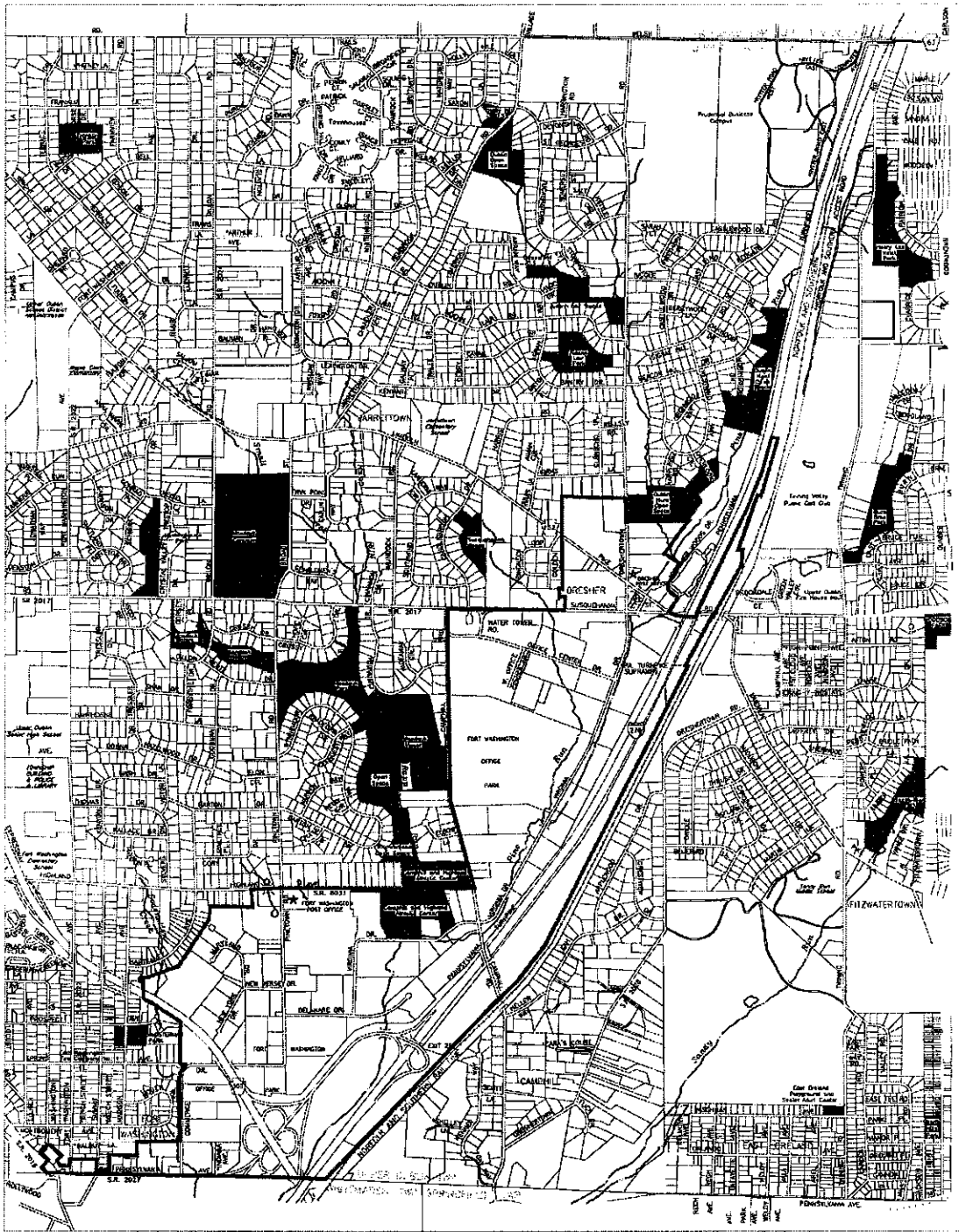
BY:   
H. WILLIAM GIFT, President

ATTEST:

BY:   
PAUL A. LEONARD, Secretary

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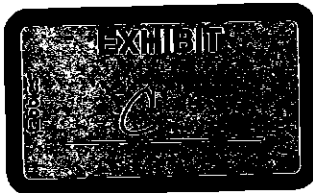
# Fort Washington Office Park Transportation Development District



**TRANSPORTATION ANALYSIS**  
**FOR THE**  
**FORT WASHINGTON OFFICE PARK**  
**TRANSPORTATION DEVELOPMENT DISTRICT**  
**UPPER DUBLIN TOWNSHIP**  
**MONTGOMERY COUNTY, PA**

**Prepared for**  
**Upper Dublin Township**

**June 14, 2000**



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## **INTRODUCTION**

Upper Dublin Township proposes to undertake a five-year program of transportation improvements within the Fort Washington Office Park and adjacent Pennsylvania Avenue and Dreshertown Road corridors. The improvements are needed to address existing congestion and safety concerns, conform to ADA requirements, and improve conditions for transit riders and pedestrians.

The method of financing is to levy an assessment on all business properties located within the boundaries of the Transportation Development District ("District") as provided for in the Transportation Partnership Act of 1985.

This report has been prepared by Orth-Rodgers & Associates, Inc. Upper Dublin Township Traffic Engineer in concert with Metz Engineers, Township Municipal Engineer, under the direction of Paul Leonard, Upper Dublin Township Manager and Charles Oyler, Township Project Manager.

The report documents the history and project need, the boundaries of the proposed District, the studies undertaken to determine needed improvements, descriptions of each element of the improvement program, and project cost estimates and schedule.

## **BACKGROUND AND PROJECT NEED**

Redevelopment of existing properties has occurred within the Fort Washington Office Park, with many of them including a conversion from warehouse or manufacturing to office use. Office use results in up to four times the number of workers per 1000 square feet than the former use. Therefore, the conversion trend is expected generate more traffic on area roadways. Developments and re-developments which are currently proposed or which have occurred within the last three to five years are summarized below:

- 1100 Virginia Drive – Expo Center
- 500 Virginia Drive – GMH/GE Financial Assurance
- 185 Commerce Drive – Office
- 335 Commerce Drive - Amtrak
- 485 Delaware Avenue – CD Now-
- 1085 Camp Hill Road – Parc Realty
- 470 Pinetown Road - McMahon Associates Building
- 3 Commerce Drive and Delaware Drive - Kramer/Marx
- 1015 Virginia Drive, Solid State Building
- 370 Commerce Drive – Westrum Building
- YMCA Tract, Pinetown Road and New Jersey Drive
- Fort Washington Inn – Commerce Drive
- Laneko Precision – New Jersey Drive
- Fort Washington Post Office – Pinetown Road and Highland Avenue

At present, the roadway system has areas of failing pavement. An inadequate drainage system contributes to flooding and periodic street closures. Within the Office Park, lack of adequate directional signing contributes to lost people and trucks.

At several intersections unacceptable delays occur (Level of Service E or F).

### Other Area Transportation Projects

Numerous improvement projects to improve area transportation are in the planning or design stages. The following listing is not intended to be a detailed description of all projects, but rather is meant to indicate the substantial existing level of involvement by public agencies and Upper Dublin Township.

#### *PennDOT*

Route 309/Pennsylvania Turnpike Interchange  
Route 309 Off-Route Improvements  
SEPTA R-5 Fort Washington Station parking lot expansion/upgrade  
Bethlehem Pike bridge over SEPTA  
Lafayette Avenue Connector

#### *Montgomery County*

Cross County Trail, a pedestrian and bicycle facility which will run through the length of Upper Dublin Township, through the Office Park and connecting with the SEPTA R-5 Fort Washington Station.

#### *Pennsylvania Turnpike*

Westbound off, westbound on "Slip Ramps" to Virginia Drive with EZ Pass toll collection only, and associated improvements to Virginia Drive and Dresher Triangle signals.

EZ Pass toll collection at Fort Washington Interchange

Contribution to Regional Storm Water Detention.

#### *Upper Dublin Township*

Requires individual new developments to perform traffic studies and to offset traffic impacts with construction of improvements.

Obtained TEA-21 grant for Transportation Enhancements for Pennsylvania Avenue, and is working with Historic Fort Washington Rescape to develop projects. (Improvements which would increase automobile capacity are not eligible under TEA -21 funding).

Applied for a Congestion Management Air Quality (CMAQ) grant for traffic signal improvements on Pennsylvania Avenue. In competition with other regional projects, this application was not selected for funding.

Joined the Greater Valley Forge Transportation Management Association, which works to reduce congestion by encouraging use of alternative modes and by developing traveler information systems.

Funds engineering and planning studies; for example the Fort Washington Office Park Traffic Study, the Fort Washington Neighborhood Plan, and a study of alternatives to eliminate the Susquehanna Road bottleneck at the railroad bridge.

Supports the Fort Washington Office Park Advisory Council (FWOPAC).

Provides roadway and traffic signal maintenance, snow removal, emergency services.

The objective of the Transportation Development District is to implement other identified projects within the District that will move people and goods to, from and within the District with less congestion and greater safety. The business owners benefit from these transportation improvements through better commutes for their employees and fewer business interruptions from traffic delays or periodic closure of streets. In addition, improved roadway conditions and perceptions of good access have a positive impact on the property value of the businesses in the district.

#### **BOUNDARIES OF THE TRANSPORTATION DEVELOPMENT DISTRICT**

The proposed Transportation Development District includes the entire Fort Washington Office Park, EC zoned property west of the Conrail railroad tracks, the Dresher Triangle Overlay District, and commercial properties along Pennsylvania Avenue and on Bethlehem Pike up to Washington Lane.

## **STUDIES CONDUCTED**

The Transportation Improvement Program has been developed from the results of several prior studies and from surveys conducted within the Office Park. The studies include:

Fort Washington Industrial Corridor Transportation Improvement Plan dated September 1986 by DVRPC

Fort Washington Office Center Traffic Study dated October 1997 by Orth-Rodgers & Associates, Inc.

Traffic Analysis for 500 Virginia Drive dated April 1999 by McMahon Associates, Inc.

Dresher Triangle Area Study dated September 1999 by Montgomery County Planning Commission

Year 2010 Plan for the Fort Washington Office Park dated March 1998 by Montgomery County Planning Commission

1999 Culvert and bridge Inspection Report by Cowan Associates

Drainage analysis by Metz Engineers, Inc.

Street Light Survey dated July 15, 1999 by Suburban Lighting Consultants

Employee surveys at selected businesses conducted by Greater Valley Forge TMA

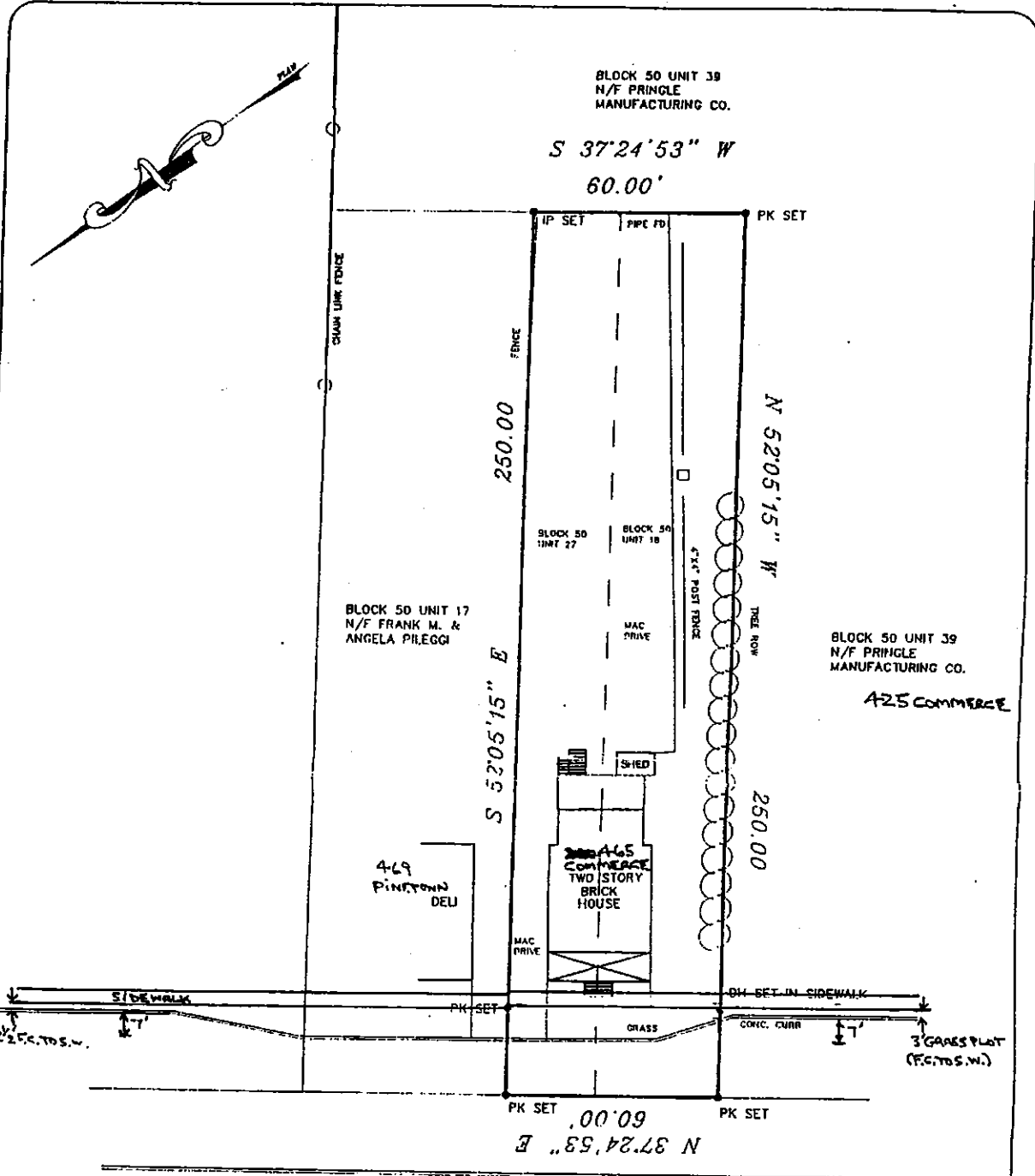
Employer survey dated April 1, 1999 conducted by Upper Dublin Township

In addition, Township staff attended approximately four meetings of the Fort Washington Office Park Advisory Council (FWOPAC) to discuss needs for transportation improvements and present study results.

The studies and coordination have indicated a number of deficiencies and needs.

### **Constriction of roadway width - Pinetown Road**

Pinetown Road is generally a 44-foot wide roadway between Highland Avenue and Delaware Drive. The road continues as 44-foot wide south of Delaware Drive (Commerce Drive). The roadway is striped for four 11-foot wide lanes from Commerce Drive to New Jersey Drive. North of New Jersey Drive, the white lane lines are discontinued and only a yellow center line is painted. There are no posted parking



PINETOWN ROAD (50' WIDE)

TAX MAP # 54-50-18\27	DATE 3/23/93	SITUATE: UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY PENNSYLVANIA
SCALE 1"=30'		PREPARED FOR: M.W. ORTHOPEDICS 220 COMMERCE DR. FORT WASHINGTON, PA 19034
DRAWN BY: DSW		<p><b>Showalter &amp; Associates</b> Route 202 &amp; County Line Road P.O. Box 95 Chalfont, PA 18811 (610) 422-1900</p> <p>• Engineers • Surveyors • Planners • Landscapes • Architects</p>
CHECKED BY: KPJ		
JOB # 3027		

restrictions in this area. A northbound right turn lane is painted on the approach to Highland Avenue.

On the east side of Pinetown Road in front of two properties -- 469 Pinetown Road and 465 Commerce Drive -- the roadway is narrowed by seven feet. One of the properties is a pizza shop, and vehicles are frequently parked in front during business hours. The narrowed road width requires that northbound traffic on Pinetown Road merge to one lane. When cars are parked in front of the pizza shop, northbound traffic must cross the yellow line to negotiate the constricted section. Curb parking also occurs at the curb in the southbound direction, so that traffic must carefully negotiate the constricted section. The area is shown on the following plan by Showalter Associates.

Upper Dublin Township passed an ordinance in May of 2000 to prohibit parking at the northbound curb in this section. In addition, widening of the roadway to provide a straight curbline and uniform road width is recommended. This will provide a greater merge distance for northbound traffic, allow for bypass of left turns into driveways, and prevent congestion in the event of a violation of the parking prohibition. Construction will not affect the sidewalk, which is straight and does not follow the existing curbline.

### **Traffic Signals**

Previous studies have indicated a need for traffic signals.

### Virginia Drive and Camphill Road

This intersection has been subject of complaints to the Township by residents who experience delays and feel unsafe crossing on Camphill Road. The Fort Washington Office Center Traffic Study Final Report dated October 1997 by Orth-Rodgers & Associates, Inc. documented the need for a signal at this location. Manual traffic counts taken in fall of 1996 showed the following peak hour volumes approaching the intersection.

	Virginia Drive			Camphill Road		
	Eastbound	Westbound	Total	Northbound	Southbound	Total
Morning Peak Hour	819	313	1132	280	138	418
Evening Peak Hour	362	657	1019	164	208	372

Automatic Traffic recorder counts taken as part of the Orth-Rodgers study indicate the hourly volumes at the intersection.

	<b>Virginia Drive between Camphill and Office Center Drive (two- way)</b>	<b>Camphill Road (Northbound between Highland and Office Center Drive)</b>
7:00 a.m. – 8:00 a.m.	829	192
8:00 a.m. – 9:00 a.m.	1010	292
9:00 a.m. – 10:00 a.m.	507	107
10:00 a.m. – 11:00 a.m.	376	68
11:00 a.m. – 12:00 p.m.	450	83
12:00 p.m. – 1:00 p.m.	702	99
1:00 p.m. – 2:00 p.m.	604	93
2:00 p.m. – 3:00 p.m.	520	90
3:00 p.m. – 4:00 p.m.	555	106
4:00 p.m. – 5:00 p.m.	784	144
5:00 p.m. – 6:00 p.m.	927	181

The intersection meets PennDOT peak hour warrants for a signal. It is not intended to modify the existing turn restrictions. No turns are permitted from either roadway. The turn restrictions prevent use of residential Camphill Road as route for traffic travelling to or from the Office Park.

#### Pinetown Road and Highland Avenue

The 1999 traffic study for 500 Virginia Drive by McMahon Associates included counts and analysis of the intersection of Pinetown Road and Highland Avenue. That study documented that peak hour warrants for a new traffic signal are met during both the morning and evening at Pinetown Road and Highland Avenue.

	<b>Pinetown Road</b>			<b>Highland Avenue</b>		
	<b>Northbound</b>	<b>Southbound</b>	<b>Total</b>	<b>Eastbound</b>	<b>Westbound</b>	<b>Total</b>
<b>Morning Peak Hour</b>	188	467	655	421	154	575
<b>Evening Peak Hour</b>	618	243	861	289	141	430

Automatic traffic recorder counts indicate that Warrant 1, eight hour volume warrant, is met for four hours of the day.

	<b>Pinetown Road (two-way)</b>	<b>Highland Avenue (eastbound, east of Pinetown Road*)</b>
7:00 a.m. – 8:00 a.m.	541	181
8:00 a.m. – 9:00 a.m.	722	221
9:00 a.m. – 10:00 a.m.	468	102
10:00 a.m. – 11:00 a.m.	338	61
11:00 a.m. – 12:00 p.m.	363	69
12:00 p.m. – 1:00 p.m.	506	105
1:00 p.m. – 2:00 p.m.	442	98
2:00 p.m. – 3:00 p.m.	396	109
3:00 p.m. – 4:00 p.m.	456	120
4:00 p.m. – 5:00 p.m.	654	157
5:00 p.m. – 6:00 p.m.	741	247

\* the eastbound volume approaching the Pinetown Road intersection will be higher than the volume east of the intersection since it would include a heavy right turn movement

In addition, it is expected that during construction of the Route 309 improvements and during Pennsylvania Turnpike construction on Virginia Drive that additional traffic will divert through this intersection.

A new signal is presently under design at the nearby intersection of Pinetown Road and Delaware Drive. This signal was recommended by the 1997 Fort Washington Office Center Traffic Study by Orth-Rodgers. It is being funded by developer contribution. That signal will have capability for interconnection.

The new signal at Pinetown Road and Highland Road should be coordinated with the Delaware Drive signal by means of hardwire copper or fiberoptic cable connecting the two intersection controllers.

## Wayfinding

Finding a particular business location or destination in the Fort Washington Office Park can be a challenge for visitors and for truckers who are not familiar with the Office Park. Discussions with members of the Fort Washington Office Park Advisory Council indicate that wayfinding is a problem. Some signs have been installed to direct motorists to the Fort Washington Convention Center, the major visitor destination.

The difficulty finding an address begins with locating the street. Locating Virginia Drive is a problem for visitors who enter the park at Pennsylvania Avenue and Commerce Drive. They do not know they must turn right on Delaware Avenue. If they do make the turn onto Delaware Avenue, it is not apparent that by following the main roadway around the curve they are on Virginia Drive. Finding New Jersey, New York or Maryland Drive is also not easy for the first time visitor.

Some properties have installed signs which clearly indicate the address number, but they are in the minority. At many locations, neither the business name nor a street address number is visible to the motorist on the street. A clear address number not only helps visitors, but it helps emergency service providers quickly locate the location of a call.

A signing program can also establish an image and identity for the Office Park through good graphic design and some uniformity in appearance of signs throughout the Office Park. One element of identity is to establish "gateways" with prominent signing at the major entrances to the Office Park.

A review by Orth-Rodgers & Associates Inc. recommends a comprehensive sign program to include the following elements:

Major Gateway signs at Pennsylvania Avenue and Commerce Drive and at Susquehanna Road and Virginia Drive

Minor Gateway signs at Pinetown Road and Highland Avenue and at the Susquehanna Road access to Office Center Drive

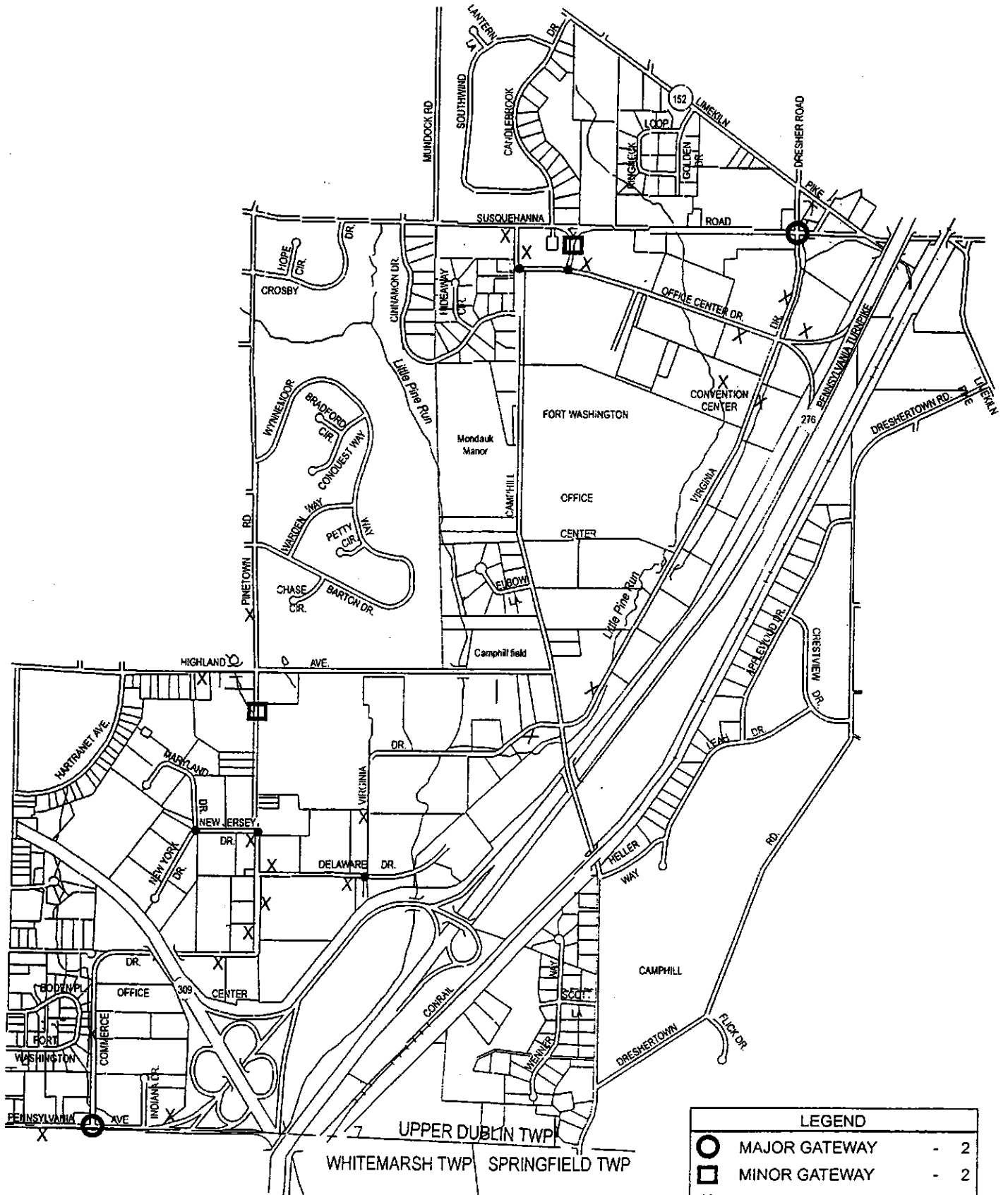
Vehicular directional signs at decision points along the roadways, typically in advance of intersections. For example, a sign for northbound motorists on Commerce Drive in advance of the intersection with Delaware Drive could indicate that New Jersey, New York and Maryland Drive are straight ahead and Virginia Drive is reached by turning right on Delaware Drive. Prominent visitor destinations such as the Fort Washington Convention Center need to be signed at decision points.

Street name signs with minimum six inch high letters at all intersections. At signalized intersections, overhead street name signs on signal mast arms are required.

Address number identification on all properties clearly visible from the street.

The required locations of each type of sign is illustrated in the following figure. The sign program should be designed by a graphic design firm experienced in campus signing projects. It is expected that the designer would work closely with FWOPAC during design to determine the sign layouts, colors and materials to be used.

# FORT WASHINGTON OFFICE PARK DIRECTIONAL SIGN IMPROVEMENT PROGRAM



LEGEND	
○	MAJOR GATEWAY - 2
□	MINOR GATEWAY - 2
X	DIRECTIONAL SIGNING - 22
•	INTERSECTION STREET NAME SIGNING - 5
○	PROPERTY ADDRESS IDENTIFICATION - 110

NOTE: Intersection street name signing at signalized intersection is part of traffic signal and not shown separately here.

## **Commerce Drive, Delaware Drive and Virginia Drive**

These roadways form the spine of the Fort Washington Office Park. The Average Daily Traffic (1997) ranges from 15,000 on Commerce Drive at Pennsylvania Avenue to 10,600 on Commerce Drive at Delaware Drive to 9,000 on Virginia Drive in the vicinity of Camphill Road. Trucks comprise 3% to 5% of traffic volume.

### Geometry

The roadways were laid out by a private developer in the 1950's. The alignment is characterized by long tangent sections with numerous sharp curves. For the posted speed limit of 35 mph, four curves in particular are below standard:

335 Commerce Drive at Amtrak/Montgomery Publishing - radius 100'

Virginia Drive at Delaware Drive - radius 150'

Virginia Drive at 550 Virginia Drive - radius 150'

Virginia Drive on east approach to Camphill Road - radius 100'

Given the road width of 44' with four 11' travel lanes, the curves do not allow traffic to travel side by side in two lanes. The curve at Camphill Road limits the sight distance to the intersection. Since a traffic signal is proposed at that intersection, the curve radius improvement will also improve the advance visibility on southbound Virginia Drive to the signal and to a queue of vehicles stopped at the signal. Curve improvements were recommended in the 1986 Fort Washington Industrial Corridor Transportation Improvement Plan by DVRPC.

It will not be possible to upgrade all of the curves to a standard for 35mph speed, because of existing buildings and other physical constraints. However, the radii should be improved to the extent possible, and widening of the travel lanes in the vicinity of the curves will improve driver comfort and reduce the constriction at the curve. It is not the intent to promote higher speeds. Superelevation is not proposed. Because of the long tangents between curves, speeds of 35 mph and higher are attained. Curve warning signs with advisory speeds are recommended on approaches to curves where vehicles must reduce speed to 25mph or less.

### Paving

The pavement section originally constructed is inadequate for existing traffic loading. In addition, lack of underdrains and periodic flooding due to inadequate storm water drainage cause the pavement to deteriorate. The pavement is visibly stressed. In the section of Commerce Drive south of Delaware Drive, the pavement is bumpy and potholed despite a Township maintenance program which performs milling and resurfacing approximately every three years, plus annual patching as needed. In some instances potholes have been severe enough to require lane closures. Besides providing a poor ride, the poor pavement also gives an image of neglect to the entrance to the Fort Washington Office Park.

A standard roadway section on Commerce, Delaware and Virginia Drive to accommodate today's traffic while planning for some growth would include a total paving depth of 14 inches. Core samples of the pavement at the curve at 335 Commerce Drive - reveal a total paving depth in this section of 4 ½ to 5 inches. It is not possible to keep the roadway surface in good condition without reconstructing and improving the pavement section. Along with reconstruction, the drainage would be improved, which will alleviate localized flooding and handle smaller storms. However, roadway storm sewer improvements will not eliminate the flooding that occurs with major storms, since that is caused by a constraint on the stream channel downstream of the Office Park.

### Culverts

Two culvert structures on Virginia Drive are undersized and contribute to flooding. Cowan Engineers, the Township's structural engineering consultant, identified required improvements as follows:

Structure No. 22 Virginia Drive over tributary to Pine Run (400 - 500 Virginia Drive)

Description: 60" x 36" CMP, 62 linear feet

The pipe discharge invert elevation is considerably lower than the receiving stream grade. The bridge opening is severely undersized. Replacement of structure with a 7' x 4' box culvert and limited regrading of the stream channel is recommended.

Structure No. 23 Virginia Drive over Pine Run (at first curve south of Camphill Road)

Description: 15' x 5'-6" CMAP, 67 linear feet

The bridge opening is severely undersized by comparison with the Highland Avenue Bridge located upstream and floods frequently. Unless replacement is scheduled within the near future, posting of this structure is recommended. Replacement can be accomplished with either a 14' x 6' twin box culvert or a 30' clear span structure.

### Street Lighting

At the request of the Township, Suburban Lighting Consultants surveyed the street lights within the Fort Washington Office Park in summer of 1999. Existing street lighting utilizes 8,000 lumen mercury vapor luminaires. The consultant stated that 8,000 lumen mercury sources are energy inefficient and antiquated by today's standards. It was recommended to replace all existing luminaires with 16,000 lumen, high pressure sodium vapor luminaires. These power door asymmetric units provide twice as much light while consuming 10% less power.

## **Transit Shelters**

Upper Dublin Township has contracted with Greater Valley Forge Transportation Management Association to provide services. Greater Valley Forge Transportation Management Association is a Not for Profit public-private partnership, which specializes in labor force access and mitigation of congestion. GVFTMA will have established a satellite office in the Fort Washington Office Park as of summer 2000 and will be working on a variety of travelling information, business outreach, transit and ridesharing efforts.

One of the principal means of reducing congestion is to facilitate use of transit by Office Park employees for their work trip. Surveys of employers conducted to date by GVFTMA indicate a need for more transit shelters along SEPTA's Route 201 which carries workers from the Fort Washington R5 Train Station to the Office Park. Five shelters currently exist within the Office Park. A field view by representatives of Greater Valley Forge Transportation Management Association and SEPTA, along with Upper Dublin Township's Traffic Safety Officer, determined the following additional locations:

- Pennsylvania Avenue at Summit
- Pennsylvania Avenue in front of Holiday Inn
- Commerce Drive at Polyphase
- Commerce Drive at B&I
- 185 Commerce Drive
- 201 Commerce Drive across from Best Western
- 350 Commerce Drive across from existing Shelter
- Delaware Drive across from Pilling Weck
- 500 Virginia Drive west side of GMH
- 550 Virginia Drive at IBAH
- 1050-1060 Virginia Drive at Bell Atlantic
- Virginia Drive at Siemens
- 500-501 Office Center Drive at existing SEPTA stop
- 600-601 Office Center Drive at AARP

The locations are to be finalized in summer of 2000.

## **ADA Ramps**

The Americans with Disabilities Act mandates that barriers to disabled mobility at sidewalks and street crossings be eliminated by providing curb ramps with ½" or less reveal. All roadway and traffic signal construction must include construction of curb ramps in existing sidewalk if they are not already present. Municipalities are supposed to develop a plan and schedule for ADA compliance. PennDOT constructed curb ramps on existing sidewalks at all intersections of state highways in the mid-1990's.

While some street and driveway crossings already have curb ramps, most do not.

Installing ADA ramps is a pedestrian improvement that complements other efforts to improve non-private-auto travel within the Office Park.

## **Pennsylvania Avenue**

### **Signal Improvements**

Pennsylvania Avenue is a four lane highway which connects Bethlehem Pike with the interchange of Route 309 and the Pennsylvania Turnpike, Pennsylvania Avenue is also a principal access route to the Fort Washington Office Park, leading directly into the southern entrance at Commerce Drive. The roadway network connecting the Office Park to the area south and west is limited by the presence of the Turnpike, a railroad line, streams, and state parkland. Therefore, Pennsylvania Avenue is heavily travelled and experiences congestion during peak commuter periods.

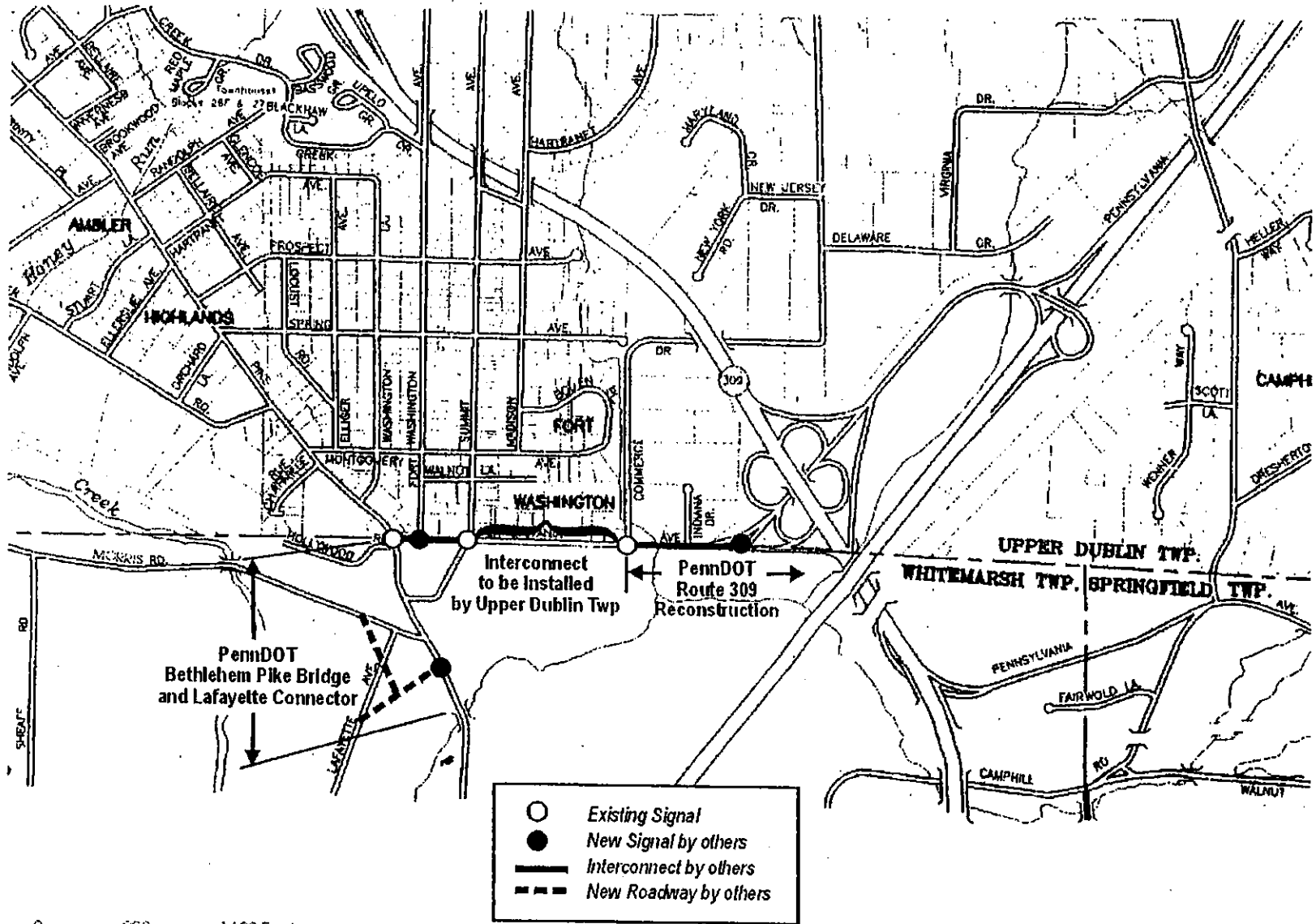
The Pennsylvania Department of Transportation is constructing signal improvements at Bethlehem Pike and Pennsylvania Avenue as part of the railroad bridge replacement project. To the east, under the Route 309 reconstruction project the Department will install a new signal on Pennsylvania Avenue at the Turnpike Route 309 interchange. The Department will interconnect that signal with the existing signal at Pennsylvania Avenue and Commerce Drive. As part of the Route 309 off-route improvements intended to handle traffic diversions, the Department will install a traffic signal at Pennsylvania Avenue and Fort Washington Avenue, and interconnect it with the adjacent signals at on Pennsylvania Avenue at Bethlehem Pike and Summit Avenue. There is currently no interconnection between Commerce Drive and Summit Avenue.

In order to optimize traffic flow, it is recommended to interconnect all traffic signals along Pennsylvania Avenue. This project proposes to complete the interconnection on the link from Commerce Drive to Summit Avenue, a distance of 1,300 feet. In addition to reducing vehicle idling and congestion, improving traffic flow on Pennsylvania Avenue will serve to reduce cut-through traffic through the historic Fort Washington neighborhood, since motorists are using local residential streets in order to avoid delays on Pennsylvania Avenue. The project is illustrated on the following figure.

In addition, it is recommended to install pedestrian signal indications on the existing signals at Summit Avenue and Commerce Drive. Those signals are the location of numerous pedestrian crossings to the Office Park and to the SEPTA R5 rail station. Pedestrian indications provide a warning to pedestrians not to begin crossing when there is not adequate time to complete the crossing. Pennsylvania Avenue, at Summit Avenue is 44 feet wide, and takes the average pedestrian 11 seconds to cross. At Commerce Drive, the crossing is 60 feet and takes 15 seconds. The yellow-red signal clearance for vehicles is not adequate for pedestrians.

# Pennsylvania Avenue Traffic Signal Coordination

UPPER DUBLIN AND WHITEMARSH TOWNSHIPS  
MONTGOMERY COUNTY, PA



## TRANSPORTATION IMPROVEMENT PROGRAM

As a result of the traffic studies and engineering evaluations, a program of improvements is proposed within the defined boundaries of the Transportation Development District. The improvements are organized into eight projects for purposes of implementation. They are listed by priority, based on a combination of importance and ease of implementation.

1. **Pinetown Road Widening**  
Widen approximately 155 linear feet on the east side of Pinetown Road to remove constriction in front of pizza shop and match existing width of Pinetown Road.

2. **Install New Intelligent Traffic Signals**  
Install traffic signals with emergency preemption and coordination capability at the intersections at Virginia Drive and Camphill Road, and Pinetown Road and Highland Avenue.

Interconnect the signal at Pinetown Road and Highland Avenue with an adjacent signal to be installed with developer funding in fall 2000 at Pinetown Road and Delaware Drive.

3. **Comprehensive Directional Sign Program in Fort Washington Office Park.**  
Design, fabricate and install approximately 138 signs. The sign program includes major gateway signs at Pennsylvania Avenue and Commerce Drive and at Susquehanna Road and Virginia Drive, and minor gateway signs at Pinetown Road and Highland Avenue and at the Susquehanna Road access to Office Center Drive. Other components of the sign program are vehicular directional signs, building address identification signs, and street name signs at unsignalized intersections.

4. **Upgrade Commerce, Delaware and Virginia Drive**  
Reconstruct Roadway to upgrade pavement to 14 inches. Install underdrains and improve storm drainage.

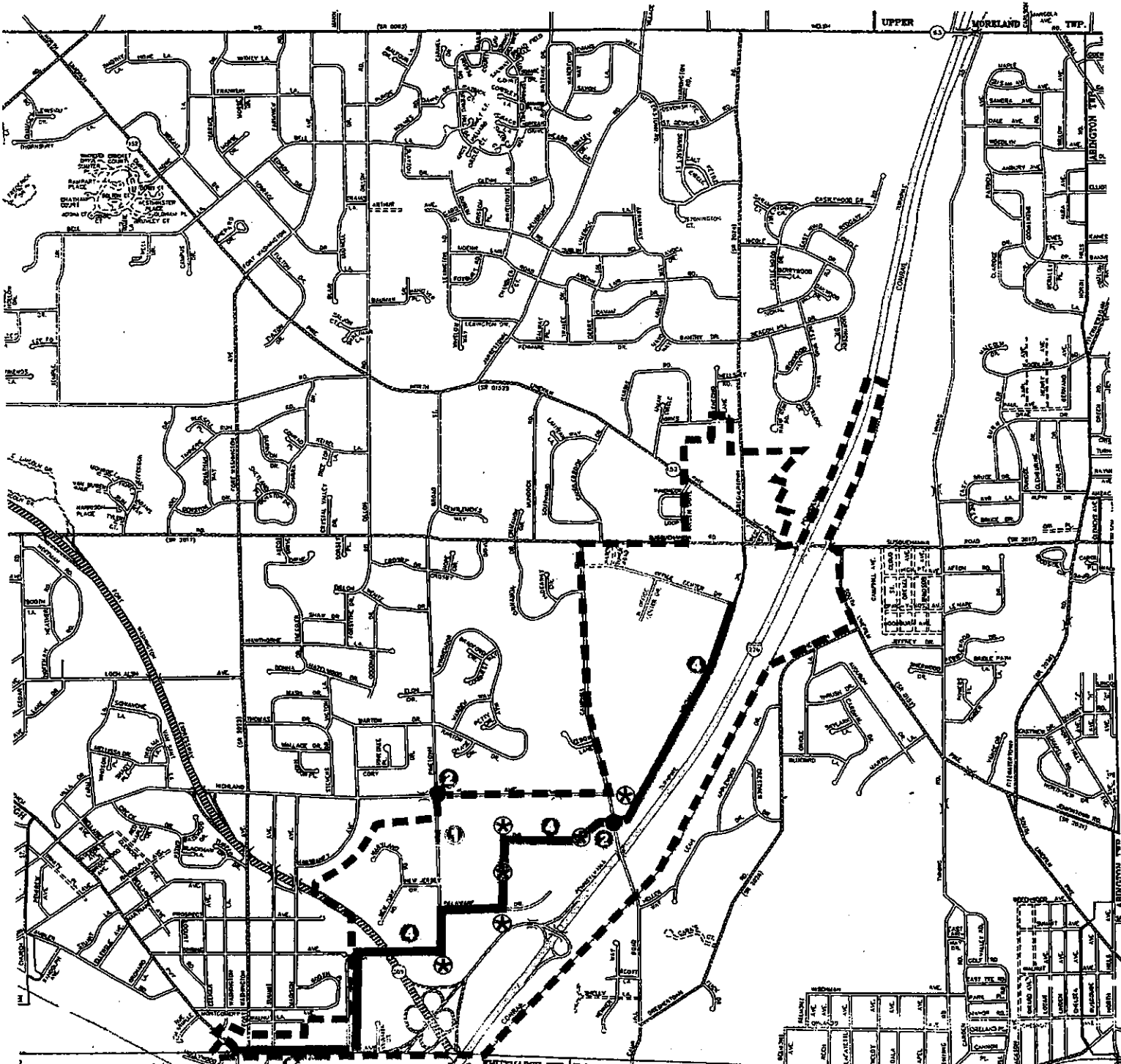
Improve four (4) substandard curves by increasing radius and/or cartway width at curve. Right of way is required. Curve locations are:

- Commerce Drive at Amtrak/Montgomery Publishing
- Virginia Drive at Delaware Drive
- Virginia Drive at 550 Virginia Drive
- Virginia Drive on east approach to Camphill Road

Upgrade Culvert No. 22 at 400-500 Virginia Drive with 7'x4' concrete box culvert. Upgrade Culvert No. 23 at Pine Run with either a 14'x6' twin box culvert or a 30' clear span bridge.

Upgrade street lighting to High Pressure Sodium on existing supports.

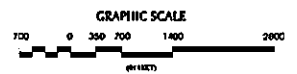
5. Provide fourteen (14) Suburban Style transit shelters in locations recommended as a result of customer coordination by Greater Valley Forge Transportation Management Association.
6. Design and install ADA sidewalk ramps at all intersections and driveways (approximately 210 locations).
7. **Pennsylvania Avenue Improvements**  
Provide pedestrian signals at existing traffic signals at Summit Avenue and at Commerce Drive.  
Install hardwire interconnect on utility poles between traffic signals at Commerce Drive and Summit Avenue. It is expected that PennDOT projects at Route 309 and Bethlehem Pike will interconnect the other signals on Pennsylvania Avenue, resulting in connection from Bethlehem Pike to the new Route 309 interchange signal east of Commerce Drive.



**UPPER DUBLIN**  
**Transportation Improvement District**

**TRANSPORTATION IMPROVEMENTS**

- ① Widen narrowed section of Pinetown Road for uniform width
- ② Install intelligent traffic signals
- ③ Provide comprehensive directional signing throughout Fort Washington Office Park
- ④ Upgrade Commerce, Delaware and Virginia Drives
- Pavement, Drainage, and Street Lighting
- Street Lighting
- ⊕ Upgrade Culverts
- ⊗ Improve Curves
- ⑤ Provide suburban style transit shelters throughout District
- ⑥ Provide sidewalks and ADA accessible ramps throughout District
- ⑦ Pennsylvania Avenue Improvements
- Transportation Improvement District Boundaries



**TRANSPORTATION DEVELOPMENT DISTRICT IMPROVEMENT COSTS**  
14-Jun-00

Map Ref.	Construction and Engr.	Right of Way	TOTAL
1	Pinetown Road - remove constriction		
	\$ 25,000.00		\$ 25,000.00
2	Traffic Signals		
	Pinetown & Highland		
	Virginia & Camphill		
	\$ 90,000.00		\$ 90,000.00
	\$ 90,000.00		\$ 90,000.00
	<b>Subtotal Signals</b>		<b>\$ 180,000.00</b>
3	Directional Signing - Office Park		
	\$ 458,550.00		\$ 458,550.00
4	Improve Commerce and Virginia Drive		
	Pavement and Drainage		
	Curve Improvements		
	Upgrade culvert 22 (400-500 Va. Dr.)		
	Upgrade culvert 23 (Pine Run)		
	Upgrade Street Lighting to HPS		
	\$ 4,315,081.00		\$ 4,315,081.00
	\$ 291,084.00	\$ 111,000.00	\$ 402,084.00
	\$ 115,000.00		\$ 115,000.00
	\$ 300,000.00		\$ 300,000.00
	\$ 15,000.00		\$ 15,000.00
	<b>Subtotal Commerce and Virginia Drives</b>	<b>\$ 111,000.00</b>	<b>\$ 5,147,165.00</b>
5	Transit Shelters (14 @ \$6,700)		
	\$ 93,800.00		\$ 93,800.00
6	ADA Ramps (210) and design sidewalk		
	\$ 133,000.00		\$ 133,000.00
7	Pennsylvania Ave. Improvements		
	PA and Summit		
	PA and Commerce		
	Coordinate the intersections on PA Ave		
	Subtotal Pennsylvania Avenue		
	\$ 38,000.00		\$ 38,000.00
	\$ 34,000.00		\$ 34,000.00
	\$ 62,000.00		\$ 62,000.00
	\$ 134,000.00		\$ 134,000.00
	<b>SUBTOTAL</b>	<b>\$ 111,000.00</b>	<b>\$ 6,171,515.00</b>
	Professional fees and administration (excluding engineering and design)		\$ 92,572.73
	<b>TOTAL</b>		<b>\$ 6,264,087.73</b>

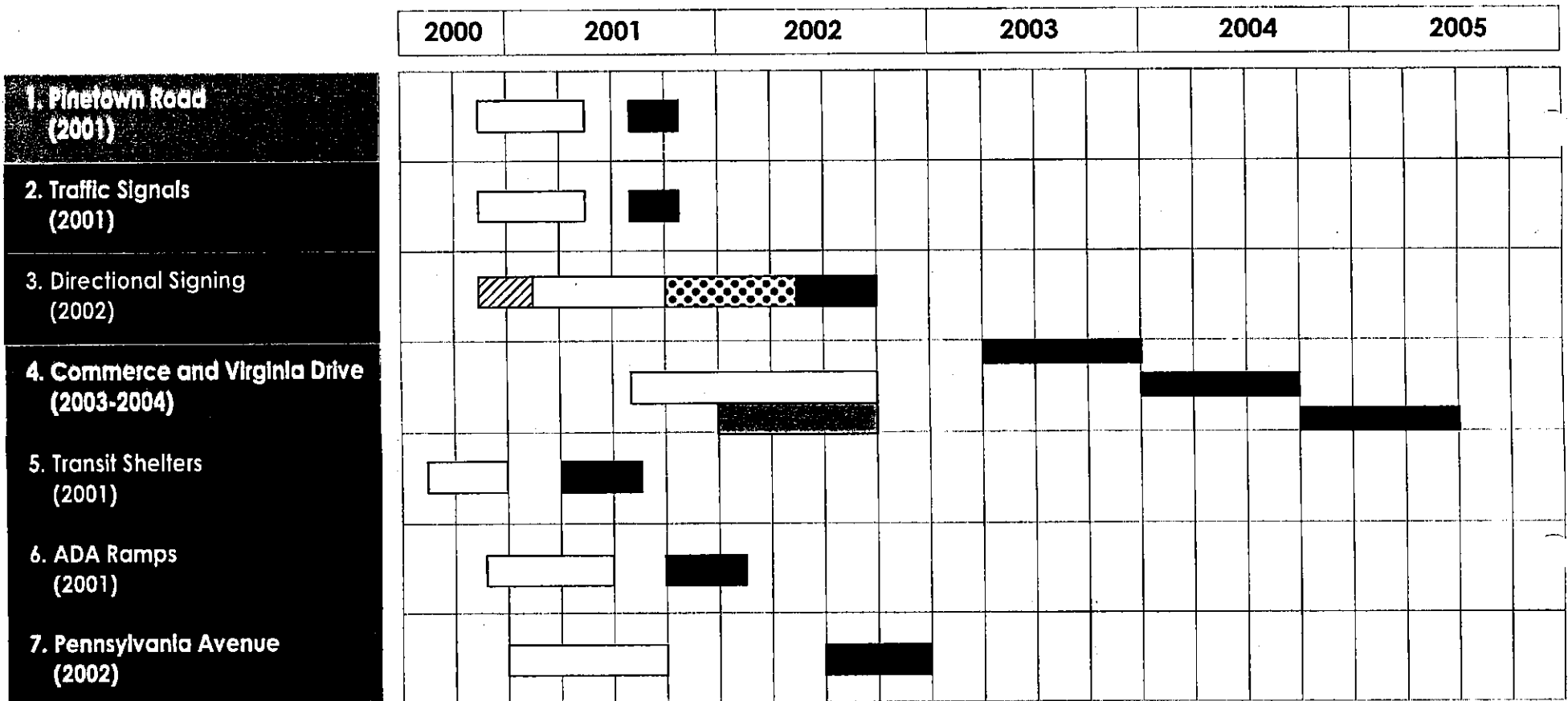
## **SCHEDULE**

The proposed schedule calls for completion of the improvement program within five years, from 2001 through 2005, as follows:

Authorize Township Engineering consultants To begin design of pavement, drainage, structures and traffic signals Project 1, 2, 4, 6, 7	Fall 2000
Release RFP for Professional Services for design of signing program	Fall 2000
Award design contract for Project 3 – signing program	January 2001
GVFTMA completes study for Project 5	January 2001
Complete design of Project 1, 2, 5, 6	Spring 2001
Complete design of Project 3, 7	Fall 2001
Complete construction of Project 1, 2, 5, 6	Fall 2001
Complete right-of-way plans for Project 4, and begin negotiations for acquisition	Winter 2002
Complete design of Project 4	Summer 2002
Award construction of Project 4 in sections	Spring 2003

The schedule is illustrated on the bar chart which follows.

# Transportation Improvement Program Schedule Upper Dublin Township



-  - RFP, Contract Award
-  - Design & Design Approvals
-  - Construction
-  - Fabrication
-  - R/W Acquisition

**UPPER DUBLIN TOWNSHIP  
TRANSPORTATION DEVELOPMENT DISTRICT  
ASSESSMENT DATABASE**

			2000	% OF TOTAL	ANNUAL TDD
		PARCEL	ASSESSED	ASSESSED	10 YEAR
OWNER	ADDRESS	NUMBER	VALUE	VALUE	ASSESMENT
					AT \$6,200,000
John P. & June L. Toner	101 Bethlehem Pike	02188-00-8	437,250	0.15%	\$1,229.60
Murray Goldstein	106 Bethlehem Pike	02377-00-8	342,360	0.11%	\$962.76
Fort Washington Partners LP	115 Bethlehem Pike	02194-00-2	633,730	0.21%	\$1,782.13
WFP Pennland Co LP	Camp Hill Road	03601-00-8	398,790	0.13%	\$1,121.45
WFP Pennland Co LP	Camp Hill Road	03544-00-2	500,950	0.17%	\$1,408.74
WFP Pennland Co LP	585 Camp Hill Road	03520-00-8	548,250	0.18%	\$1,541.75
Will F & Virginia L Daniel	1035 Camp Hill Road	03529-00-8	777,000	0.26%	\$2,185.02
Parac 1060 Associates	1085 Camp Hill Road	03538-00-8	1,500,000	0.50%	\$4,218.19
WFP Pennland Co LP	Commerce Drive	04369-00-5	14,470	0.00%	\$40.69
Upper Dublin Township	Commerce Drive	04393-00-8	1,050	0.00%	\$2.95
135 Commerce Inc PA Corp	135 Commerce Drive	04366-00-8	2,952,750	0.99%	\$8,303.51
The Harc Group LP	155 Commerce Drive	04367-00-7	1,069,880	0.36%	\$3,008.64
Montgomery Co Ind Dev Authority	175 Commerce Drive	04372-00-2	1,248,920	0.42%	\$3,512.12
185 Commerce Drive Assoc LP	185 Commerce Drive	04375-00-8	1,708,750	0.57%	\$4,805.22
Brandywine Operating Partnership LP	220 Commerce Drive	04396-00-5	5,300,000	1.77%	\$14,904.28
USANCE (Commerce) Associates	255 Commerce Drive	04378-00-5	4,011,210	1.34%	\$11,280.03
Edward M. Zimmer Jr., Trustee	270 Commerce Drive	04402-00-8	2,568,890	0.86%	\$7,224.05
Manir Properties	285 Commerce Drive	04381-00-2	3,045,550	1.02%	\$8,564.48
Metroweek Corp	290 Commerce Drive	04405-00-5	989,430	0.33%	\$2,782.40
AMTRACK	335 Commerce Drive	04383-00-9	2,696,260	0.90%	\$7,582.23
Union Electric Contracting Co.	350 Commerce Drive	04408-00-2	397,840	0.13%	\$1,118.78
370 Commerce Assoc LP	370 Commerce Drive	04411-00-8	875,000	0.29%	\$2,460.61
William Weinberg Trustee	375 Commerce Drive	04384-00-8	2,550,000	0.85%	\$7,170.93
William E Kramer Jr	390 Commerce Drive	04414-00-5	105,590	0.04%	\$296.93
Comdrive Associates LP	401 Commerce Drive	04387-00-5	1,108,400	0.37%	\$3,116.96
Harc Group II	410 Commerce Drive	04417-00-2	875,000	0.29%	\$2,460.61
Comdrive Associates LP	414 Commerce Drive	04420-00-8	1,224,630	0.41%	\$3,443.82
Prindrive Associates LP	425 Commerce Drive	04390-00-2	1,405,000	0.47%	\$3,951.04
Martin F. & Elizabeth B. Whalen	465 Commerce Drive	13447-00-8	142,910	0.05%	\$401.88
HUB Properties LLC	535 Commerce Drive	08791-00-2	3,496,000	1.17%	\$9,831.20
Upper Dublin Township	Delaware Avenue	04624-00-2	304,560	0.10%	\$856.46
Upper Dublin Township	Delaware Avenue	04624-01-1	100,000	0.03%	\$281.21



**UPPER DUBLIN TOWNSHIP  
TRANSPORTATION DEVELOPMENT DISTRICT  
ASSESSMENT DATABASE**

Upper Dublin Township	Delaware Avenue	04624-20-9	196,980	0.07%	\$553.93
Upper Dublin Township	Delaware Avenue	04625-00-1	387,810	0.13%	\$1,090.57
George Pilling & Son Co	420 Delaware Avenue	04621-00-5	1,806,660	0.60%	\$5,080.56
William H. Rorer Inc.	425 Delaware Avenue	04618-00-8	1,461,510	0.49%	\$4,109.95
1005 Virginia Associates LP	485 Delaware Avenue	04627-00-8	6,525,000	2.18%	\$18,349.13
Allied Concrete & Supply	Dreshertown Road	05356-00-8	186,780	0.06%	\$525.25
Montgomery CIDA	1401 Dreshertown Road	05167-00-8	1,409,720	0.47%	\$3,964.31
Montgomery CIDA	1405 Dreshertown Road	05170-00-5	193,470	0.06%	\$544.06
Atlantic Ref & Mkt Corp	1422 Dreshertown Road	05362-00-2	245,860	0.08%	\$691.39
Blue Ridge Real Estate Co.	1424 Dreshertown Road	05365-00-8	8,265,960	2.76%	\$23,244.93
Julius P & Jay H. Schnell	101 Ft Washington Ave	06448-00-5	434,870	0.15%	\$1,222.91
JMJ Properties	165 Indiana Avenue	08788-00-5	624,980	0.21%	\$1,757.52
Hong Heng Suk and Soon Ki	17 N Limekiln Pike	10276-00-2	465,430	0.16%	\$1,308.85
Alfred and Catherine Deelse	1708 N Limekiln Pike	10033-00-2	288,450	0.10%	\$811.16
Wendys Old Fashioned Hamburgers	1710 N Limekiln Pike	10032-00-3	539,310	0.18%	\$1,516.61
Cumberland Farms Inc	1713 N Limekiln Pike	10273-00-5	360,050	0.12%	\$1,012.51
North Wales Water Authority	Maryland Drive	11734-01-1	52,550	0.02%	\$147.78
Timoney Knox Hasson & Weand	400 Maryland Drive	11734-03-8	1,714,700	0.57%	\$4,821.96
Donald & June Feith	425 Maryland Drive	11731-00-5	884,190	0.30%	\$2,486.46
David & Nathan Mandelbaum	455 Maryland Drive	11734-00-2	2,774,460	0.93%	\$7,802.14
CPA Properties	465 Maryland Drive	11737-00-8	758,320	0.25%	\$2,132.49
470 Maryland Drive Associates	470 Maryland Drive	11734-02-9	330,310	0.11%	\$928.87
The McKeon Family LP	470 Maryland Drive	11729-00-7	915,000	0.31%	\$2,573.10
WP Fort Washington LP	500 Maryland Drive	11728-00-8	3,002,360	1.00%	\$8,443.02
Harvey Gitlin	270 New Jersey Drive	12178-00-8	974,380	0.33%	\$2,740.08
Laneko Eng Corp	275 New Jersey Drive	12175-00-2	1,642,170	0.55%	\$4,617.99
Myer Realty Associates LP	230 New York Drive	12190-00-5	755,020	0.25%	\$2,123.21
235 New York Drive LP	235 New York Drive	12187-00-8	809,320	0.27%	\$2,275.91
WJW Associates	240 New York Drive	12181-00-5	1,728,120	0.58%	\$4,859.69
J Robert & Marilyn J Birnhak	245 New York Drive	12184-00-2	703,410	0.23%	\$1,978.08
New York Drive LLC	260 New York Drive	12193-00-2	1,287,690	0.43%	\$3,621.15
Maplewood Office Center LP	401 Office Center Drive	16385-00-4	8,091,250	2.70%	\$22,753.63
Maplewood Office Center LP	403 Office Center Drive	16386-00-3	8,091,250	2.70%	\$22,753.63
Brandywine Operating Partnership LP	500 Office Center Drive	12706-00-2	8,294,140	2.77%	\$23,324.18
Brandywine Operating Partnership LP	501 Office Center Drive	12709-00-8	7,714,360	2.58%	\$21,693.76
Premier Auto Insurance Co	502 W Office Center Drive	16380-00-9	2,109,980	0.70%	\$5,933.53

**UPPER DUBLIN TOWNSHIP  
TRANSPORTATION DEVELOPMENT DISTRICT  
ASSESSMENT DATABASE**

California State Teachers Retirement System	600 Office Center Drive	12710-00-7	42,000,000	14.02%	\$118,109.36
Frank N. & Angela Pileggi	469 Pinetown Road	13441-00-5	156,500	0.05%	\$440.10
Professional Real Estate Asoc	510 Pinetown Road	13501-00-8	182,800	0.06%	\$514.06
Richard J. Bollard	520 Pinetown Road	13498-00-2	167,030	0.06%	\$469.71
USANCE (Fort Washington) Assocs	550 Pinetown Road	13495-00-5	7,169,840	2.39%	\$20,162.50
Pinetown Road LLC	575 Pinetown Road	13423-00-5	992,510	0.33%	\$2,791.06
WFP Pennland Co LP	Susquehanna Road	15058-00-8	105,600	0.04%	\$296.96
Maplewood Office Center LLP	Susquehanna Road	15060-00-6	246,030	0.08%	\$691.87
Dresher Court Realty LP	1668 Susquehanna Road	14851-00-8	527,100	0.18%	\$1,482.27
Frank B and Mary Jane Costanzo	1704 Susquehanna Road	14845-00-5	159,900	0.05%	\$449.66
Allied Concrete and Supply Corp	1750 Susquehanna Road	14839-00-2	3,012,060	1.01%	\$8,470.30
Philip C & Pyllys W. Keidel	1755 Susquehanna Road	15052-00-5	709,750	0.24%	\$1,995.91
Upper Dublin Township	Virginia Ave	16375-20-3	151,420	0.05%	\$425.81
Upper Dublin Township	Virginia Drive	16375-11-3	892,230	0.30%	\$2,509.06
Virginia Drive Assoc LP	Virginia Drive	16375-12-2	4,787,510	1.60%	\$13,463.09
WFP Pennland Co LP	Virginia Drive	16377-00-3	555,350	0.19%	\$1,561.72
1015 Virginia Associates	Virginia Drive	16402-05-9	1,120	0.00%	\$3.15
WFP Pennland Co LP	Virginia Drive	16404-10-2	316,570	0.11%	\$890.24
WFP Pennland Co LP	Virginia Drive	16404-25-5	782,120	0.26%	\$2,199.42
Agnew Corporation	440 Virginia Drive	16375-05-3	1,079,620	0.36%	\$3,036.03
HUB Properties Tr	475 Virginia Drive	16389-00-9	8,775,000	2.93%	\$24,676.42
Deutsche Bank AG New York	500 Virginia Drive	16375-00-5	26,301,950	8.78%	\$73,964.44
CP General Agency Inc.	500 Virginia Drive	16375-13-1	1,137,560	0.38%	\$3,198.96
HUB Properties Trust	525 Virginia Drive	16390-00-8	6,647,000	2.22%	\$18,692.21
Treward Associates	550 Virginia Drive	16387-00-2	645,170	0.22%	\$1,814.30
Ronald W. Laessig	555 Virginia Drive	16393-00-5	900,000	0.30%	\$2,530.91
William Weinberg Trustee	565 Virginia Drive	16396-00-2	1,101,950	0.37%	\$3,098.82
Agnew Corporation	575 Virginia Drive	16397-00-1	1,195,170	0.40%	\$3,360.97
HUB Properties TR	580 Virginia Drive	16375-03-2	4,684,450	1.56%	\$13,173.27
1015 Virginia Drive Associates LP	1015 Virginia Drive	16402-00-5	1,933,900	0.65%	\$5,438.37
HUB Properties Trust	1035 Virginia Drive	16375-10-4	3,820,000	1.28%	\$10,742.33
Bell Telephone Co. of Pennsylvania	1050 Virginia Drive	16376-00-4	5,293,430	1.77%	\$14,885.80
CEG Associates	1055 Virginia Drive	16399-00-8	1,590,910	0.53%	\$4,473.84
BT Virginia Drive L P	1075 Virginia Drive	16404-00-3	1,443,840	0.48%	\$4,060.26
1100 Virginia Drive Associates	1100 Virginia Drive	16378-00-2	21,506,030	7.18%	\$60,477.70
ADP Inc	1125 Virginia Drive	16404-15-6	4,000,000	1.34%	\$11,248.51

**UPPER DUBLIN TOWNSHIP  
TRANSPORTATION DEVELOPMENT DISTRICT  
ASSESSMENT DATABASE**

ADP Inc	1125 Virginia Drive	16404-20-1	430,370	0.14%	\$1,210.26
USANCE (Virginia) Associates	1250 Virginia Drive	16384-00-5	3,443,420	1.15%	\$9,683.34
Robert T Heenan & Thomas Danese, Trs	1375 Virginia Drive	16405-00-2	2,388,450	0.80%	\$6,716.63
Frank B and Mary Jane Costanzo	1401 Virginia Drive	10279-00-8	168,540	0.06%	\$473.96
Anita & Terry L Steen	W. Pennsylvania Avenue	13381-00-2	7,700	0.00%	\$21.65
Kennedy Lewis Ernest Garfield & Alfr	W. Pennsylvania Avenue	13384-00-8	6,820	0.00%	\$19.18
Boston Safe Deposit & Trust Co.	325 W Pennsylvania Ave	13406-00-4	805,770	0.27%	\$2,265.93
Susan C. Marin	435 W Pennsylvania Ave	13405-00-5	249,870	0.08%	\$702.67
George E. and Susan C. Marin	437 W Pennsylvania Ave	13402-00-8	276,980	0.09%	\$778.90
Edwin A. Saslow	449 W Pennsylvania Ave	13396-00-5	305,180	0.10%	\$858.21
455 Office Assocs LP	455 W Pennsylvania Ave	13393-50-3	2,940,880	0.98%	\$8,270.13
469 Pennsylvania Ave Assoc	467 W Pennsylvania Ave	13393-00-8	2,878,890	0.96%	\$8,095.81
Elliott & Murray & Andrew Goldstein	471 W Pennsylvania Ave	13390-00-2	450,740	0.15%	\$1,267.54
Exxon Corp 0572	475 W Pennsylvania Ave	13387-00-5	332,940	0.11%	\$936.27
HUB Properties Trust	515 W. Pennsylvania Ave	04363-00-2	10,538,700	3.52%	\$29,636.17
	119				
<b>TOTALS</b>			<b>299,552,910</b>	<b>1</b>	<b>\$842,381.00</b>
					842,381
<b>ASSUMPTIONS</b>					
- 6% INTEREST					
- 10 YEAR TERM					
- \$6,200,000 COST					

ORDINANCE NO. 1052

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 2001.

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 2001 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 2001 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 meetings for the year 2001 shall be held on the first Tuesday of each month following the workshop meeting, 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.

SECTION 4. The Commerce & Interior Committee meetings for the year 2001 shall be held on the fourth Tuesday of each month at 6:30 PM, local time, unless the same shall be a legal holiday, in which case the meeting will be held on the next regular business day following.

SECTION 5. The Finance Committee meetings for the year 2001 shall be held on the third Tuesday of April, July and October at 7:30 PM, local time, or as needed.

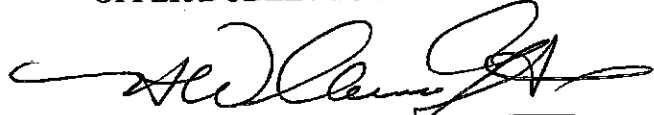
SECTION 6. The Contract Review Committee meetings for the year 2001 shall be held on an as needed basis and will be advertised separately.

SECTION 7. The public is welcome to attend all meetings, and participation by the public is welcome.

SECTION 8. 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 9. 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. 1053**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-42, "SCHEDULE I: SPEED LIMITS" BY INCREASING THE SPEED LIMIT ON A PORTION OF TWINING ROAD FROM 25 MILES PER HOUR TO 35 MILES PER HOUR IN THE FOLLOWING LOCATION: FROM A POINT 685 FEET NORTHEAST OF AYR LANE PROCEEDING IN A NORTHEASTERLY DIRECTION FOR 4000 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 VIII, "Schedules", Section 233-42, Schedule I: Speed Limits, shall be amended to provide as follows:

**§ 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:

<b>Name of Street</b>	<b>Speed Limit (mph)</b>	<b>Location</b>
	*****	
Twining Road	35	From a point 685 feet northeast of Ayr Lane proceeding in a northeasterly direction for 4000 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 *JAN*, 2000.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

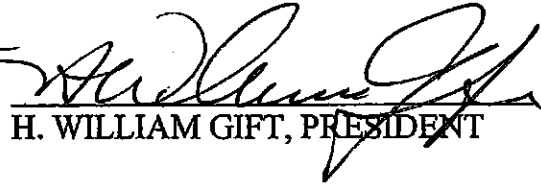
ATTEST:



A handwritten signature in black ink, appearing to read 'Paul A. Leonard', written over a horizontal line.

PAUL A. LEONARD, SECRETARY

Ordinance 233 VEHICLES & TRAFFIC Twining Rd Speed Change



A handwritten signature in black ink, appearing to read 'H. William Gift', written over a horizontal line.

H. WILLIAM GIFT, PRESIDENT

**ORDINANCE**

No. 1054

**AN ORDINANCE AMENDING AND RESTATING THE UPPER DUBLIN TOWNSHIP POLICE PENSION PLAN**

**WHEREAS**, the Township of Upper Dublin ("Township") created the Upper Dublin Township Police Pension Plan ("Pension Plan") effective May 1, 1968; and

**WHEREAS**, the Pension Plan has been amended and restated from time to time, and was most recently amended and restated effective as of February 1, 1999; and

**WHEREAS**, the Township and the Police Officers employed by the Township have engaged in collective bargaining negotiations regarding the benefits to be provided under the Pension Plan; and

**WHEREAS**, the Township and the Police Officers have agreed to establish benefits under the Pension Plan in accordance with the requirements of the Police Pension Fund Act, act of May 29, 1956, P.L. (1955) 1804 no. 600, as amended, 53 P.S. 767, et. seq. ("Act 600");

**NOW THEREFORE**, the Pension Plan shall be amended as follows:

1. The Township shall amend Section 6.7 of the Upper Dublin Township Police Pension Ordinance (Ordinance No. 891, adopted March 14, 1995) (pertaining to "Normal Retirement Benefits") by deleting the current language and replacing it with the following:

**6.7 Normal Retirement Benefit.** "Normal Retirement Benefit" means an amount that is equal to fifty percent (50%) of the Member's Final Average Salary.

(a) Members. The Normal Retirement Benefit for all Members shall be a monthly pension payable for the life of the Member. Such monthly pension shall be in an amount equal to fifty percent (50%) of the Member's Final Average Salary commencing at the Member's Normal Retirement Age.

(b) Survivor Benefit. In addition, the surviving spouse of a retired Member shall be entitled to monthly payments equal to fifty (50%) percent of the Member's Normal Retirement Benefit. A surviving spouse shall be paid until he or she remarries or dies. In the absence of a surviving spouse, or after the surviving spouse remarries or dies, the payments prescribed by this section shall be made to and divided equally among the officer's child(ren) under eighteen (18) years of age.

2. The Township shall amend Upper Dublin Township Police Pension Ordinance (Ordinance No. 891, adopted March 14, 1995) to provide for an early retirement benefit after 20 years of continuous service as authorized by Act 24 of 1998, *codified as*, 53 P.S. § 771(i), by adding a new section numbered 6.9 which shall be read in its entirety as follows:

**6.9 Early Retirement Benefit.** There is hereby established an early retirement benefit which shall be available to a member of the police force with twenty or more years of continuous service who terminates employment prior to the completion of superannuation retirement age and service requirements and who files a written application for an early retirement benefit with the Upper Dublin Township Board of Commissioners ("Board"). The early retirement benefit shall become effective as of the date the application is filed with the Board or the date designated on the application, whichever is later, and shall be the actuarial equivalent of a partial superannuation retirement benefit calculated as follows:

(a) A partial superannuation retirement benefit shall be determined by applying the percentage that the member's years of service bear to the years of service that the member would have rendered had the member continued to be employed until his superannuation retirement date to the gross pension amount calculated using the monthly average salary during the appropriate period prior to his termination of employment.

(b) The actuarial equivalent of the partial superannuation retirement benefit shall be determined by actuarially reducing the partial superannuation retirement benefit to reflect that it will commence on the effective date of the early retirement rather than on the date on which the member would have completed superannuation age and service requirements. The actuarial reduction shall be calculated using the actuarial assumptions reported in the last actuarial valuation report filed with the Public Employee Retirement Commission under the act of December 18, 1984 (P.L. 1005, No. 205), known as the "Municipal Pension Plan Funding Standard and Recovery Act" or "Act 205," 53 P.S. § 895.101 *et seq.*

3. All sections following the newly added section 6.9 shall be renumbered accordingly.

4. The Township shall amend the Section currently renumbered as 6.12(b) of the Upper Dublin Township Police Pension Ordinance (Ordinance No. 891, adopted March 14, 1995) to reflect an increase in the "Limitation of the Cost of Living Allowance" from 25% to 30% of the Final Average Salary used to compute the Member's pension benefits.

DULY ENACTED by the members of the Board of Commissioners of Upper Dublin Township, this 9th day of January 2001.

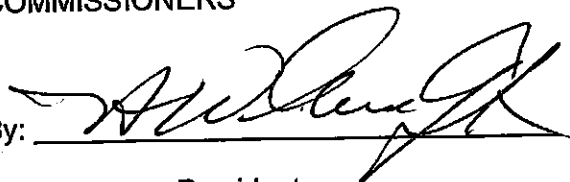
UPPER DUBLIN BOARD OF  
COMMISSIONERS

Attest:



Secretary

By:



President

**ORDINANCE**

No. 1055

**AN ORDINANCE AMENDING AND RESTATING THE UPPER DUBLIN TOWNSHIP NON-UNIFORMED EMPLOYEE PENSION PLAN**

**WHEREAS**, the Township of Upper Dublin ("Township") established the Township of Upper Dublin Non-Uniformed Employees Pension Plan ("Pension Plan") effective May 1, 1968; and

**WHEREAS**, the Pension Plan has been amended from time to time, and

**WHEREAS**, the Township and the Non-Uniformed Employees employed by the Township have engaged in negotiations regarding the benefits to be provided under the Pension Plan; and

**WHEREAS**, previous amendments have been made to the Pension Plan pursuant to Township Resolution No. 1449 regarding normal retirement age, Township Resolution No. 1448 regarding the vesting schedule, Township Resolution No. 1370 regarding normal retirement age and normal retirement benefits, and Township Resolution No. 1290 regarding the Prudential prototype plan; and

**WHEREAS**, the Township previously executed Ordinance Number 939, which amends Chapter 35, Article II of the Upper Dublin Township Code, to continue the Pension Plan and establish procedures for administering the terms of the Pension Plan; and

**NOW THEREFORE**, the Pension Plan shall be amended as follows:

1. The Township shall amend Section 1.2 of the Pension Plan to include "members' required contributions" as an additional form of contribution to the Pension Fund.

2. The Township shall amend Section 2.1 of the Pension Plan by providing that the monthly amount payable shall be calculated by multiplying the Member's total Years of Service by 1.35% rather than 1.1667% of the Member's Average Monthly Salary.

3. The Township shall amend Article VIII of the of the Pension Plan by titling the Article "MEMBERS' REQUIRED CONTRIBUTIONS" deleting the current language and replacing it with the following:

**8.1 Required Contributions.** "Required Contributions" means the total amount of contributions each Member is required to contribute to the Pension Fund under this Pension Plan.

**8.2 Amount.** Effective January 1, 2002, employees shall contribute one (1%) percent of their gross monthly wages to the Township Pension Plan. These contributions shall be made by payroll deduction on a per pay basis.

**8.3 Refund of Required Contributions.**

(a) Any Member who, for any reason whatsoever, shall be ineligible to receive pension benefits under this Pension Plan shall be entitled to a refund of any Required Contributions he made to the Pension Fund when the Member discontinues his employment with the Township.

(b) Amount of Refund. All refunds pursuant to Section 8.3(a) shall be equal to the total amount of a Member's Required Contributions contributed pursuant to Section 8.2 plus the pro-rated amount of the net interest earned by the Member's Required Contributions while in the Pension Fund.

(c) Form of Payment. All refunds of Required Contributions shall be in the form of a single lump sum payment.

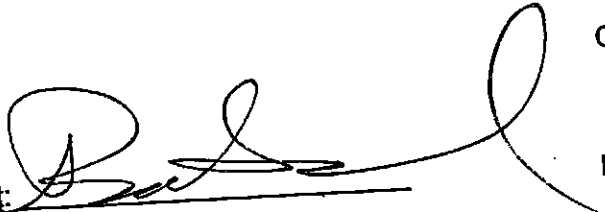
(d) Death of Member. If a Member's discontinuance of employment with the Township is due to the Member's death, any refund of required Contributions shall be paid to the deceased Member's designated beneficiary or, in the absence thereof, to his estate.

(e) Termination of Pension Plan or Complete Discontinuance of Required Contributions. In the event that the Pension Plan is terminated pursuant to state law, the right of each Member to his Required Contributions shall be nonforfeitable. The nonforfeitable amount of each Member's Required Contributions shall be the amount described in Section 8.3(b). Members shall be entitled to receive their nonforfeitable Required Contributions in accordance with the terms of the Pension Plan.

DULY ENACTED by the members of the Board of Commissioners of Upper Dublin Township,  
this 9<sup>th</sup> day of January 2001.

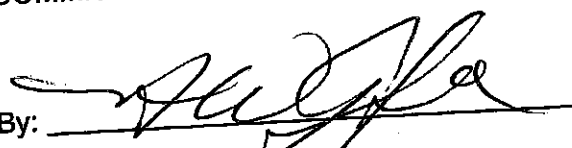
UPPER DUBLIN BOARD OF  
COMMISSIONERS

Attest:



Secretary

By:



President

AN ORDINANCE  
NO. 1050

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES," SECTION 233-56, "SCHEDULE XV: TIME LIMIT PARKING" BY ESTABLISHING A TWO-HOUR PARKING LIMIT BETWEEN THE HOURS OF 7:00 AM AND 3:00 PM, MONDAY THROUGH FRIDAY ON HAZELWOOD DRIVE, KENYON DRIVE, NASH DRIVE, VICTOR LANE, AND THOMAS DRIVE, OR PORTIONS 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, Schedule XV: 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:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
		*****	
Hazelwood Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Donna Drive to Goodman Drive
Kenyon Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Abutting Wallace Drive to Abutting Nash Drive

Nash Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Abutting Kenyon Drive to Victor Lane
Victor Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Abutting Stevens Drive to Hazelwood Drive
Thomas Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Kenyon Drive to Victor Lane

**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.

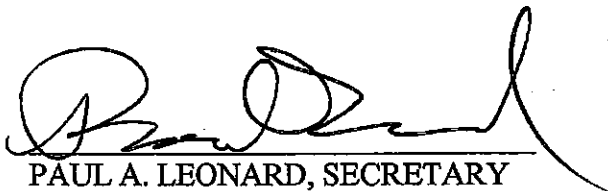
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 13<sup>th</sup> day of FEB, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY  
Ordinance 233 VEHICLES & TRAFFIC\HSParkingLimit



H. WILLIAM GIFT, PRESIDENT

AN ORDINANCE

NO. 1057

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 EIGHTY CENTS (\$2.80) TO THREE DOLLARS AND FIVE CENTS (\$3.05) PER ONE THOUSAND GALLONS OF WATER, TO CHANGE THE ANNUAL CREDIT FOR IN-GROUND SWIMMING POOLS FROM FORTY DOLLARS (\$40.00) TO FIFTY DOLLARS (\$50.00) AND TO CHANGE THE ANNUAL CREDIT FOR ABOVE-GROUND SWIMMING POOLS FROM TWENTY DOLLARS (\$20.00) TO TWENTY-FIVE DOLLARS (\$25.00).

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, 2001 the annual sewer rental for properties located in the Upper Dublin Township sewer system shall be assessed as follows:

\*\*\*\*\*  
\*\*\*

- (b) Usage rate: three dollars and five cents (\$3.05) 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 fifty dollars (\$50) per year, and those properties with

above-ground swimming pools a credit of twenty-five dollars (\$25) per 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.

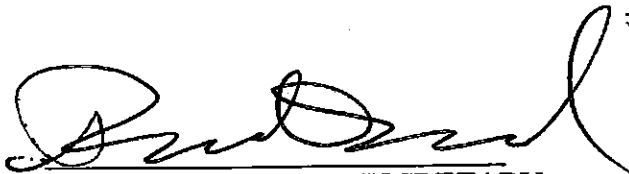
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13<sup>th</sup> day of February, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
WILLIAM H. GIFT, PRESIDENT

  
PAUL A. LEONARD, SECRETARY

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AN ORDINANCE

NO. 1058

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, CHAPTER 110, FEES, SECTION 110-10, SEWERS, TO CHANGE THE SEWER USAGE ASSESSMENT RATE AND MINIMUM CHARGES IN THE FORT WASHINGTON INDUSTRIAL PARK SEWER DISTRICT .

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.**

\*\*\*\*\*  
\*\*\*\*\*

C. . . .

(1) Commencing January 1, 2001, the sewer rental rates for properties located in the Fort Washington Industrial Park Sewer District shall be assessed as follows:

(a) Quantity Charges

Gallon of sewer use is assumed to equal water meter registration.

For the first 5,000 Gallons per quarter	\$ 9.655
For the next 15,000 Gallons per quarter	9.094
For the next 25,000 Gallons per quarter	7.813
For the next 55,000 Gallons per quarter`	6.533
For the next 100,000 Gallons per quarter	4.944
For all over 200,000 Gallons per quarter	4.126

(b) Minimum Charges

Minimum charges, dependent upon the size water meter through which water service is provided, will be made to each customer for each meter as follows (subject to the special provision set forth below):

<u>Size of Meter</u>	<u>Minimum Charge Per Quarter</u>
5/8" or 3/4"	\$ 48.28
3/4"	84.65
1"	121.03
1-1/2"	223.76
2"	491.12
3"	947.03
4"	1,407.04
6"	2,690.22

\*\*\*\*\*

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 3<sup>rd</sup> day of February, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
WILLIAM H. GIFT, PRESIDENT

AN ORDINANCE

NO. 1059

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN TO INCREASE THE COMPENSATION OF THE TOWNSHIP TREASURER FROM THE PRESENT SUM OF \$10,000 to \$15,000, AND TO REIMBURSE THE TOWNSHIP TREASURER FOR OFFICE STAFF.

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

Section 1. The Treasurer shall be reimbursed for tax office staff in an amount not to exceed \$2300 annually.

Section 2. If the Local Tax Collection Law is amended to raise the Ten Thousand Dollar (\$10,000.00) limitation on compensation for the Treasurer, the compensation of the Treasurer and Tax Collector of the Township of Upper Dublin shall be increased to the higher authorized limitation but not to exceed the sum of \$15,000.

Section 3. 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.

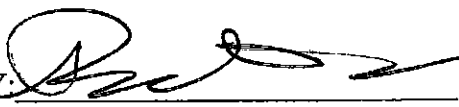
Section 4. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or liability incurred or any permit issued, or any cause or causes of action existing prior to the adoption of this Ordinance.

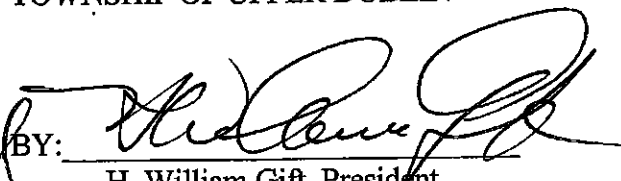
Section 5. This Ordinance shall take effect and be enforced from and after its enactment as required by law. Section 1 of this Ordinance which relates to reimbursement for tax office staff shall take effect as of January 1, 2002. Section 2 of this Ordinance relating to raising the limitation on compensation for the Treasurer shall take effect from and upon the effective date of the enabling legislation but in no event earlier than January 1, 2002.

ENACTED by the Board of Commissioners of the Township of Upper Dublin at a public meeting on the 13<sup>th</sup> day of February, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

BY:   
Paul A. Leonard, Secretary

BY:   
H. William Gift, President

**AN ORDINANCE**  
**NO. 1066**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES," SECTION 233-44, "PROHIBITED RIGHT TURNS ON RED SIGNAL," BY RESTRICTING RIGHT TURNS ON RED AT ALL FOUR APPROACHES TO THE INTERSECTION OF FORT WASHINGTON AVENUE AND LIMEKILN PIKE BETWEEN THE HOURS OF 8:00 A.M. AND 4:00 P.M.

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 233-44, Schedule III: Prohibited Right Turns on Red Signal, shall be amended to provide as follows:

**§ 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
	*****	
Ft. Washington Ave.	Both	Limekiln Pike Between 8:00 AM & 4:00 PM Monday through Friday
Limekiln Pike	Both	Ft. Washington Ave. Between 8:00 AM & 4:00 PM Monday through Friday

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.

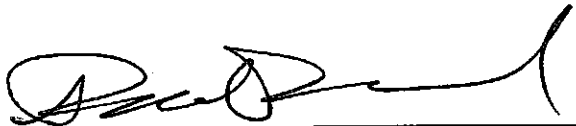
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 13<sup>th</sup> day of March, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
H. WILLIAM GIFT, PRESIDENT  
PAUL A. LEONARD, SECRETARY

ud\ord\CH 233\Ft. Wash-N. LimekilnNoRedTurn

**AN ORDINANCE**

**NO. 1061**

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR A BENEFIT ASSESSMENT TO BE CHARGED TO EACH PROPERTY OWNER BENEFITED BY THE CONSTRUCTION AND INSTALLATION OF A PUBLIC SANITARY SEWER WASTEWATER COLLECTION LINE BEGINNING AT AN INTERCEPTOR MANHOLE, ADJACENT TO THE RAPP RUN CROSSING OF LIMEKILN PIKE, EXTENDING IN A SOUTHERLY DIRECTION FOR 960 FEET, ALSO EXTENDING IN A SOUTHWESTERLY DIRECTION ALONG MUNDOCK ROAD FOR 242 FEET AND INCLUDING FIFTEEN LATERAL CONNECTIONS TO ADJACENT PROPERTIES WITH FRONTAGE ON LIMEKILN PIKE OR MUNDOCK ROAD IN PROPORTION TO THE BENEFITS TO EACH PROPERTY ABUTTING THEREON, ASSESSING THE BENEFIT IN THE AMOUNT OF \$7,639.76 PER EDU TO BE CHARGED AGAINST EACH PROPERTY ACCOMMODATED OR BENEFITED BY THE CONSTRUCTION AND INSTALLATION THEREOF, WHICH PROPERTIES ARE SITUATED AT 1444, 1445, 1449, 1453, 1457, 1461, 1465, 1502, AND 1506 LIMEKILN PIKE, 1485 MUNDOCK ROAD, THE JARRETTOWN METHODIST CHURCH, AND THE CHURCH OF LATTER DAY SAINTS, 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. 1037 enacted by the Board of Commissioners of the Township of Upper Dublin on July 11, 2000, a public sanitary sewer collection line has been constructed and installed to service properties situated at 1444, 1445, 1449, 1453, 1457, 1461, 1465, 1502, And 1506 Limekiln Pike, 1485 Mundock Road, The Jarrettown Methodist Church, And the Church of Latter Day Saints, 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 September 25, 2000 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 \$137,515.70 in accordance with the Statement of Costs dated October 17, 2000, 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. After review of water use records and a study of the benefits to be received by each property, the Township has determined the appropriate number of EDUs for each of the 13 properties abutting the Project. In accordance with the benefit assessment method provided for in the First Class Township Code, each property benefited will be assessed for that benefit in the amount of Eight Thousand Eighty-Nine Dollars and Sixteen Cents(\$8,089.16) per EDU. A list of properties and the respective EDUs assessed is attached hereto and marked as Exhibit "B."

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 *13<sup>th</sup>* day of *March*, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
H. WILLIAM GIFT, PRESIDENT

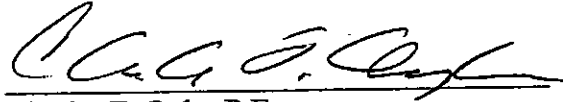
  
PAUL A. LEONARD, SECRETARY

**EXHIBIT "A"**

**DECLARATION OF COMPLETION**

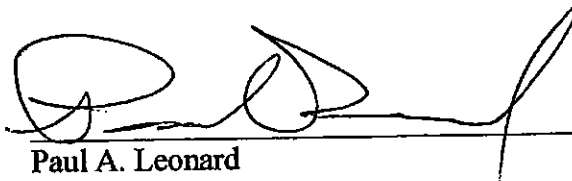
**LIMEKILN PIKE/MONDOCK ROAD SANITARY SEWER EXTENSION**

We, the undersigned, hereby declare that the work provided for in a certain agreement between the Township of Upper Dublin and Metro U.T.C., Inc. dated August 16, 2000 relative to the construction and installation of improvement of sanitary sewers on Limekiln Pike/Mondock Road has been completed on September 25, 2000 to the extent of \$137,515.70. 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.



Charles F. Oyler P.E.  
Director of Public Works

10/17/00  
Date



Paul A. Leonard  
Township Manager

**EXHIBIT "B"**

Block 10, Unit 79	1444 Limekiln Pike	Schmauk	2 EDUs
Block 7, Unit 32	1445 Limekiln Pike	Schonour	1 EDU
Block 7, Unit 30	1449 Limekiln Pike	Fricker	1 EDU
Block 7, Unit 7	1453 Limekiln Pike	Speiss	1 EDU
Block 7, Unit 8	1457 Limekiln Pike	Williams	2 EDUs
Block 7, Unit 3	Jarrettown Methodist Church		1 EDU
Block 7, Unit 9	1461 Limekiln Pike	Kwortnik	1 EDU
Block 7, Unit 10	1465 Limekiln Pike	Felbin (Village Day Care)	2 EDUs
Block 7, Unit 11	Mundock Road (Vacant Lot)	Felbin	1 EDU
Block 10, Unit 4	1502 Limekiln Pike	Jones	1 EDU
Block 10, Unit 5	1506 Limekiln Pike	Palmieri	1 EDU
Block 9, Unit 2	Church of Latter Day Saints		1 EDU
Block 9, Unit 23	1485 Mundock Road	Sellers	<u>2 EDU</u>
	<b>TOTAL</b>		<b>17 EDUs</b>

AN ORDINANCE

NO. 1062

**An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 198, Entitled Snow and Ice Removal, Section 198-5, "Method of Removal", by the addition of language to clarify that in the process of removing snow and ice from sidewalks, it shall be unlawful to shovel or otherwise deposit snow onto the abutting street and allow it to remain there.**

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 198 thereof, entitled Snow and Ice Removal, Section 198-5(B) is hereby amended to provide as follows:

**§ 198-5. Method of Removal.**

\* \* \* \* \*

- B. If there shall be an excessive amount of snow or ice, and there is no longer any place on the abutting property to shovel the snow, then it may be placed along the curbline. It is hereby declared to be unlawful to shovel, plow, throw or deposit snow or ice into or upon any street within the Township in a manner which allows the snow to remain on such street.

\* \* \* \* \*

**Section 2.** Nothing in this Ordinance or in Chapter 198 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 198 prior to the adoption of this amendment.

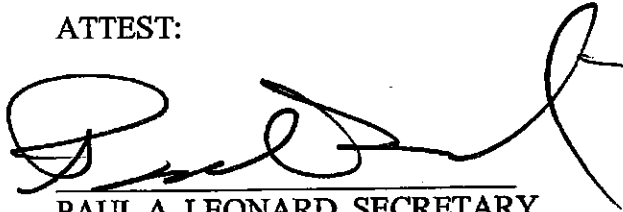
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 8<sup>th</sup> day of MAY, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

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H. WILLIAM GIFT, PRESIDENT

**ORDINANCE**

No. 1063

**AN ORDINANCE AMENDING AND RESTATING THE UPPER DUBLIN TOWNSHIP POLICE PENSION PLAN**

**WHEREAS**, the Township of Upper Dublin ("Township") created the Upper Dublin Township Police Pension Plan ("Pension Plan") effective May 1, 1968; and

**WHEREAS**, the Pension Plan has been amended and restated from time to time, and was most recently amended and restated effective as of January 9, 2001; and

**WHEREAS**, the Township and the Police Officers have agreed to establish benefits under the Pension Plan in accordance with the requirements of the Police Pension Fund Act, act of May 29, 1956, P.L. (1955) 1804 No. 600, as amended, 53 P.S. § 767, et. seq. ("Act 600"); and

**WHEREAS**, the Township's Board of Commissioners have determined that further amendments to the Pension Plan are required to maintain the Plan's compliance with Act 600;

**NOW THEREFORE**, the Pension Plan shall be amended as follows:

1. The Township shall amend Section 6.7 of the Upper Dublin Township Police Pension Ordinance (Ordinance No. 891, adopted March 14, 1995) (pertaining to "Normal Retirement Benefits") to provide as follows:

**6.7 Normal Retirement Benefit.** "Normal Retirement Benefit" means an amount that is equal to fifty percent (50%) of the Member's Final Average Salary.

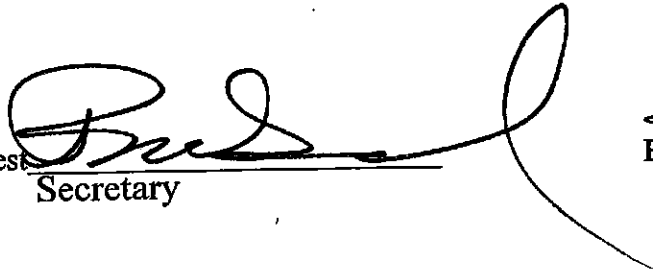
(a) **Members.** The Normal Retirement Benefit for all Members shall be a monthly pension payable for the life of the Member. Such monthly pension shall be in an amount equal to fifty percent (50%) of the

Member's Final Average Salary commencing at the Member's Normal Retirement Age.

(b) Survivor Benefit. Effective March 14, 1995, the surviving spouse of a retired Member shall be entitled to monthly benefit payments equal to fifty (50%) percent of the Member's Normal Retirement Benefit. A surviving spouse shall be paid until he or she remarries or dies. In the absence of a surviving spouse, or after the surviving spouse remarries or dies, the payments prescribed by this section shall be made to and divided equally among the officer's child(ren) under eighteen (18) years of age.

Duly enacted by the members of the Upper Dublin Township Board of Commissioners, this 8<sup>th</sup>  
day of MAY, 2001.

**UPPER DUBLIN BOARD  
OF COMMISSIONERS**

Attest   
Secretary

By:   
President, Township Board of  
Commissioners

**AN ORDINANCE**

NO. 1064

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, Schedule IX: Stop Intersections, By Establishing "Stop" Regulations On Willow Avenue at Woodlyn Avenue and On Elliot Avenue at Jill Road

Section 1. The Code of the Township of Upper Dublin, Chapter 233, entitled Vehicles and Traffic, Section 233-50, Schedule IX: Stop Intersections, is hereby amended by adding thereto the following regulations:

**§ 233-50. Schedule IX: Stop Intersections.**

Stop Sign on	Direction of Travel	At Intersection Of
Willow Avenue	Southwest	Woodlyn Avenue
Elliot Avenue	Northwest	Jill Road

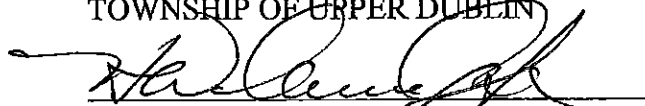
Section 2. Nothing in this Ordinance or in Chapter 233 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said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

Approved by the Board this 12<sup>th</sup> day of JUNE, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
H. WILLIAM GIFT, PRESIDENT

ATTEST:

  
PAUL A. LEONARD, SECRETARY

**AN ORDINANCE**  
**NO. 1065**

An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Entitled **Zoning**, Article XXV, Conditional Use By Board Of Commissioners, Section 255-196, "Expiration" And Article XXIII, Zoning Hearing Board, Section 255-180, "Expiration Of Special Exception Or Variance" To Add The Provision That Conditional Use Approvals, Special Exceptions and Variances Shall Not Expire Within Twelve Months After Being Granted Provided The Applicant Obtains Final Plan Approval, In Which Case, The Conditional Use Approvals, Special Exceptions and Variances Shall Expire At Such Time As The Final Plan Approval Expires.

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 XXV, **Conditional Use by Board of Commissioners**, Section 255-196, "Expiration", shall be amended as follows:

**§ 255-196. Expiration of conditional use.**

Conditional use approvals shall expire 12 months after being granted, unless the applicant obtains one of the following:

- A. A use and occupancy permit from the township Code Enforcement Department relative to the conditional use.
- B. A building permit from the township Code Enforcement Department relative to the conditional use.
- C. An extension of the grant of the conditional use from the Board of Commissioners.
- D. Final plan approval relative to the conditional use, in which case, the conditional use approval shall expire at such time as the final plan approval expires.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled **Zoning**, Article XXIII, **Zoning Hearing Board**, Section 255-180, "Expiration of special exception or variance", shall be amended as follows:

**§ 255-180. Expiration of special exception or variance.**

A special exception or variance shall expire 12 months after being granted, unless the applicant obtains one of the following, if applicable:

- A. A use and occupancy permit from the township Code Enforcement Department relative to the special exception or variance.

- B. A building permit from the township Code Enforcement Department relative to the special exception or variance.
- C. An extension of the grant of the special exception or variance from the Zoning Hearing Board.
- D. Final plan approval relative to the special exception or variance, in which case, the special exception or variance shall expire at such time as the final plan approval expires.

**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 10<sup>th</sup> day of JULY, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
H. WILLIAM GIFT, PRESIDENT

ATTEST:

  
PAUL A. LEONARD, SECRETARY

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**AN ORDINANCE**  
**NO. 1066**

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin By The Addition Of A New Chapter 196, Signs, To Control The Placement And Use Of Signs To Promote The Health, Safety And General Welfare Of Township Residents; To Provide Definitional Terms Relating To Signs;; To Provide For The Administration Of Sign Permits; To Regulate The Illumination Of Signs; To Provide Penalties For The Violation Thereof; Amending Chapter 207, Streets And Sidewalks, To Prohibit The Erection Of Signs Within The Public Rights-Of-Way Or Beyond Any Property Line Except Street Or Directional Signs Or Street Banner Signs; And To Amend Chapter 255, Entitled Zoning, To Add Definitions Describing Signs, Sign Area, Sign Height, Sign Set Back Area And Sign Types; To Provide A Declaration Of Legislative Intent; To Provide General Regulations Applicable To Signs Throughout The Township; To Provide Specific Regulations Applicable To Signs In Each Particular Zoning District; To Provide Regulations For Off-Premise Advertising Signs; To Remove From The Zoning Code Certain Provisions Applicable In All Zoning Districts, Including Provisions Relating To Sign Illumination; To Add A New Section Governing Non-Conforming Signs; And To Remove Existing Sign Provisions In Articles Other Than Article XXI And To Place Those Sign Provisions In Article XXI.

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 is hereby amended by the addition of Chapter 196, entitled Signs, which shall provide as follows:

**Chapter 196, Signs**

**§196-1. Interpretation.**

Where the provisions of this Chapter conflict with Chapter 73, Building Construction, the provisions of this Chapter shall be controlling. Unless otherwise expressly stated, the terms used herein are defined as set forth in Chapter 255, Zoning, §255-7, "Definitions".

**§196-2. Administration.**

- A. Sign permits. It shall be unlawful to erect, construct, or significantly alter any sign, which requires a sign permit without first filing with Upper Dublin Township an application therefore in writing, which application shall contain the information required by the Director of Code Enforcement.
- B. The following signs shall not require sign permits:

1. Government signs (i.e. traffic signs, parking signs, etc.).
  2. Legal notices.
  3. Public monument, plaque, historic identification sign erected by a government agency.
  4. The flag, insignia, or decorative banner of a government agency.
  5. Public service and information signs advertising availability of public restrooms, telephones, or similar public conveniences, not exceeding three square feet in area.
  6. Address signs, not exceeding two square feet.
  7. Name plates and identification signs provided that characters do not exceed three inches in height and an area not exceeding two square feet.
  8. Vending machine signs, where a product name is an integral component of the vending machine, provided that the machine is not placed in the front yard of a property.
  9. Incidental signs, provided that the aggregate area of incidental signs on a property does not exceed four square feet; incidental sign area in excess of four square feet shall be included in the calculation of a property's permitted sign area.
  10. Home security signs, not exceeding one square foot.
  11. Real estate signs erected on the property for rent or sale.
  12. Yard sale signs.
  13. Personal expression signs, provided that they either are freestanding, parallel wall or window signs. Such signs may not exceed 4 square feet and, in the case of freestanding signs, 4 feet in height. They also cannot be illuminated or placed within the sign set back area.
- C. Sign permit review. The Zoning Officer shall either approve or deny the application, or refer the application back to the applicant in any instance where insufficient information has been submitted.

- D. The applicant for any permit for an off-premise sign shall present a written statement from the owner of the property, duly notarized, that the applicant has the right to use the property, to erect a sign and to maintain the sign during the time that the sign is erected. The owner must further verify in writing that it will, at its sole cost and expense, cause the sign to be removed at such time as there is no further use of the sign.
- E. Fees. All applications for permits for the erection, construction, or alteration of signs shall, at the time of making application, be paid to the Township, in accordance with Chapter 110, Fees.

**§196-3. General sign regulations.**

No person may erect, install or maintain any sign visible from the exterior of any property or structure in the Township if prohibited by this Chapter or Chapter 255, and unless specifically permitted by Chapter 255. The following regulations shall apply to all signs in the Township. Where another chapter of this code contains a more restrictive provision relating to the same sign, the more restrictive provision shall govern.

- A. No sign, other than official township street or directional signs, or street banner signs, shall be erected or maintained within the sign set back area.
- B. No sign shall project over any public sidewalk, nor shall any sign extend beyond any property line.
- C. No sign or advertising structure shall be placed in such a position as to endanger traffic on a street by obscuring a clear view or at any location where, by reason of position, shape, color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
- D. No sign shall be erected or maintained so as to prevent free ingress and egress to or from any door, window or fire escape.
- E. No signs shall be placed on utility poles.
- F. No freestanding sign shall exceed 20 feet in height.
- G. A parallel wall sign shall not be attached to a wall of a height less than 10 feet above the ground level, shall not be permitted to extend beyond the edge of any wall, roof line, or other surface to which it is mounted, and may not project more than 18 inches from the surface to which it is mounted.

- H. A projecting sign shall not be permitted to project above the wall, roofline, or surface to which it is mounted, nor to interfere with normal pedestrian or vehicular traffic.
- I. No window sign shall exceed 25 percent of the total window area.
- J. A monument sign shall not exceed four feet in height.
- K. No sign shall be erected or painted on the roof of any building, nor shall it project above the height of the wall of the building to which it pertains.
- L. Property owners shall assume the cost of relocating any sign erected or placed within the sign set back area upon request of the township.
- M. All signs shall be constructed of durable materials and shall be maintained in safe condition and repair at all times. No sign shall be constructed of cloth, canvas, light fabric, cardboard, wall board or other like materials unless a sign permit is obtained from the Director of Code Enforcement, but in no event shall such a sign be erected for more than 21 days in one calendar year.
- N. Temporary signs, banners or displays advertising elections or promoting candidates for that election, fairs, social events, garage sales and the like shall not be erected in the sign set back area or on township property. Such temporary signs must be removed within 7 days following the date of the event advertised by said signs, including an election. No temporary sign as defined above may be erected more than 14 days prior to the event advertised, with the exception of temporary signs advertising elections or promoting candidates for that election, which signs may be erected no more than 31 days prior to the advertised election. Advertising by tacking, posting or otherwise affixing posters or other advertising upon poles, trees, buildings, fences or other structures shall be prohibited without the consent of the property owner.
- O. Temporary special event signs, banners, portable signs or commemorative flags for businesses announcing a grand opening, going out of business sale or other special promotional event shall comply with the following standards:
  - 1. The area of the special event sign, banner, portable sign or commemorative flag shall not exceed 25 square feet.
  - 2. The property or business shall display only one special event sign, banner, portable sign or commemorative flag at any one time.

3. A special event sign, banner or commemorative flag for a business shall be displayed no more than two times during the calendar year for periods of time not exceeding 14 calendar days. Portable signs may be displayed only once during the calendar year for a period of time not exceeding 14 calendar days.
  4. The property or business owner shall obtain permission to display a temporary sign only through the payment of a deposit to the township, which shall be returned to the owner upon removal of the sign or which shall be retained by the township upon the failure to remove within the time limits prescribed herein.
- P. Public use areas. No freestanding sign can occupy a designated parking area or intended parking area, walkway, cartway, driveway, or area designated for any other use.
- Q. Removal of Signs:
1. The township shall have the authority to remove and dispose of signs under the following circumstances:
    - a. When it is determined that the sign has deteriorated to the point of becoming a danger to the public.
    - b. When the sign is erected in the sign set back area.
  2. The township shall have the authority to require the removal and/or demolition of signs under the following circumstances:
    - a. When a sign is erected without an approved sign permit.
    - b. When a sign is erected which does not comply with the requirements of this Chapter.
  3. Where the township seeks to require the removal of a sign, the removal procedure will be initiated by a letter to the owner or lessee by the Code Enforcement Officer requiring the removal of such sign within 7 days.
  4. Owner or lessee's remedial action for each circumstance:
    - a. Deteriorated sign--rehabilitation/repair of sign within 15 days.
    - b. No sign permit--obtain permit within 7 days.

- c. Prohibited sign or non-conforming sign (that is required to be brought into conformity)--made to conform to ordinance within 30 days.

#### **§196-4. Illumination.**

A. Definitions. As used in this section, the follow definitions shall apply:

1. An "internally illuminated sign" is a sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign, including but not limited to neon and exposed lamp signs. Illumination shall only be of an even intensity.
2. An "externally illuminated sign" is a sign illuminated with a light source of an even intensity and so shielded that no direct rays therefrom are visible elsewhere on the lot where said illumination occurs.

B. Sign illumination shall be governed by the following regulations:

1. Illumination is to be controlled by a timer which shall turn off the sign light not later than one hour after the close of regular business hours. Emergency directional signs and physicians providing emergency care upon the premises, as well as governmental signs shall be exempted.
2. The external light source shall be shaded, hooded or otherwise screened to prevent the direct rays of light from shining on adjacent property causing glare to traveling motorists on a public street or access drive used by the public.
3. The intensity if internal illumination shall not exceed six footcandles at a distance of eight feet from the center line of the sign. When illuminated, light or pale colors and the color white shall not exceed 50% of the sign area.
4. Electrical components of internally illuminated signs shall bear the Underwriters Laboratories (UL) label of approval.
5. External illumination shall not exceed 17 footcandles at the face of the sign, shall consist only of white or amber color range and shall consist of uniform distribution of the light intensity.

- C. In all residential zoning districts, as defined in Chapter 255, and properties used for residential purposes, the following permitted signs may be illuminated and no other:
1. Professional sign of a physician, dentist and such other person whose services in emergency are customarily considered essential to the public health, safety and welfare, provided that the illumination is white light only, and provided further that the total illumination for any such light shall not exceed the equivalent of that given by a twenty-five-watt incandescent light source.
  2. Sign of a school, church, hospital, sanitarium, club or other institution of a similar nature, laboratory or municipal building, provided that the illumination is white light only, and provided further that the total illumination for any such sign shall not extend the equivalent of that given by a sixty-watt incandescent light source.
  3. Signs for regulation of traffic, marking of hazards and the like.
- D. In Commercial Districts and Shopping Center Districts, as defined in Chapter 255, excluding property used for residential purposes, any permitted sign may be illuminated provided no sign shall be illuminated by any type of illumination, whether internal or external, more than ½ hour before the time at which the premises is opened to the public or more than ½ hour after the time at which the premises is closed to the public.
- F. Floodlighting of any sign shall be so shielded that the source of the light shall not be visible from any point off the lot on which the sign is erected and so that only the sign is directly illuminated. Reflectors and lights permitted in conjunction with signs shall be equipped with restraining hoods to concentrate the illumination upon the area of the sign to prevent glare upon a street or adjoining property.
- G. All outside lighting, including sign lighting, shall be arranged, designed and shielded or directed so as to protect an adjoining property or street from direct glare so that the light does not constitute a nuisance to an adjoining property or a hazardous condition on a street.
- H. No outside illumination by an unshielded bare bulb shall be permitted.

**§196-5. Enforcement.**

The Director of Code Enforcement and the duly designated officials of the township shall have the power to enforce the provisions of this Chapter.

**§196-6. Violations and penalties.**

- A. Any owner, lessee, person, firm, association or corporation who shall violate any of the provisions of this Article, or who shall fail to comply with the conditions or requirements of any permit granted in accordance with the provisions of this Chapter, shall, upon conviction thereof, be liable to pay a fine or penalty not exceeding \$600 for each and every offense.
- B. A new and separate offense shall be deemed to have been committed for each day that said violation exists. All fines and penalties imposed by this Chapter are recoverable by summary proceeding before any District Justice in the Township of Upper Dublin, and all suits or actions at law instituted for the recovery thereof are to be in the name and for the use of the Township of Upper Dublin, against which offense is committed, and upon recovery thereof all such fines and penalties are to be paid into the Treasury of the township.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 207 thereof, entitled Streets and Sidewalks, Article III, **Obstructions in Highway Boundaries**, shall be amended by the addition of a new Section 207-12.1, "Signs", to provide as follows:

**§207-12.1. Signs.**

No sign, other than official township street or directional signs, or street banner signs, shall be erected or maintained within the legal right-of-way. Where a sign is not erected in the sign set back area, as defined in Chapter 255, it shall be presumed, unless proven otherwise, not to be in the legal right-of-way. No sign shall project over any public sidewalk, nor shall any sign extend beyond any property line.

**Section 3.** 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 insertion in alphabetical of the following definitions:

**§ 255-7. Definitions.**

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

\* \* \* \* \*

**SIGN** -- A structure, building wall or other outdoor surface or any device used for visual communication which is used for the purpose of bringing the subject thereof to the attention of

the public or to display, identify and publicize the name and product or service of any person, exclusive of supporting members that bear no message.

**SIGN AREA --**

- A. The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols, together with the background on which they are displayed (whether such background is open or closed), but excluding any supporting framework and bracing which are solely incidental to the display itself provided the same do not contain any lettering, wording, or symbols.
- B. Where the sign consists of individual letters, designs or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.
- C. Where a sign consists of a double-face with sign faces parallel with each other and facing in opposite directions, only one side shall be considered in the calculation of area.

**SIGN HEIGHT --** The distance from the highest portion of the sign to the mean grade at the base of the sign.

**SIGN SET BACK AREA --** The area parallel to a paved street and (a) within a distance of six (6) feet from its nearest edge, or (b) within the area between the edge of the paved street and the opposite edge of an adjacent sidewalk, or (c) within the required sight triangle at an intersecting street.

**SIGN TYPES --**

**ANIMATED SIGN -** A sign with action or motion, flashing, or color changes requiring electrical energy, but not including window displayed computer monitors, wind-actuated elements such as flags, banners, or novelty items. An animated sign shall not include a sign displaying alternating time and temperature messages at intervals of no less than two seconds nor shall it include a "message board" displaying a message or visual impression which remains unchanged for no less than ten seconds. However, it shall include signs the content of which changes more rapidly than provided herein.

**AWNING SIGN -** A sign painted on, printed on, or attached flat against the surface of an awning.

**BUSINESS SIGN** - An on-premise sign which advertises or otherwise directs attention to a business, commodity, service, industry, or other activity which is sold, offered, conducted, other than incidentally, on the premises upon which the sign is located, or to which it is affixed.

**DIRECTORY SIGN** - A sign on which the names and location of the occupants or the use of a building are given, including office building and church directories.

**FREE-STANDING SIGN** - A self-supporting sign resting on, or supported by means of poles or standards, either on the ground or on the roof of a building.

**IDENTIFICATION SIGN** - A sign whose copy is limited to the name of a building, institution, or person and/or to the activity or occupation being identified.

**INCIDENTAL SIGN** - A directional sign of a public service nature, which contains no advertising.

**MARQUEE SIGN** - A sign attached to or supported by a marquee structure.

**MONUMENT SIGN** - A free-standing sign resting on the ground supported by or incorporated within a continuous foundation or structural base.

**OBSCENE SIGN** - A sign or symbol which displays or contains obscene matter. The matter shall be considered obscene if: (a) the average person, applying contemporary community standards would find the sign or symbol, taken as a whole, appeals to prurient interest; (b) the sign or symbol depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law; and (c) the sign or symbol, taken as a whole, lacks serious literary, artistic, political or scientific value.

**OFF-PREMISE SIGN** - A sign structure advertising an establishment, merchandise, service, or entertainment, which is sold, produced, manufactured, or furnished at a place other than on the property on which said sign is located; a sign which advertises or otherwise directs attention to an activity not on the same lot where the sign is located, e.g. billboards.

**ON-PREMISE SIGN** - A sign that advertises or otherwise directs attention to an activity on the same lot where the sign is located.

**PAINTED WALL SIGN** - A sign that is applied with paint or similar substances on the face of a wall.

**PARALLEL WALL SIGN** - A sign mounted parallel to a vertical building surface.

**PERSONAL EXPRESSION SIGN** -A sign which displays an individual's political, religious or personal belief.

**PROJECTING SIGN** - A sign mounted to a building surface other than a parallel sign or a roof sign.

**REVOLVING SIGN** - A sign which revolves 180 degrees or more.

**ROOF SIGN** - A sign erected upon or above a roof or parapet wall of a building, and which is wholly or partially supported by that building.

**SNIPE SIGN** - A permanent or temporary sign or poster affixed to a tree, fence, utility pole, or upon rocks or natural features.

**TEMPORARY SIGN** - A sign which advertises community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis. The following types of signs shall be considered temporary signs:

**BANNER SIGN** -A temporary sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentation applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic or decorative flags of any institution, residential use or business shall not be considered banners for the purpose of this ordinance.

**CONSTRUCTION SIGN** -Any sign giving the name or names of principal contractors, subcontractors, architects, and lending institutions responsible for construction on the site where the sign is placed.

**DEVELOPMENT SIGN** -An on-premise sign on a building or lot which announces the nature, purpose, or name of the prospective building/enterprise.

**DIRECTIONAL SUBDIVISION SIGN** -An on-premise or off-premise directional sign advertising to the public the name of the subdivision project and the nature of the product offered.

**POLITICAL SIGN** -A temporary sign used in connection with a local, county, state, or national election or referendum.

**PORTABLE SIGN** -Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. Portable signs shall not be illuminated unless conditional use approval is granted by the Board of Commissioners.

**REAL ESTATE SIGN** -A temporary sign which relates to the sale, lease, or rent of the property on which the sign is placed. Open house signs for property that is for sale shall be considered real estate signs.

**SPECIAL EVENT SIGN** - On-premise window signs, banners, or commemorative flags which advertise a grand opening or other special event.

**STREET BANNER SIGN** - Any banner sign that is stretched across and hung over a public right-of-way.

**WINDOW SIGN** -Any sign affixed to or visible through a window and intended to be viewed from the outside.

**TRAILER SIGN** - Any sign that is erected upon a structure having wheels or rollers facilitating movement from one location to another.

**VEHICULAR SIGN** - Any vehicle to which a sign is affixed in such a manner that the carrying of the sign is no longer incidental to the vehicle's purpose, but becomes a primary purpose in itself. An example is an empty tractor trailer with advertising painted on its side, left for an extended period of time in front of the business premise that is advertised on the trailer.

**Section 4.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, Section 255-152, "General provisions", shall be removed in its entirety.

**Section 5.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-152.1, "Declaration of legislative intent", to provide in its entirety as follows:

**§ 255-152.1 Declaration of legislative intent.**

It is recognized that signs perform an important function in identifying properties, businesses, services, residences, events, and other matters of interest to the public. It is hereby found and declared, however, that control of signs is necessary to promote the health, safety, and general welfare by:

- A. Lessening hazards to pedestrian and vehicular traffic.
- B. Preserving property values.
- C. Preventing unsightly and detrimental development that has a blighting influence upon residential, business, and industrial uses.
- D. Preventing signs from reaching such excessive size or number that they obscure one another to the detriment of all concerned.
- E. Securing certain fundamentals of design for the township.
- F. Requiring signs to be constructed, installed and maintained in a safe and secure manner.
- G. Encouraging signs that are appropriate to the zoning district in which they are located and consistent to the category of use to which they pertain.
- H. Allowing for the communication of information for the conduct of commerce and enabling the identification of places and businesses.

**Section 6.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, Signs, shall be amended by the addition of a new Section 255-152.2, "General sign regulations for all districts", to provide as follows:

**§ 255-152.2. General sign regulations for all districts.**

The following regulations shall apply to signs in all districts unless specifically authorized and/or otherwise restricted or regulated by the specific provisions of the zoning district:

- A. Prohibited signs. The following signs or illumination of signs shall be prohibited in the Township:
  - 1. Animated signs.
  - 2. Beacon lighting.
  - 3. Flashing or reflective signs.

4. Moving or swinging signs.
5. Illuminated temporary signs.
6. Revolving signs.
7. Trailer signs.
8. Vehicular signs.
9. Obscene signs.
10. Snipe signs.
11. Painted wall signs.
12. Roof signs.

**B. Permitted signs. The following signs shall be permitted in all zoning districts:**

1. Government signs (i.e. traffic signs, parking signs, etc.).
2. Legal notices.
3. Public monument, plaque, historic identification sign erected by a government agency.
4. Government flag, insignia, or decorative banners.
5. Public service and information signs advertising availability of public restrooms, telephones, or similar public conveniences, not exceeding three square feet in area.
6. Address signs, not exceeding two square feet.
7. Name plates and identification signs provided that characters do not exceed three inches in height and an area not exceeding two square feet.
8. Vending machine signs, where a product name is an integral component of the vending machine, provided that the machine is not placed in the front yard of a property.
9. Incidental signs, provided that the aggregate area of incidental signs on a property does not exceed four square feet; incidental sign area in excess of four square feet shall be included in the calculation of a property's permitted sign area.

- 10. Home security signs, not exceeding one square foot.
  - 11. Real estate signs.
  - 12. Yard sale signs.
  - 13. Personal expression signs, provided that they are not illuminated and are either freestanding, wall or window signs. Such signs may not exceed 4 square feet and, in the case of freestanding signs, 4 feet in height.
  - 14. Temporary signs.
- C. Yard requirements. No portion of any freestanding sign, business sign, or off-premise sign may be located within the side or rear yard setback or within the required buffer zone when located adjacent to a residential district.

**Section 7.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, Signs, Section 255-153, "Residential districts", subsections A, B, E, F, G, H, I, and J shall be amended and subsections K, L, and M shall be added to provide as follows:

**§ 255-153. Residential districts.**

In all residential districts, the following signs shall be permitted and no other:

- A. Signs permitted in §255-152.2 of this Article.
- B. Business sign provided that the area of any one side of any such sign shall not exceed 6 inches by 18 inches, and provided that not more than one such sign shall be erected for such permitted use or dwelling.

\* \* \* \* \*

- E. Real estate signs as follows:
  - 1. For advertising the sale or rental of the premises upon which the sign is erected, provided that the total area on any one side of such sign on any one street frontage of any property in single and separate ownership shall not exceed six square feet. No real estate sign shall be displayed on the premises more than seven days after the signing of an agreement of sale or lease.
  - 2. Open house signs (on-and off-premise). There shall be a maximum of one on-premise open house sign for each property line of street frontage.

- a. A maximum of two off-premise directional open house signs shall be permitted for each home or development.
- b. Signs shall not exceed four square feet per side, and may not be illuminated.
- c. Off-premise directional signs must have permission in advance from the property owner where the sign is to be placed. Signs cannot be placed in the sign set back area.
- d. Freestanding open house and directional signs shall not exceed a height of six feet.
- e. All open house signs are allowed only on the day of the showing and must be taken down immediately after the showing.

F. Development signs as follows:

1. Where the subdivision's recorded plan contains fewer than 10 lots, the area of any one side of such sign shall not exceed 15 square feet, and not more than one such sign shall be erected within any such subdivision.
2. Where the subdivision's recorded plan contains 10 or more lots, the area of any one side of any such sign shall not exceed 35 square feet, and not more than two such signs shall be erected within any such subdivision.
3. Signs as permitted in Subsection F(1) and (2) above shall be permitted only for a period of one year from the date of issuance of the permit or the date of sale of the last lot, whichever first occurs; such signs may be maintained thereafter, but only after granting of a special exception by the Zoning Hearing Board as provided by Article XXIII of this chapter, but in no event shall the Board be permitted to grant a total period longer than two years from the date of original permit.

G. Signs which advertise public auctions for the disposal of real estate, property, or merchandise. An auction sale sign shall conform to the several provisions of the several subsections under Subsection E of this section; however, a permit for such sign shall not be issued for a period greater than 90 days from the date of issuance.

1. Signs shall not exceed nine square feet in area, at a maximum height of six feet, and shall be placed only on the property where the stated auction is being conducted.

2. Signs may be erected not earlier than 30 days prior to the advertised auction, and shall be removed within ten days after the auction.
- H. Signs in connection with the identification, operation or protection of any public utility or municipal activity on the same lot therewith, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed eight square feet.
- I. For a laboratory or sale of agricultural products, business signs provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed 35 square feet.
- J. Directional signs advertising the location of charitable, religious, educational organizations and service clubs, provided that the sign is not in excess of five square feet, and provided further that no organization shall erect and maintain signs in excess of five in number.
- K. Construction sign during the period in which such work is being performed, provided that the area of any one side of any such sign shall not exceed 12 square feet, and provided that not more than one such sign shall be erected on any property in single and separate ownership, and provided that such sign shall be removed upon completion of the work.
- L. For residential developments containing more than ten dwelling units, two monument signs on each street frontage external to the development, not exceeding 20 square feet in area per sign.
- M. Directional subdivision sign (off-premise), provided that the area of any one side of any such sign shall not exceed 6 square feet, and provided that such signs shall be spaced at intervals of not less than 500 feet of street frontage. A maximum of three off-premise directional signs shall be permitted for one development. Permission must be obtained in advance from the property owner where the sign is to be placed. Signs shall not be erected more than 60 days prior to the beginning of the actual construction of the project, and shall be removed within ten days after the date of the sale or rental of the final unit in such a development.

**Section 8.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-153.1, "RE Recreational Districts", to provide as follows:

**§ 255-153.1. RE Recreational Districts.**

In the RE Recreational Districts, the following signs shall be permitted and no other:

- A. Signs permitted in §255-152.2 of this Article.
- B. One free-standing sign per street frontage provided that it relates to a use located on the lot area, does not exceed 32 square feet and 10 feet in height, and does not exceed a total of three signs on each recreational property.

**Section 9.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-153.2, "AHS Apartment House Special Districts", to provide as follows:

**§ 255-153.2. AHS Apartment House Special Districts.**

In the AHS Apartment House Special Districts, the following signs shall be permitted and no other:

- A. Signs permitted in residential districts; provided, however, that a larger sign may be permitted when granted by the Zoning Hearing Board as a special exception.
- B. One free-standing or parallel wall business sign per street frontage provided that it does not exceed 32 square feet, and in the case of a free-standing sign, 10 feet in height.

**Section 10.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-153.3, "MD Multi-Dwelling Districts", to provide as follows:

**§ 255-153.3. MD Multi-Dwelling Districts.**

In the MD Multi-Dwelling Districts, the following signs shall be permitted and no other:

- A. Signs permitted in residential districts; provided, however, that a larger sign may be permitted when granted by the Zoning Hearing Board as a special exception.
- B. One free-standing or parallel wall business sign per street frontage provided that it does not exceed 32 square feet, and in the case of a free-standing sign, 10 feet in height.

**Section 11.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-153.4, "INST Institutional Districts", to provide as follows:

**§ 255-153.4. INST Institutional Districts.**

In the INST Institutional District, the following signs shall be permitted and no other:

- A. A sign shall relate to a use located on the lot.
- B. One free-standing or wall sign per street frontage provided that it does not exceed 32 square feet, and in the case of a free-standing sign, 10 feet in height.

**Section 12.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-153.5, "DO Dresher Overlay District", to provide as follows:

**§ 255-153.5. DO Dresher Overlay District.**

In the DO Dresher Overlay District, all signs shall be designed and constructed to give the appearance of natural materials, shall be of muted color and shall not be internally illuminated. A sign anchored in the ground may not exceed ten feet in height from ground level and must be on the same lot as the use to which it refers. For uses permitted in the underlying zoning district the sign regulations applicable to such uses shall apply. For all other uses the following regulations shall apply:

- A. For office, bed and breakfast inn and restaurant use: one each of the following types of business signs for each principal building, no single sign to exceed 25 square feet in area:
  - 1. Identification sign
  - 2. Awning sign
  - 3. Freestanding sign
  - 4. Parallel wall sign
- B. For child or adult day care, assisted living, personal care and/or nursing facility, library, educational or religious facilities, and all other uses not specifically mentioned: one each of the following types of business signs for each principal building, no single sign to exceed 35 square feet in area:
  - 1. Identification sign
  - 2. Freestanding sign
  - 3. Parallel Wall sign

**Section 13.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, Section 255-154, "Commercial Districts; SC Shopping Center Districts", subsections C and D thereof, shall be amended to provide as follows:

**§ 255-154. CR Commercial Retail Districts; SC Shopping Center Districts.**

In CR Commercial Retail Districts and in SC Shopping Center Districts, the following signs shall be permitted and no other:

\* \* \* \* \*

- C. Business or commercial sign on the same lot as the use to which it refers, subject to the following regulations:
  - 1. One or more business signs of the following types not to exceed a total of 35 square feet or 12 feet in height for each side of a building, which faces a street or a parking lot, located on the same property.
    - a. Identification sign.
    - b. Awning sign.
    - c. Marquee sign.
    - d. Parallel wall sign.
    - e. Permanent window sign.
    - f. Projecting sign.
  - 2. At gasoline stations, one additional freestanding sign per street frontage shall be allowed for advertising gas prices only, not to exceed 16 square feet.
  - 3. Temporary special event signs, banners, portable signs or commemorative flags for businesses announcing a grand opening, going out of business sale or other special promotional event.
  
- D. In an SC Shopping Center District, in addition to signs permitted for individual establishments, there shall be permitted one freestanding sign or one parallel wall sign indicating the name of the shopping center, provided that the area of any one side of such sign shall not exceed 75 square feet and is not more than 25 feet in height, and provided that the location and orientation of such sign shall be as designated or in connection with the required development plan.

**Section 14.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, Section 255-155, "EC Employment Center", subsections A and B thereof, shall be amended and a new subsection C shall be added, to provide as follows:

**§ 255-155. EC Employment Center Districts.**

In EC Employment Center Districts, the following signs shall be permitted and no other:

- A. Any sign permitted in any other district, provided that the use to which it refers is permitted in the EC Employment Center District.
- B. For any commercial, industrial, or office use, a business sign provided that such sign area shall not exceed 200 square feet or 10 feet in height. There shall be no more than two signs permitted on the premises unless a greater number is authorized by special exception.
- C. Freestanding off-premise signs are permitted as a special exception pursuant to the special exception regulations of this Article, and the following:
  - 1. If the provisions with respect to location, use, size or height of signs are more restrictive in the Building Code adopted by Upper Dublin Township or any Acts of Assembly of the Pennsylvania Department of Transportation (PennDOT), those restrictions shall take precedence over the regulations and conditions as set forth in this Article.
  - 2. A freestanding off-premise sign may be double-faced with two advertising surfaces. However, both surfaces shall be the same size and shape, and the total length of the sign structure shall not exceed 50 feet and the sign height shall not exceed 35 feet, with a total copy area not exceeding 675 square feet.
  - 3. Freestanding off-premise signs shall be located not less than 75 feet from the ultimate right-of-way and 100 feet from any property line.
  - 4. An open space of not less than four feet shall be maintained between the lower edge of the freestanding off-premise sign display surface and the ground.
  - 5. No portion of the supporting structure shall be visible above any advertising display area.
  - 6. No freestanding off-premise sign shall be located closer than 500 feet to the nearest freestanding off-premise sign on the same side of the highway, regardless of the size of the sign.

7. No freestanding off-premise sign shall be allowed within 500 feet of a public or private elementary, middle or high school or religious institution.
8. All freestanding off-premise signs shall be erected on permanent footings or support structures designed by a registered structural engineer.
9. The owner or applicant, at his sole expense, will remove any freestanding off-premise sign if the sign remains without bona fide advertisement, which shall not include rental of the sign space, for 90 days, or if the right to use the property has expired for any reason whatsoever.
10. No more than one freestanding off-premise sign shall be permitted on one property.

**Section 15.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-155.1, "M Motel - Motor Inn - Motor Lodge Districts", to provide as follows:

**§ 255-155.1. M Motel - Motor Inn - Motor Lodge Districts.**

In M Motel - Motor Inn - Motor Lodge Districts, the following signs shall be permitted and no other:

- A. A sign shall relate to a use located on the lot. No more than five signs shall be permitted on a lot.
- B. Freestanding signs. Not more than one freestanding sign shall be permitted on each street or controlled highway frontage, provided the total area of all freestanding signs shall not exceed 200 square feet. No freestanding sign shall exceed 35 feet in height.
- C. No sign other than a freestanding sign may exceed 35 square feet.

**Section 16.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, shall be amended by the addition of a new Section 255-155.2, "OC Office Center Districts", to provide as follows:

**§ 255-155.2. OC Office Center Districts.**

In OC Office Center Districts, the following signs shall be permitted and no other:

- A. Signs permitted in §255-152.2 of this Article.

- B. A sign shall relate to the use located on the lot.
- C. One freestanding sign shall be permitted for each access driveway from a public street.
- D. One parallel wall sign shall be permitted for each building.
- E. One freestanding sign or one parallel wall sign shall be permitted for each controlled highway frontage.
- F. One freestanding directory sign for personal service and/or convenience type commercial facilities as allowed in this section shall be permitted.
- G. No sign in excess of 10 feet in height, 50 feet in length or 200 square feet in size shall be permitted.

**Section 17.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, Signs, Section 255-156, "All districts", shall be revised in its entirety to change the name of the section to "Non-conforming signs", to revoke subsections A through G, replacing them with subsections A through E, to provide henceforth as follows:

**§ 255-156. Non-conforming signs.**

- A. Signs legally in existence at the time of the adoption of this Article that do not conform to the requirements of this Article shall be considered non-conforming signs.
- B. All such non-conforming signs shall be removed or altered so as to be in conformity with the standards contained in this Code at such time when:
  1. Upper Dublin Township approves an application for a sign permit in cases where more than 50 percent of the structure of the non-conforming sign is to be significantly altered. Changes to the sign copy or the replacement of a sign panel of an existing establishment's non-conforming sign shall not be considered a significant alteration. If more than 50 percent of the structure of a sign is damaged it shall be repaired to conform to this Article.
  2. An application requiring municipal review and approval for a subdivision or land development is submitted for property on which the non-conforming sign is located.

- C. To determine the legal status of existing signs, in each of the two cases listed in Section 255- 156B, the applicant shall submit the following information to the township Director of Code Enforcement:
1. Type(s) of existing sign(s) located on the property.
  2. The area and height of all signs.
  3. For freestanding signs, the distance the outer most portion of the sign is setback from the curblineline or shoulder.
  4. Type of sign illumination.
  5. The material of which the sign is constructed.
  6. The building length along public street frontage.
- D. Prior to the events listed in Section 255-156B, non-conforming signs may be repainted, repaired up to 50 percent of the structure of the sign, the sign copy may be changed, or sign panels may be replaced, provided that such actions do not increase the dimensions of the existing sign, nor in any way increase the extent of the sign's non-conformity.
- E. Under the following conditions, non-conforming signs shall be exempt from the provisions of Section 255-156B:
1. The non-conforming sign possesses documented historic value.
  2. The non-conforming sign is of an unique nature or type by virtue of its architectural value or design.

**Section 18.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, Section 255-157, "Illumination", shall be removed and reserved in its entirety.

**Section 19.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, Section 255-158, "Outdoor lighting", shall be removed and reserved in its entirety.

**Section 20.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXI, **Signs**, Section 255-159, "Permits", shall be removed and reserved in its entirety.

**Section 21.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article VIII, **MD Multi-Dwelling District**, Section 255-55, "Signs", shall be removed and reserved in its entirety.

**Section 22.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article X, **M Motel – Motor Inn – Motor Lodge District**, Section 255-66, "Signs", shall be removed and reserved in its entirety.

**Section 23.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XII, **AHS Apartment House Special District**, Section 255-85, "Signs", shall be removed and reserved in its entirety.

**Section 24.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XVI, **EC Employment Center District**, Section 255-116.1, "Commercial signs", shall be removed and reserved in its entirety.

**Section 25.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article IX, **OC Office Center District**, § 255-60, "Use regulations", shall be amended by removing and reserving subsection D as follows.

**§ 255-60. Use regulations.**

In an OC Office Center District, a building or combination of buildings may be erected or used and a lot area may be used or occupied for any of the following purposes and no others:

\* \* \* \* \*

D. (Reserved).

\* \* \* \* \*

**Section 26.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIII, **INST Institutional District**, § 255-88 "Use regulations", Subsection A, shall be amended by removing paragraph 9 thereof.

**Section 27.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XV, **SC Shopping Center District**, § 255-98 "Use regulations", shall be amended by removing subsection L thereof.

**Section 28.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XV, **SC Shopping Center District**, § 255-99 "Development requirements", shall be amended by removing and reserving subsection J as follows:

**§ 255-99. Development requirements.**

The development shall be executed in accordance with, the following essential conditions:

\* \* \* \* \*

J. (Reserved).

\* \* \* \* \*

**Section 29.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXIX **DO Dresher Overlay District**, § 255-219 "Use and dimensional requirements", Subsection A, shall be amended by removing and reserving paragraph 5, as follows.

**§ 255-219. Use and dimensional requirements.**

A. The following regulations shall be applicable to all uses and development in the DO Dresher Overlay District:

\* \* \* \* \*

5. (Reserved).

**Section 30.** Nothing in this Ordinance or in Chapters 196 , 207 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 196, 207 or 255 prior to the adoption of this amendment.

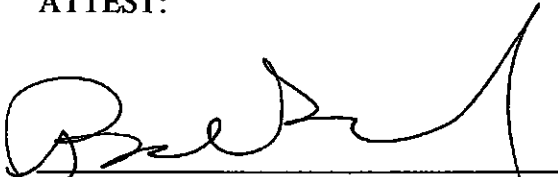
**Section 31.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 32.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 10<sup>th</sup> day of JULY, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
H. WILLIAM GIFT, PRESIDENT

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AN ORDINANCE

NO. 1067

**AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 168, Parks And Recreation, Section 168-2, Rules And Regulations, To Require That Those Desiring To Schedule The Use Of A Park Area Or Facility And Those Desiring To Use A Park For Group Activities Must Make Application For A Permit From The Department Of Parks And Recreation And Pay The Required Fee, And To Impose Regulations On When Permits Will Be Issued And / Or Revoked.**

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, Section 168-2, Rules and regulations, Subsection Q, 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:

\*\*\*\*\*

**Q. Scheduling and permits.**

- (1) Any individual or group of individuals desiring the privilege of having the exclusive or special use of all or portions of any park area, ground, building, athletic field, or other recreational facility shall schedule such use with and obtain a permit from the Township. Individuals or groups desiring to conduct organized activities on park grounds shall schedule such activities with and obtain a permit from the Township.
- (2) Scheduling and permit application shall be made with the Parks and Recreation Department at least two business days before the date of the desired use. Established fees, security deposits, and/or required certificates must be paid and/or filed with the Parks and Recreation Department at the time the permit application is submitted for approval and scheduling.
- (3) Any individual or group of individuals using a park facility to the exclusion of others without a permit shall remove themselves from the facility upon request by a properly scheduled and permitted user or authorized Township official or staff member.
- (4) No permit will be issued for a use that violates Township

regulations regarding the use of park facilities. The Township reserves the right to revoke any permit if those using the park pursuant to the permit violate Township regulations. The Township further reserves the right to limit the number of permits issued if the capacity of the facilities is exceeded.

- (5) These regulations do not apply to minor children engaged in ordinary and customary play except that children must remove themselves from a park facility upon request by a properly scheduled and permitted user or authorized Township official or staff member.

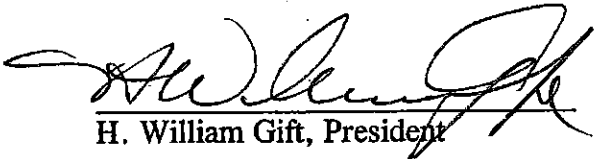
**Section 2.** Nothing in this Ordinance or in Chapter 168 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to effect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 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 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.

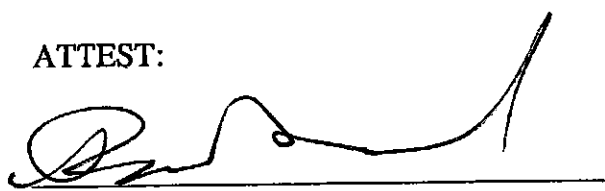
**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this *14<sup>th</sup>* day of *AUG*, 2001.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

  
H. William Gift, President

ATTEST:



Paul A. Leonard, Secretary

u:\ordnances\Chapter 168\permit fees

THE TOWNSHIP OF UPPER DUBLIN

Montgomery County, Pennsylvania

ORDINANCE NO. 1068

APPROVING THE SALE OF THE UPPER DUBLIN SANITARY SEWER SYSTEM; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSET PURCHASE AGREEMENT WITH BUCKS COUNTY WATER AND SEWER AUTHORITY FOR THE SALE OF SUCH SANITARY SEWER SYSTEM; AND AUTHORIZING ALL ACTION NECESSARY TO CONSUMMATE SUCH SALE.

WHEREAS, the Township of Upper Dublin (the "Township") owns and operates a system for collecting, treating, transporting and disposing of sanitary sewage for the public (the "System"); and

WHEREAS, the Board of Commissioners of the Township has conducted a competitive public auction process to obtain proposals for the purchase of the System from qualified governmental entities and public utility companies, and has held three public hearings regarding the proposed sale of the System; and

WHEREAS, the highest bid for the purchase of the System was submitted by Bucks County Water and Sewer Authority, a governmental instrumentality currently providing water and sewer utility service to the public (the "Authority"); and

WHEREAS, the Board of Commissioners has reviewed an Asset Purchase Agreement between the Township and the Authority (the "Agreement") and has determined that it is in the best interests for the Township to sell the System to the Authority in accordance with the terms of the Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN AND IT IS HEREBY ORDAINED, as follows:

1. Approval Of The Sale Of The System. The Board of Commissioners hereby determines and states that the sale of the System to the Authority for a base purchase price of Twenty Million Dollars (\$20,000,000) and in accordance with the other terms of the Agreement is in the best interests of the Township, and does hereby approve the sale of the System to the Authority in accordance with the terms of the Agreement.

2. Execution Of The Agreement. The President or Vice President of the Board of Commissioners and the Township Secretary, and their successors, are hereby authorized and directed to execute and deliver the Agreement in the name and on behalf of the Township,

substantially in the form presented to the Board of Commissioners in connection with the enactment of this Ordinance, subject to such changes as the signing officials, with advice of counsel, shall approve, such approval to be conclusively evidenced by the execution of the Agreement.

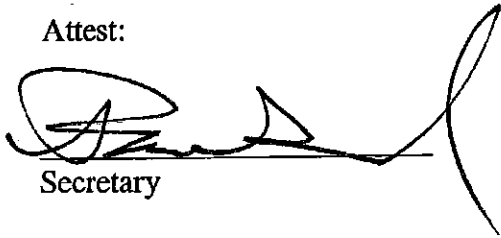
3. Further Action. All Township officers are hereby authorized to execute and deliver such certificates and other documents and to take such other action as shall be necessary or proper to effect the sale of the System in accordance with the terms of the Agreement, including, without limitation, the defeasance of the Township's outstanding Guaranteed Sewer Revenue Bonds, Series of 1992, which are secured by a pledge of the revenues of the System and the removal of any and all other liens or security interests relating to the System.

4. Effective Date. This Ordinance shall take effect immediately and shall supercede all prior ordinances and resolutions relating to the subject matter of this Ordinance to the extent the same are inconsistent with the Ordinance.

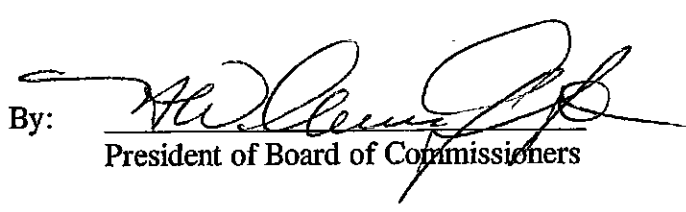
ORDAINED and ENACTED this 9<sup>th</sup> day of October, 2001.

TOWNSHIP OF UPPER DUBLIN

Attest:

  
Secretary

By:

  
President of Board of Commissioners

SEAL

AN ORDINANCE  
NO. 1069

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, 2002: Loch Alsh Avenue, North Side, 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, 2002, 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. 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.

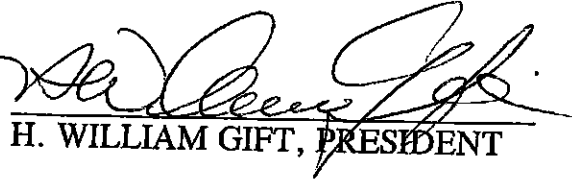
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *9<sup>th</sup>* day of *OCTOBER*, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY  
ud\vord\vehtraf\highschoolpermitparkingord2001

  
H. WILLIAM GIFT, PRESIDENT

ORDINANCE NO. 1070

**AN ORDINANCE** Of Upper Dublin Township Providing For An Assessment Of The Cost Of Constructing A Public Sanitary Sewer Upon Each Property Abutting And Benefited By The Sewer; And Providing For The Assessment To Be Determined By The Percentage Benefit To Each Property Based On The Appraised Market Value Of The Properties, Which Properties Are Situated In The Maple Glen Triangle Bounded By Limekiln Pike, Norristown Road, And Welsh Road, In Upper Dublin Township; And Authorizing Payment Of The Assessment By Lump Sum Or In Twenty (20) Quarterly Amortized Installments Together With Interest At Six Percent (6%) Interest.

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.1048 enacted by the Board of Commissioners of Upper Dublin Township on November 14, 2000 a public sanitary sewer collection line was constructed and installed servicing properties situated at the Maple Glen Triangle bounded by Limekiln Pike, Norristown Road, and Welsh Road, (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; and

WHEREAS, in accordance with the First Class Township Code no assessment by benefit is made on properties of such a character as not to be lawfully subject to a benefit manner of assessment, and each abutting property is assessed with not more than the whole amount of the benefit accruing to it and legally assessable.

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

Section 1. The Project was completed as of August 23, 2001 at a cost of \$127,375 assessable to those properties within Upper Dublin Township as certified by the Township Sewer Engineer by letter dated September 18, 2001.

**Section 2.** The cost of the Project shall be assessed upon the abutting properties according to the percentage benefit to each property.

**Section 3.** The Township has determined the percentage benefit for the six properties abutting the Project based on the appraised value of the properties. The assessments, therefore, are due as follows:

<b>Parcel</b>	<b>Address</b>	<b>Description</b>	<b>Appraised Value</b>	<b>% Benefit</b>	<b>Assessed Cost</b>
A	655 Welsh Rd	Starbucks	\$325,500.00	9.29%	\$11,833
B	643 Welsh Rd	Maple Glen Pizza	\$1,360,000.00	38.80%	\$49,422
C	633 Welsh Rd	Mario's Barber Shop	\$184,000.00	5.25%	\$6,687
D	623 Welsh Rd	Seven-11 Store	\$486,000.00	13.87%	\$17,667
E	400 N. Limekiln Pike	Car Wash	\$472,000.00	13.47%	\$17,157
F	430 N. Limekiln Pike	Vacant Parcels	\$677,000.00	19.32%	\$24,609
<b>Total</b>			<b>\$3,504,500.00</b>	<b>100.00%</b>	<b>\$127,375</b>

**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 six percent (6%) per annum.

**Section 6.** In the event an owner declines to agree to the installment method of payment, payment shall be made in full within one hundred twenty (120) days of notification by the Township of the assessment.

**Section 7.** The Township Solicitor shall file a lien for amounts herein assessed against the benefited properties.

**Section 8.** Nothing in this Ordinance or in the Code of the Upper Dublin Township, 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.

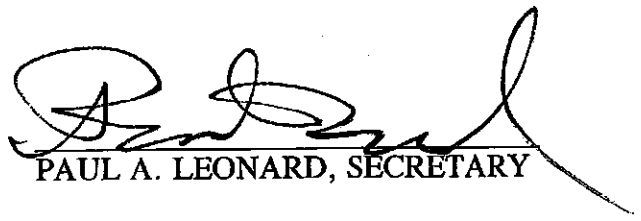
Section 10. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 9<sup>th</sup> day of OCTOBER, 2001 .

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

  
H. WILLIAM GIFT, PRESIDENT

ATTEST:

  
PAUL A. LEONARD, SECRETARY

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**AN ORDINANCE**  
**NO. 1071**

**AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES," SECTION 233-56, "SCHEDULE XV: TIME LIMIT PARKING" BY ESTABLISHING A TWO-HOUR PARKING LIMIT BETWEEN THE HOURS OF 7:00 AM AND 3:00 PM, MONDAY THROUGH FRIDAY ON SHAW DRIVE FROM TRESSLER DRIVE TO FORSYTHE 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 233-56, Schedule XV: 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:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
Shaw Drive	Both	***** 2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Tressler Drive to Forsythe 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.

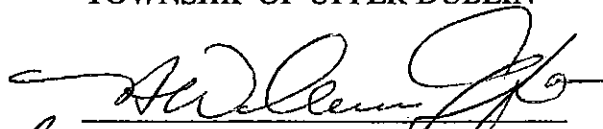
Section 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 13<sup>th</sup> day of NOVEMBER, 2001.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY  
ud\vord\CH 233 VEHICLES & TRAFFIC\ParkingLimit-Shaw

  
H. WILLIAM GIFT, PRESIDENT

ORDINANCE NO. 1072

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2002

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 2002.

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 2002 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	12,347,802
Receipts from Taxes of Prior Years	43,000
Other Revenues and Receipts	<u>8,003,808</u>
TOTAL ESTIMATED RECEIPTS AND CASH	20,394,610

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT	
Administration and Finance	1,648,900
Treasurer and Tax Collector	17,798
Library	638,187
Municipal Buildings	<u>215,002</u>
TOTAL	2,519,887
PROTECTION TO PERSON AND PROPERTY	
Police	3,984,305
Fire	892,264
Emergency Services	<u>187,842</u>
TOTAL	5,064,411

SEWER	
Conveyance	601,366
Treatment	1,327,777
Capital	0
Debt Service	<u>1,074,962</u>
	TOTAL
	3,004,104
SANITATION	2,207,398
CODE ENFORCEMENT	417,298
NON EXPENDABLE TRUSTS	9,900
HIGHWAY MAINTENANCE	2,264,604
PARKS AND RECREATION	1,253,325
DEBT SERVICE	579,212
CAPITAL PROJECTS	
General Capital	855,848
Storm Sewer Management Projects	2,000,000
Open Space	<u>206,373</u>
	TOTAL
	3,062,221
COMMUNITY CONTRIBUTIONS	<u>12,250</u>
	TOTAL APPROPRIATIONS
	20,394,610

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.

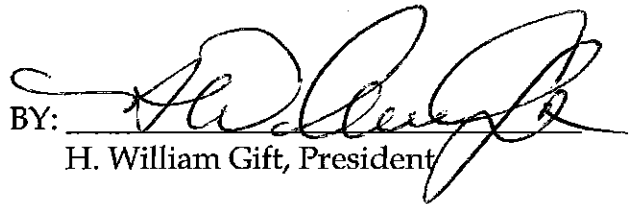
SECTION 5: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences,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

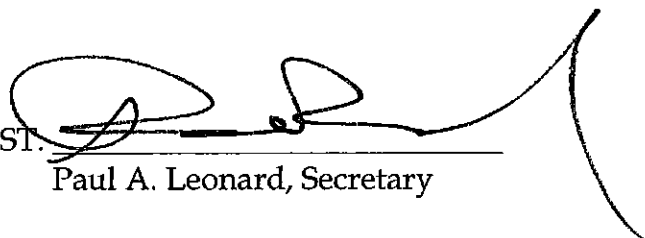
intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2002.

ENACTED AND ORDAINED THIS 11<sup>th</sup> day of December 2001.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
H. William Gift, President

ATTEST:   
Paul A. Leonard, Secretary

ORDINANCE NO. 1073

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2002 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2002 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2002 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2002 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 2002 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 2002, as follows:

Tax rate for General Purposes, the sum of	1.653 mils
on each dollar of assessed valuation, or the sum of	16.53 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	1.653	16.53

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 2002, 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 2002, 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 2002, as follows:

Tax rate for Parks and Recreation, the sum of 0.505 mils  
on each dollar of assessed valuation, or the sum of 5.050 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	.505	5.050

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 2001, 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, 2002.

ENACTED AND ORDAINED THIS 11<sup>th</sup> day of December 2001.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
H. William Gift, President

ATTEST:   
Paul A. Leonard, Secretary

**AN ORDINANCE**  
**NO. 1074**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON BOTH SIDES OF WOODLAND ROAD FROM DUNDEE DRIVE IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 175 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 VIII, "Schedules", Section 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended to provide as follows:

**§ 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
	* * * * *	
Woodland Road	Both	From Dundee Drive in a southeasterly direction for a distance of 175 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,

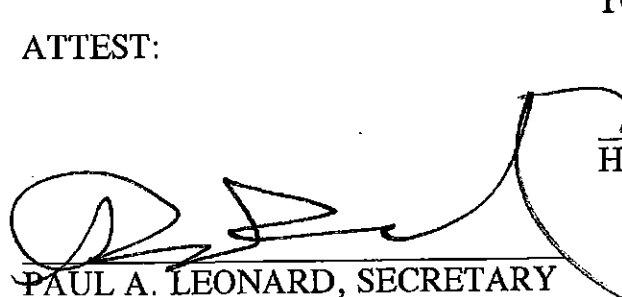
or unconstitutional section, sentence, clause, part, or provision had not been included herein.

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

ENACTED AND ORDAINED this *11<sup>th</sup>* day of *DECEMBER*, 2001.

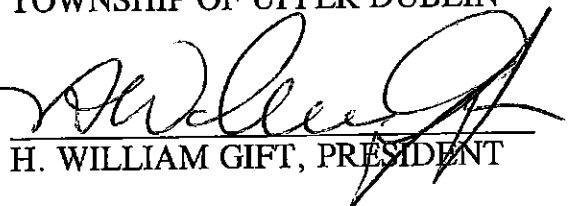
BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



A large, stylized handwritten signature in black ink, appearing to read 'Paul A. Leonard', is written over a horizontal line. The signature is positioned to the left of the President's signature.

PAUL A. LEONARD, SECRETARY



A large, stylized handwritten signature in black ink, appearing to read 'H. William Gift', is written over a horizontal line. The signature is positioned to the right of the Secretary's signature.

H. WILLIAM GIFT, PRESIDENT

ud\vord\CH 233\Woodland Rd No Parking-Rev

**TOWNSHIP OF UPPER DUBLIN**  
**Montgomery County, Pennsylvania**

**ORDINANCE 1075**

AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE TOWNSHIP OF UPPER DUBLIN BY THE ISSUANCE OF \$8,140,000 GENERAL OBLIGATION BONDS, SERIES OF 2002, FOR THE PURPOSE OF PROVIDING FUNDS FOR AND TOWARDS FINANCING A CAPITAL IMPROVEMENT PROGRAM AND A REFINANCING PROGRAM AND PAYING THE COSTS OF ISSUING THE BONDS; AUTHORIZING THE PREPARATION AND FILING OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF BOND; SETTING FORTH THE STATED PRINCIPAL MATURITY AMOUNTS AND DATES, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; AUTHORIZING THE EXECUTION OF A FIRST SUPPLEMENT TO CONTINUING DISCLOSURE AGREEMENT; FINDING THAT A NEGOTIATED PRIVATE SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP AND ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

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, as amended (the "Act"), to incur indebtedness and to issue bonds for the purposes of funding capital improvement projects and refunding outstanding indebtedness; and

WHEREAS, the Township has heretofore issued its: (1) General Obligation Bonds, Series of 1995 presently outstanding in the principal amount of \$965,000 (the "1995 Bonds"); and (2) General Obligation Bonds, Series of 1997 presently outstanding in the principal amount of \$1,945,000 (the "1997 Bonds"; and together with the 1995 Bonds, collectively referred to herein as, the "Prior Bonds"); and

WHEREAS, the Township has determined to refund the Prior Bonds in order to reduce the total debt service over the life of the issue (the "Refinancing Program"); and

WHEREAS, the Township has further determined to finance certain capital projects consisting of: (1) the acquisition of open space land known as "Bud Farm" on Susquehanna Road; (2) a storm water management program consisting generally of the replacement and upgrading of current overflow piping, a retention basins and other existing facilities; and (3) the completion of construction of renovations, additions and improvements to the Township's Administration Building, including, but not limited to, a new roof for a portion of the building, improvements to the heating, ventilating and air conditioning systems, demolition of portion of the existing building and construction of a new and expanded building area for police department and administrative purposes ((1), (2) and (3) above are hereinafter collectively referred to as the "Capital Improvement Program"); and

WHEREAS, the Township now proposes to issue \$8,140,000 aggregate principal amount of its General Obligation Bonds, Series of 2002 (the "Bonds") to finance the costs of the Refinancing Program, a portion of the costs of the Capital Improvement Program and 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 ENACTED by the Board of Commissioners of the Township of the Upper Dublin and IT IS HEREBY ENACTED, as follows:

Section 1. Authorization of the Refinancing Program and Capital Improvement Program and Incurrence of Indebtedness; Statement of Estimated Useful Lives of the Projects Comprising the Capital Improvement Program; and Statement of Purpose of Refinancing Program. The Township hereby authorizes and shall undertake the Refinancing Program and the Capital Improvement Program, both as described in the preambles to this Ordinance. The Township shall incur indebtedness pursuant to the Act in the aggregate principal amount of \$8,140,000 to finance the costs of the Refinancing Program, a portion of the costs of the Capital Improvement Program and the costs and expenses of issuing the Bonds.

The estimated useful lives of the projects comprising the Capital Improvement Program are not less than forty (40) years for the open space land and the storm water management program and not less than twenty (20) years for the renovations and improvements to the Township Building. It is hereby determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 8142 of the Act taking into account the estimated useful lives of such projects. It is hereby determined and stated that the useful lives of the original projects financed by the Prior Bonds and refinanced by the issuance of the Bonds are in excess of the term of the Bonds.

The Township has obtained realistic estimates of the costs of all such projects through bid prices or professional cost estimates from persons qualified by experience to provide such estimates.

The Township hereby reserves the right to undertake the individual capital projects comprising the Capital Improvement Program 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 capital projects or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness.

It is hereby determined and set forth that the purpose of the Refinancing Program is to reduce the total debt service over the life of the issue as authorized by Sections 8241 (b) (1) of the Act. Attached hereto as Exhibit "A" and made a part hereof is the schedule of debt service savings in connection with the refinancing of the Prior Bonds.

Section 2. Authorization of Issuance of Bonds. The Township shall issue, pursuant to the Act and this Ordinance, \$8,140,000 aggregate principal amount of its General Obligation Bonds, Series of 2002 to provide funds for and toward the costs of the Refinancing Program, the costs of the Capital Improvement Program and paying the costs of issuing the Bonds as provided in Section 1 hereof.

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

Section 4. Execution of Debt Statement, Bonds and Other Documents. The President or Vice President of the Board of Commissioners and the Secretary or Assistant Secretary of the Township and their successors are hereby authorized and directed to file the debt statement required by Section 8110 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 connection with 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. Said officers and their successors are further hereby authorized if, in their opinion, it is advisable to do so, to prepare and file such statements and documents as may be required by Section 8024 of the Act in order to qualify all or any portion of the existing indebtedness of the Township or of the above authorized indebtedness as subsidized debt.

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

Section 6. Covenant to Pay Debt Service - Pledge of Taxing Power. The Township hereby covenants with the registered owners of the Bonds outstanding pursuant to this Ordinance as follows: that the Township will include in its budget for each fiscal year during the life of the Bonds, the amount of the debt service on the Bonds issued hereunder which will be payable in each such fiscal year so long as any of the Bonds shall remain outstanding; that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; that the Township shall duly and punctually pay or cause to be paid the principal of every Bond and the interest thereon at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof; and for such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. The covenant contained in this Section 6 shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenant 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.

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

(FORM OF FACE OF BOND)

No. R-

\$ \_\_\_\_\_

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN  
Montgomery County, Pennsylvania

GENERAL OBLIGATION BOND,  
SERIES OF 2002

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
	July 15, ____	January 15, 2002	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \$ \_\_\_\_\_ DOLLARS

The Township of Upper Dublin, Montgomery County, Pennsylvania (the "Township"), 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, and to pay interest thereon from January 15, 2002 or the most recent Interest Payment Date to which interest has been paid or duly provided for, semiannually on January 15 and July 15 of each year beginning July 15, 2002 (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. The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of Commerce Bank/Pennsylvania, National Association (the "Paying Agent") in Philadelphia, Pennsylvania. Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as registrar, at the address appearing thereon at the close of business on the last day of the calendar month (whether or not a day on which the paying agent is open for business) 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 (the "Special Record Date") for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for payment of the defaulted interest, and notice of the Special Record Date and of the payment date for such interest shall be given to 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.

This Bond shall not be entitled to any benefit under the within mentioned 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.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 2002, of the Township in the aggregate principal amount of \$8,140,000 (the "Bonds"). The Bonds are issued in fully registered form in the denomination of \$5,000 or any integral 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 (the "Commonwealth"), as codified by Act 177 of 1996, approved December 19, 1996, P.L. 1158, as amended (the "Act"), and pursuant to an ordinance of the Township Board of Commissioners duly enacted on December 11, 2001 (the "Ordinance"). The Bonds are issued for the purpose of financing capital improvement projects and a refinancing program described in the Ordinance and paying the costs of issuing the Bonds.

Under the laws of the Commonwealth, 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 to 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 July 15, 2012 are subject to redemption prior to maturity at the option of the Township as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township, on January 15, 2012 or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on July 15, 2021 (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by the Township by lot from monies 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 monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on July 15 of the years and in the annual principal amounts set forth in the following schedule (or

such lesser principal amount as shall at the time represent all Term Bonds which shall then be outstanding):

Mandatory Redemption Schedule

<u>Redemption Date</u> (July 15)	<u>Principal Amount to be</u> <u>Redeemed or Purchased</u>
2017	\$380,000
2018	400,000
2019	840,000
2020	885,000

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 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 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 designated 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 redemption of other Bonds so called for redemption.

With respect to any optional redemption of Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies 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 monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

The Bonds are transferable by the registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender thereof at the designated 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 (5<sup>th</sup>) day next preceding the day of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption 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 of the Board of Commissioners, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or 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.

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

TOWNSHIP OF UPPER DUBLIN

(SEAL)

By: \_\_\_\_\_  
President, Board of Commissioners

Attest: \_\_\_\_\_  
Secretary

**AUTHENTICATION CERTIFICATE**

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series of 2002, described in the within mentioned Ordinance.

COMMERCE BANK/PENNSYLVANIA,  
NATIONAL ASSOCIATION, Paying Agent

Date of Authentication:

By: \_\_\_\_\_  
Authorized Signer

**ASSIGNMENT AND TRANSFER**

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

PLEASE INSERT SOCIAL SECURITY OR  
EMPLOYER IDENTIFICATION 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:

\_\_\_\_\_  
NOTICE: Signature(s) must be  
guaranteed by an eligible guarantor  
institution, an institution which is a  
participant in a Securities Transfer  
Association recognized signature  
guaranteed program.

\_\_\_\_\_  
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 enlargement  
or any change whatever.

\_\_\_\_\_  
(Authorized Signature)

**[END OF BOND FORM]**

Section 8. Terms of Bonds. The Bonds shall be issued in fully registered form, in the denomination of \$5,000 or any integral multiple thereof, shall be dated January 15, 2002, shall be issued in the aggregate principal amount of \$8,140,000, shall bear interest from January 15, 2002, payable semiannually on January 15 and July 15 of each year beginning July 15, 2002, at the rates and shall mature on July 15 of the years as set forth in the Bond Amortization Schedule attached hereto as Exhibit "B" and made a part hereof.

It is hereby determined and stated that the Bonds are being amortized so that the debt service on all outstanding debt of the Township following the issuance of the Bonds will be brought more nearly into an over-all level annual debt service plan as shown on the total debt service schedule attached hereto as Exhibit "C" and made a part hereof.

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

Section 9. Redemption of Bonds. The Bonds maturing on and after July 15, 2012 shall be subject to redemption prior to maturity, at the option of the Township, as a whole or in part from time to time, in any order of maturity or portion of a maturity as selected by the Township, on January 15, 2012 or any date thereafter upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on July 15, 2021 (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by the Township by lot from monies 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 monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on July 15 of the years and in the annual principal amounts set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds which shall then be outstanding):

Mandatory Redemption Schedule

<u>Redemption Date</u> <u>(July 15)</u>	<u>Principal Amount to be</u> <u>Redeemed or Purchased</u>
2017	\$380,000
2018	400,000
2019	840,000
2020	885,000

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 designated 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 or 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 designated 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.

Section 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.

Section 11. Creation of and Deposits in Sinking Fund. The Township covenants that there shall be and there is hereby established and that it shall hereafter maintain a sinking fund (the "Sinking Fund") designated as the "Sinking Fund – General Obligation Bonds, Series of 2002" 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 not later than January 15 and July 15 of each year beginning July 15, 2002 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 principal of and interest on the Bonds becoming due on each such date.

Pending application to the purposes for which the Sinking Fund is established, the President of the Township Board of Commissioners or the Secretary or Treasurer of the Township is hereby authorized and directed to cause the monies therein to be invested or deposited and insured or secured as permitted and required by Section 8224 of the Act. All income received on such deposits or investments of monies in the Sinking Fund 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 shall become due and payable in accordance with the terms hereof, and the Township hereby covenants that such monies, to the extent required, will be applied to such purposes.

All monies 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 payment is due, except where such monies 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 unrepresented Bonds.

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

Section 13. Award and Sale of Bonds. The Township hereby awards and sells the Bonds to Commerce Capital Markets, Inc., Philadelphia, Pennsylvania (the "Underwriter"), at

a price of \$8,033,806.70 (representing the face amount of the Bonds less net original issue discount of \$69,563.30 and the underwriter's discount of \$36,630) plus accrued interest, if any, from January 15, 2002 to the date of delivery and in accordance with the terms and conditions contained or incorporated in the proposal of the Underwriter dated December 11, 2001, 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 all of such documents are hereby incorporated herein by reference. The proper officers of the Township are hereby authorized and directed to endorse the acceptance of the Township on said proposal and to deliver copies thereof to the Underwriter. Delivery of the accepted proposal to the Underwriter shall constitute conclusive evidence that the award and sale of the Bonds under this Ordinance have become final.

Section 14. Contract with Paying Agent. The proper officers of the Township are authorized to contract with Commerce Bank/Pennsylvania, National Association, Philadelphia, Pennsylvania in connection with the performance of its duties as the Paying Agent 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.

Section 15. Redemption of Prior Bonds and Deposit of Funds. The Township hereby calls for redemption on January 15, 2002, all of the 1995 Bonds which mature on and after October 15, 2002. The Township shall (a) certify to J.P. Morgan Trust Company, National Association (successor paying agent to Chase Manhattan Trust Company, National Association), as the paying agent for the 1995 Bonds the amounts required to pay the interest on the 1995 Bonds to the date of redemption and the principal of the 1995 Bonds maturing on and after October 15, 2002; (b) deposit with said Paying Agent amounts sufficient to meet such requirements; and (c) irrevocably pledge all amounts held for the payment of the 1995 Bonds to such purposes. The President or Vice President and Secretary or Treasurer of the Township are hereby authorized and directed to execute all documents necessary to effect such redemption.

The Township hereby calls for redemption on May 1, 2002, all of the 1997 Bonds which mature on and after May 1, 2003. The Township shall enter into a Pledge and Escrow Agreement, or similar agreement (the "Pledge Agreement") with J.P. Morgan Trust Company, National Association (as successor to Chase Manhattan Trust Company, National Association), as the escrow agent and the paying agent for the 1997 Bonds (the "Escrow Agent"), providing, among other things, for: (a) the certification to such Escrow Agent of the amounts required to pay the interest on the 1997 Bonds to the date of maturity or redemption and the principal of the 1997 Bonds maturing on and after May 1, 2002 and to be paid at maturity or redeemed on May 1, 2002; (b) the deposit with said Escrow Agent of amounts which will meet such requirements; (c) the investment of the amounts deposited under the Pledge Agreement in accordance with the applicable regulations under Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"); and (d) the irrevocable pledge of all amounts and investments held under the Pledge Agreement for the payment of the 1997 Bonds to the date of maturity or redemption and the application of the

principal of the investments to such purposes. The Pledge Agreement shall be in form and substance as approved by the signing officers of the Township. The President or Vice President and Secretary or Treasurer of the Township are hereby authorized and directed to execute said Pledge Agreement and to deliver the same to the Escrow Agent on behalf of the Township.

Section 16. 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 the 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 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 2002 calendar year, including the Bonds, is not reasonably expected to exceed \$10,000,000. The Township hereby designates each of 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.

Section 17. Execution and Authentication of Bonds. As provided in Section 4, the Bonds shall be executed by the President or Vice President of the Board of Commissioners of the Township and the Secretary or Assistant Secretary of the Township and each such execution may be by manual 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 the Paying Agent.

Section 18. Application of Bond Proceeds. 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 and the proper officers of the Township are authorized to direct the Paying Agent to pay the issuance costs on behalf of the Township as set forth in written directions to the Paying Agent. The portion of the net proceeds of the Bonds issued to finance the Refinancing Program shall be deposited with J.P. Morgan Trust Company, National Association, as paying agent for the Prior Bonds as provided in Section 15 hereof. The balance of the proceeds shall be deposited in an appropriate Township account(s) pending disbursement to pay the costs of the Capital Improvement Program 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 Township Board of Commissioners and any balance ultimately remaining in any such reserve shall, upon written instructions of the President or Vice President of the Township Board of Commissioners, be deposited in the general fund of the Township.

Section 19. 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 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 or the Assistant Secretary of the Township, respectively, are hereby authorized and directed to execute documents, or otherwise to act on behalf of the Township in their stead.

Section 20. Approval of Official Statement. The Preliminary Official Statement for the Bonds, 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 to be dated December 11, 2001, substantially in the form of the Preliminary Official Statement presented to this meeting 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.

Section 21. Covenant to Pledge Sufficient Funds. The Township hereby covenants and agrees that, concurrently with the issuance of and payment for the Bonds:

- (a) The Township will have irrevocably pledged with the Escrow Agent, amounts sufficient, to pay: (i) all interest on the Prior Bonds to the dates of maturity or redemption thereof; and (ii) the principal of the Prior Bonds at the dates of maturity or redemption thereof so that the Prior Bonds will no longer be outstanding under the Act; and
- (b) Such Escrow Agent will have invested the monies required by the Pledge Agreement in accordance with the terms thereof.

Section 22. Continuing Disclosure. The Township hereby authorizes and directs the appropriate officers to execute and deliver a First Supplement to 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 its original Continuing Disclosure Agreement dated as of May 1, 1997 (the original Continuing Disclosure Agreement, as supplemented by the First Supplement thereto is hereinafter collectively referred to as, 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.

Section 23. Bond Insurance. If the proposal for the purchase of the Bonds offering the lowest interest cost to the Township is based on insurance for 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.

Section 24. 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. The proper officers of the Township are hereby specifically authorized to make all necessary submissions to the various Departments of the Commonwealth of Pennsylvania in order to obtain the maximum state reimbursements. if any, in connection with the Capital Improvement Program being financed with the proceeds of the Bonds.

Section 25. 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 of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

Section 26. Contract with Bondholders. This Ordinance constitutes a contract with the registered owners of the Bonds from time to time outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

Section 27. Severability. In case any one or more of the provisions contained in this Ordinance or in any Bond issued pursuant hereto 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.


Section 28. Repealer. All ordinances and parts of ordinances heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.

Section ~~28~~<sup>29</sup>. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

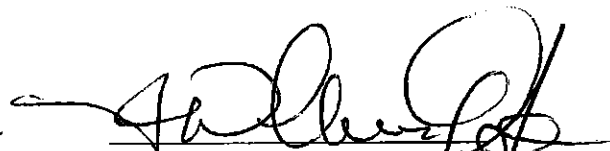
ORDAINED AND ENACTED this 11<sup>th</sup> day of December, 2001.

(TOWNSHIP SEAL)  
ATTEST:

BOARD OF COMMISSIONERS  
TOWNSHIP OF UPPER DUBLIN



(Assistant) Secretary of  
Township Board of Commissioners



(Vice) President of Township  
Board of Commissioners

**EXHIBIT "A"**  
**TOWNSHIP OF UPPER DUBLIN**  
 Montgomery County, Pennsylvania  
**\$8,140,000 GENERAL OBLIGATION BONDS, SERIES OF 2002**

**SCHEDULE OF DEBT SERVICE SAVINGS**

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 01/15/2002 @ 4.8776874%
12/31/2002	456,825.00	368,692.50	88,132.50	85,139.07
12/31/2003	457,105.00	457,935.00	-830.00	-2,786.84
12/31/2004	456,230.00	454,295.00	1,935.00	-59.98
12/31/2005	459,407.50	458,345.00	1,062.50	-776.19
12/31/2006	456,120.00	455,805.00	315.00	-1,170.00
12/31/2007	236,692.50	236,765.00	-72.50	741.59
12/31/2008	237,060.00	234,365.00	2,695.00	2,886.39
12/31/2009	236,653.75	236,575.00	78.75	1,081.92
12/31/2010	235,553.75	233,175.00	2,378.75	2,709.52
12/31/2011	233,845.00	234,360.00	-515.00	900.10
12/31/2012	231,412.50	229,900.00	1,512.50	2,228.03
	3,696,905.00	3,600,212.50	96,692.50	90,893.62

Savings Summary

PV of savings from cash flow	90,893.62
Plus: Refunding funds on hand	3,105.28
Net PV Savings	93,998.90

**EXHIBIT "B"**  
**TOWNSHIP OF UPPER DUBLIN**  
 Montgomery County, Pennsylvania  
**\$8,140,000 GENERAL OBLIGATION BONDS, SERIES OF 2002**

**BOND AMORTIZATION SCHEDULE**

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/15/2002					
07/15/2002	315,000	3.000%	178,897.50	493,897.50	
12/31/2002					493,897.50
01/15/2003			174,172.50	174,172.50	
07/15/2003	365,000	2.400%	174,172.50	539,172.50	
12/31/2003					713,345.00
01/15/2004			169,792.50	169,792.50	
07/15/2004	370,000	3.000%	169,792.50	539,792.50	
12/31/2004					709,585.00
01/15/2005			164,242.50	164,242.50	
07/15/2005	385,000	3.300%	164,242.50	549,242.50	
12/31/2005					713,485.00
01/15/2006			157,890.00	157,890.00	
07/15/2006	395,000	3.600%	157,890.00	552,890.00	
12/31/2006					710,780.00
01/15/2007			150,780.00	150,780.00	
07/15/2007	190,000	4.000%	150,780.00	340,780.00	
12/31/2007					491,560.00
01/15/2008			146,980.00	146,980.00	
07/15/2008	195,000	4.100%	146,980.00	341,980.00	
12/31/2008					488,960.00
01/15/2009			142,982.50	142,982.50	
07/15/2009	265,000	4.200%	142,982.50	407,982.50	
12/31/2009					550,965.00
01/15/2010			137,417.50	137,417.50	
07/15/2010	280,000	4.300%	137,417.50	417,417.50	
12/31/2010					554,835.00
01/15/2011			131,397.50	131,397.50	
07/15/2011	290,000	4.400%	131,397.50	421,397.50	
12/31/2011					552,795.00
01/15/2012			125,017.50	125,017.50	
07/15/2012	305,000	4.500%	125,017.50	430,017.50	
12/31/2012					555,035.00
01/15/2013			118,155.00	118,155.00	
07/15/2013	315,000	4.600%	118,155.00	433,155.00	
12/31/2013					551,310.00
01/15/2014			110,910.00	110,910.00	
07/15/2014	330,000	4.700%	110,910.00	440,910.00	
12/31/2014					551,820.00
01/15/2015			103,155.00	103,155.00	
07/15/2015	345,000	4.800%	103,155.00	448,155.00	
12/31/2015					551,310.00
01/15/2016			94,875.00	94,875.00	
07/15/2016	360,000	5.000%	94,875.00	454,875.00	
12/31/2016					549,750.00
01/15/2017			85,875.00	85,875.00	
07/15/2017	380,000	5.000%	85,875.00	465,875.00	
12/31/2017					551,750.00
01/15/2018			76,375.00	76,375.00	
07/15/2018	400,000	5.000%	76,375.00	476,375.00	
12/31/2018					552,750.00
01/15/2019			66,375.00	66,375.00	
07/15/2019	840,000	5.000%	66,375.00	906,375.00	
12/31/2019					972,750.00
01/15/2020			45,375.00	45,375.00	
07/15/2020	885,000	5.000%	45,375.00	930,375.00	
12/31/2020					975,750.00
01/15/2021			23,250.00	23,250.00	
07/15/2021	930,000	5.000%	23,250.00	953,250.00	
12/31/2021					976,500.00
	<b>8,140,000</b>		<b>4,628,932.50</b>	<b>12,768,932.50</b>	<b>12,768,932.50</b>

**EXHIBIT "C"**  
**TOWNSHIP OF UPPER DUBLIN**  
Montgomery County, Pennsylvania  
**\$8,140,000 GENERAL OBLIGATION BONDS, SERIES OF 2002**

**OVERALL OUTSTANDING DEBT SERVICE OF THE TOWNSHIP**

Period Ending	G.O. Bonds, Series 2002 (New Money Portion)	G.O. Bonds, Series 2002 (1995 Refunding Portion)	G.O. Bonds, Series 2002 (1997 Refunding Portion)	G.O. Note, Series of 1998	County Loan	Aggregate Debt Service
12/31/2002	125,205	185,285	183,407.50	421,189.05	119,387.10	1,034,473.65
12/31/2003	255,410	225,470	232,465.00	420,962.58	119,387.10	1,253,694.68
12/31/2004	255,290	220,670	233,625.00	421,303.32	119,387.10	1,250,275.42
12/31/2005	255,140	224,670	233,675.00	421,184.46	119,387.10	1,254,056.56
12/31/2006	254,975	222,740	233,065.00	421,586.85	119,387.10	1,251,753.95
12/31/2007	254,795		236,765.00	421,483.68	119,387.10	1,032,430.78
12/31/2008	254,595		234,365.00	421,855.80	119,387.10	1,030,202.90
12/31/2009	314,390		236,575.00	421,676.40		972,641.40
12/31/2010	321,660		233,175.00	420,945.48		975,780.48
12/31/2011	318,435		234,360.00	421,624.74		974,419.74
12/31/2012	325,135		229,900.00	421,660.56		976,695.56
12/31/2013	551,310			421,052.94		972,362.94
12/31/2014	551,820			421,763.58		973,583.58
12/31/2015	551,310			421,738.86		973,048.86
12/31/2016	549,750			421,959.63		971,709.63
12/31/2017	551,750			421,399.08		973,149.08
12/31/2018	552,750			422,018.91		974,768.91
12/31/2019	972,750					972,750.00
12/31/2020	975,750					975,750.00
12/31/2021	976,500					976,500.00
	9,168,720	1,078,835	2,521,377.50	7,165,405.92	835,709.70	20,770,048.12

CERTIFICATE OF SECRETARY

The undersigned, Secretary of the Board of Commissioners of the Township of Upper Dublin, HEREBY CERTIFIES that:

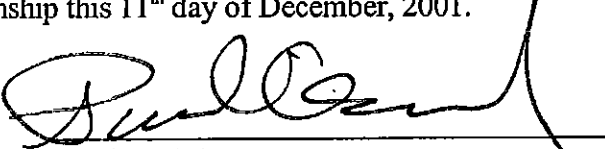
The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series of 2002 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on December 11, 2001; that public notice of said meeting was given as required by law; and that the roll of the Township Board of Commissioners was called and such members voted or were absent as follows:

<u>Name</u>	<u>Vote</u>
H. William Gift, President	YES
Judy R. Herold, Vice President	YES
William J. Bryers	YES
Michael Cassidy	YES
Chester H. Derr, III	YES
Jules J. Mermelstein	YES
Robert J. Pesavento	YES

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

WITNESS my hand and seal of the Township this 11<sup>th</sup> day of December, 2001.

(TOWNSHIP SEAL)

  
\_\_\_\_\_  
(Assistant) Secretary

ORDINANCE NO. 1076

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 2002.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2002 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 2. The Public Activities, Lands and Contracts Committee meetings for the year 2002 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 6:30 PM., local time.

SECTION 3. The Public Safety, Works and Services Committee meetings for the year 2002 shall be held on the first Tuesday of each month at 7:30 PM, local time, or immediately following the Public Activities, Lands and Contracts Committee meeting (whichever is later), 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 the workshop meeting.

SECTION 4. The Planning Environment and Commerce Committee meetings for the year 2002 shall be held on the fourth Tuesday of each month at 6:30 PM, local time

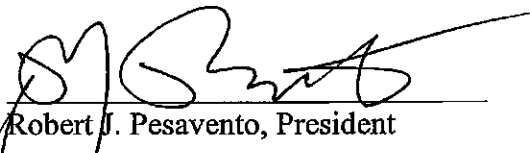
SECTION 5. The Finance Committee meetings for the year 2002 shall be held on the third Tuesday of April, July and October at 7:30 PM, local time, or as needed.

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

  
Robert J. Pesavento, President

Attest   
Paul A. Leonard, Secretary

ENACTED AND ORDAINED this *12<sup>th</sup>* day of Februaryy, 2002.

**AN ORDINANCE**  
**NO. 1077**

**AN ORDINANCE, To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules," Section 233-56, "Schedule XV: Time Limit Parking" By Establishing A Two-Hour Parking Limit Between The Hours Of 7:00 AM And 3:00 PM, Monday Through Friday On Tressler Drive, Forsythe Drive, Dillon Road, Goodman Drive, Stevens Drive, Wallace Drive, Haddon Place, Schiavone Drive, Melissa Drive, Thelma Lane, Shady Place, Windsor Place, Heather Road, Booth Lane, Hoffman Road, Van Sant Lane, And Farm Lane, Or Portions Thereof, In An Area Generally Surrounding And In The Vicinity Of 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, Schedule XV: Time Limit Parking, is hereby amended by adding thereto the following regulations in alphabetical order:

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

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
*****			
Booth Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Cedar Road to Heather Road
Dillon Road	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Susquehanna Road to Cul-de-Sac

Farm Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Schiavone Road to Melissa Drive
Forsythe Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Hawthorne Lane to Dillon Road
Goodman Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Wentz Drive to Cul-de-Sac
Haddon Place	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Wallace Drive to Cul-de-Sac
Heather Road	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Hoffman Road to Hoffman Road
Hoffman Road	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Heather Road to Cedar Road
Melissa Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Farm Lane to Van Sant Lane
Schiavone Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Farm Lane to Abutting Van Sant Lane

Shady Place	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Melissa Drive to Cul-de-Sac
Stevens Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Victor Lane to Highland Avenue
Thelma Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Melissa Drive to Van Sant Lane
Tressler Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Shaw Drive to Cul-de-Sac
Van Sant Lane	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	Abutting Schiavone Road to Highland Avenue
Wallace Drive	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	Abutting Kenyon Drive to Stevens Drive
Windsor Place	Both	2 hours/ 7:00 a.m. to 3:00 p.m. Monday through Friday	From Melissa Drive to Cul-de-Sac

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            day of Feb 2            , 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
ROBERT J. PESAVENTO, PRESIDENT

**AN ORDINANCE  
NO. 1078**

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-45, SCHEDULE IV: "PROHIBITED TURNS AT INTERSECTIONS" BY CREATING A NO RIGHT TURN RESTRICTION ON WESTBOUND PENNSYLVANIA AVENUE ONTO NORTHBOUND SUMMIT AVENUE, A NO LEFT TURN RESTRICTION ON EASTBOUND PENNSYLVANIA AVENUE ONTO NORTHBOUND SUMMIT AVENUE, A NO LEFT TURN RESTRICTION ON WESTBOUND MONTGOMERY AVENUE ONTO SOUTHBOUND WASHINGTON LANE, A NO RIGHT TURN RESTRICTION ON EASTBOUND MONTGOMERY AVENUE ONTO SOUTHBOUND WASHINGTON LANE AND A NO LEFT TURN RESTRICTION ON WESTBOUND MONTGOMERY AVENUE ONTO SOUTHBOUND BETHLEHEM PIKE.

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 233-45, Schedule IV: Prohibited Turns at Intersections, shall be amended to provide as follows:

**§ 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
*****				
Pennsylvania Ave.	West	Right	All	Summit Avenue
Pennsylvania Ave.	East	Left	All	Summit Avenue
Montgomery Ave.	West	Left	All	Washington Lane
Montgomery Ave.	East	Right	All	Washington Lane
Montgomery Ave.	West	Left	All	Bethlehem Pike

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 and upon the activation of the proposed traffic signal at the intersection of Fort Washington Ave. and Pennsylvania Ave.

ENACTED AND ORDAINED this *15<sup>th</sup>* day of *March*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY  
ud\ord\CH 233\PA Ave No Turns

  
\_\_\_\_\_  
ROBERT J. PESAVENTO, PRESIDENT

AN ORDINANCE  
NO. 1079

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY RESTRICTING PARKING ON BOTH SIDES OF APEL AVENUE FROM THE CURBLINE OF PENNSYLVANIA AVENUE, EXTENDING FOR 30 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 VIII, "Schedules", Section 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended to provide as follows:

**§ 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
	*****	
Apel Avenue	Both	From The North Curbline of Pennsylvania Avenue Extending for 30 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 *12<sup>th</sup>* day of *March*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
ROBERT J. PESAVENTO, PRESIDENT

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY  
ud\ord\CH 233 VEHICLES & TRAFFIC\Ape1 Ave-No Parking

**AN ORDINANCE**

NO. 1080

**AN ORDINANCE** To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, To Add A Definition For Immediate Family, And To Provide Conditions For When A Dwelling Unit For Household Employees, Caretakers, Watchmen And Members Of The Owner's Immediate Family May Be Allowed.

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

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

**§ 255-7. Definitions.**

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

\*\*\*\*\*

IMMEDIATE FAMILY - one who stands in direct lineal descent, i.e. grandparent, parent, child or grandchild of a person or spouse.

\*\*\*\*\*

**Section 2.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article IV, Accessory Buildings, Uses and Structures, §255-27,

**§ 255-27. Dwellings.**

The following uses shall be accessory to dwellings:

\*\*\*\*\*

E. The following when authorized as a special exception:

(1) Dwelling unit within the principal building or a building accessory thereto for household employees, caretakers, watchmen, or members of the owner's immediate family, provided the following conditions are met:

A. The owner shall record a covenant to run with the land restricting the use of such unit to these purposes.

B. The off-street parking requirements of this chapter are met for both dwelling units.

**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 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 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 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 affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this *12<sup>th</sup>* day of *March*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
Robert J. Pesavento, President

ATTEST:

  
Paul A. Leonard, Secretary  
ud\ordinances\chapter 255\accessory dwellings  
2.5.02

AN ORDINANCE

NO. 1081

**An Ordinance to Amend The Code Of The Township of Upper Dublin, Chapter 203, Entitled Solid Waste, Article IV, entitled Yard Waste Collection, by the addition of a new Section 203-46.1, entitled "Fall Leaf Waste Collection," by the addition of a new Section 203-46.2, entitled "Obstructions in Streets and Highways," and by the addition of a new Section 203-46.3, entitled "Enforcement," to require and set standards for the annual bulk collection of leaf waste.**

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 203 thereof, entitled Solid Waste, Article IV thereof, entitled Yard Waste Collection, is hereby amended by adding a new Section 203-46.1, "Fall Leaf Waste Collection," a new Section 203-46.2, "Obstructions in Streets and Highways," and a new Section 203-46.3, "Enforcement."

**§ 203-46.1. Fall Leaf Waste Collection.**

- A. The township shall collect leaf waste in bulk between the months of October and December on a regular schedule as determined by the Public Works Department.
- B. During the published bulk leaf collection period, all persons for whom the township provides solid waste collection shall place their leaf waste in piles or windrows at curbside.
- C. Leaves shall be kept separate from other yard waste during the published bulk leaf collection period. Leaves shall be set out for bulk collection loose in piles or windrows rather than bagged or containerized as usually required. All other yard waste shall be collected pursuant to the other provisions of this Article during the published bulk leaf collection period. No branches, evergreen boughs, shrubbery trimmings, or the like may be mixed in the leaf piles or windrows.
- D. Leaf piles or windrows shall be placed directly behind the curb line or the edge of the property where the property meets the paved street or highway. Leaves shall not be raked or placed into the street or gutter.
- E. Residents are responsible for ensuring that hired or contracted gardeners, landscapers, and other lawn maintenance workers comply with this Article.

**§203-46.2. Obstructions in Streets and Highways.**

It shall be unlawful for any person to place yard waste, including leaf waste, upon any part of any public street or highway in the township.

**§203-46.3. Enforcement.**

Authorized members of the Upper Dublin Township Code Enforcement Department and any police officer are hereby empowered to enforce all provisions of this Article and to write citations for any violations.

**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 the date of its approval as required by law.

ENACTED AND ORDAINED this *12th* day of *March*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
ROBERT J. PESAVENTO, PRESIDENT

ATTEST:

  
PAUL A. LEONARD, SECRETARY

g:\a\ordch\201\03-42.Yard Waste.Amend.ord

**AN ORDINANCE**  
**NO. 1082**

**AN ORDINANCE** Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, To Add Article XXX EC Overlay District, To Provide For New Suitable Land Uses For Which The Area Is Not Currently Zoned, To Set Forth Criteria For Making Conditional Use Application For Such Uses, To Establish Standards For The Grant Of Conditional Use Applications For Such Uses, And To Amend The Upper Dublin Township Zoning Map To Zone Six Properties Along Virginia Drive Between The Pennsylvania Turnpike Slip Ramp And Camp Hill Road In The EC Overlay District.

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, is hereby amended by the addition of "Article XXX EC Overlay District", to provide as follows:

**Article XXX**  
**EC Overlay District**

**§ 255-225. Declaration of legislative intent.**

The EC Overlay District is intended and designed to provide for the inclusion of those lawful land uses in the Township not otherwise provided for in the Zoning Code.

**§ 255-226. Overlay.**

The EC Overlay District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot located within the District. The regulations, requirements and restrictions set forth in this Article shall apply to all uses and development in the EC Overlay District in addition to those regulations, requirements and restrictions applicable to the underlying zoning district. Where the provisions of this Article and the provisions in the underlying zoning district conflict, the more restrictive provisions shall apply.

**§ 255-227. Uses.**

In the EC Overlay District the following regulations shall apply:

- A. Permitted uses. All uses permitted in the underlying district shall be permitted in accordance with the regulations of the underlying district.
- B. Conditional uses. A building may be erected, altered or used and a lot or premises may be used for any lawful non-residential purpose not otherwise permitted in the Township pursuant to this Chapter, and not specifically prohibited in the underlying zoning district, in lieu of a use permitted in the underlying district, when authorized by the Board of Commissioners as a conditional use in accordance with all use and dimensional regulations contained in the underlying district and all other applicable requirements of this Code.

**§ 255-228. Use and dimensional requirements.**

- A. The following regulations shall be applicable to all uses and development in the EC Overlay District:
  - 1. All development must be served by public water and sewer service.
  - 2. All utility lines serving the proposed development must be placed underground from the edge of the right-of-way to the place of service.
- B. Conditional use applications. All conditional use applications shall be filed and processed in compliance with Article XXV. In addition, applicants shall submit the following information at the time conditional use application is made:
  - 1. A transportation impact study and parking analysis as provided in § 212-35.1.. The study shall set forth the improvements needed to provide for the safe, efficient and orderly movement of traffic, including ingress and egress to and from the site and shall be subject to the approval of the Township Engineer.
  - 2. A community impact analysis shall be submitted containing the following information:
    - (a) The compatibility of the proposed development with land uses that are adjacent to the site.

(b) The impact of the proposed development on sensitive natural areas, including floodplains, steep slopes, woodlands, recreational areas and conservation areas.

(c) The impact of the development on public utilities, including sewage disposal, storm drainage and electrical utilities and the provision of police and fire protection.

(d) Documentation of on-site or off-site improvements proposed to alleviate any projected negative impacts of the development.

3. A tentative sketch plan with sufficient data to document compliance with the standards and criteria of the applicable Township codes.

C. Conditional Use Standards. Applicants shall have the burden to prove the following to the satisfaction of the Board of Commissioners:

1. That satisfactory provisions will be made to prevent traffic congestion on surrounding streets from which access to the site will be gained. Provisions shall be made which will assure the safe and efficient ingress and egress to and from the development.

2. That the applicant has provided for adequate parking facilities to accommodate 125% of the largest number of anticipated vehicles that will occupy the site at any one time, regardless of the specific provisions of the parking requirements of this Chapter. The Board of Commissioners may a number of spaces equal to 15% of such requirement to be held in reserve for future improvement, provided such spaces are set forth on applicant's development plan. The location and design of parking areas shall be in harmony with preserving the general appearance and character of the area.

3. That the use will not generate excessive noise, noxious odors, air pollution, light pollution or glare, or result in pedestrian-vehicular conflict or other safety hazards to people or property. Artificial light shall be directed away from adjacent property, buildings and streets. Outdoor recreation facilities shall only be permitted where the noise generated by the use will have a minimal impact on adjacent properties and where no hazards will be caused that will impact adjacent properties.

4. Outdoor storage, waste disposal and loading areas shall be screened from streets and adjacent uses. All such activities must be located to the rear of any structures on the property.
5. That the scale, form and appearance of any structures on the property and the open space associated with such structures will be compatible with the general character of the structures in the underlying zoning district.
6. That no signage or lighting will be permitted which will distract drivers on adjacent streets
7. That appropriate transit shelters will be provided to integrate with public or private transit services.
8. That the proposed use of the property will not add to the volume or intensity of stormwater leaving the site.
9. That an emergency evacuation plan designed by the applicant will be adequate to enable all persons who may be using the site at a given time to vacate the property in an orderly manner should a 150 year rated storm occur.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Section 255-9, Zoning Map, is hereby amended to establish on the said zoning map the boundaries of the "EC Overlay District", the new EC Overlay District to overlay and not replace the existing zoning district, which shall remain as set forth on the Zoning Map, the said boundaries being described as follows:

**ALL THOSE CERTAIN** six lots or parcels of land situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a plan titled Proposed Employment Center Overlay District prepared by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, and being more fully described as follows:

**BEGINNING** at a common corner of lands of N/L Hilton Grand Hotel (taxmap block 52, unit 6) and lands of ADP, Inc., (block 52, unit 29), said corner being in the bed of Virginia Drive and located, southwesterly, ±479 feet from the intersection of Virginia Drive and Office Center Drive; thence, extending along the said Hotel lands, southeasterly, ±500 feet to a point on the northerly sideline of the Pennsylvania Turnpike (US Route 276); thence, extending along the said Turnpike sideline, westerly, ±3,200 feet to a point; a common corner of said Hub Property lands and lands of N/L 1015 Virginia Association (block 52, unit 20); thence, extending along said Association lands, northerly, ±212 feet to a point in

the bed of said Virginia Drive; thence, extending along the bed of Virginia Drive, ±3,100 feet to a point, said point being the point and place of beginning.

**THE SIX PARCELS** being designated by the following parcel numbers: 54-00-16404-201; 54-00-16404-156; 54-00-16404-102; 54-00-16404-003; 54-00-16399-008; and 54-00-16375-104.

**CONTAINING** 23.92 acres of land area, be the same, more or less.


**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 this *9<sup>th</sup>* day of *April*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
\_\_\_\_\_  
Robert J. Pesavento, President

Attest:  
  
\_\_\_\_\_  
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 1083

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 FORT WASHINGTON INDUSTRIAL PARK SEWER DISTRICT.

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.**

\* \* \* \* \*

C. . . .

(1) Commencing April 1, 2002, the sewer rental rates for properties located in the Fort Washington Industrial Park Sewer District shall be assessed as follows:

(a) Quantity Charges

Gallon of sewer use is assumed to equal water meter registration.

For the first 5,000 Gallons per quarter	\$ 9.655/1000 Gallons
For all over 5,000 Gallons per quarter	\$ 8.800/1000 Gallons

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.

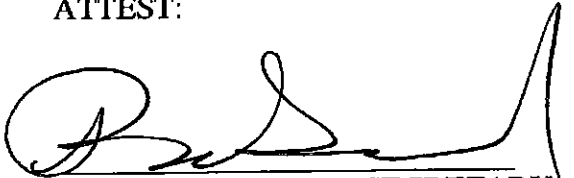
Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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 April 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
ROBERT J. PESAVENTO, PRESIDENT

AN ORDINANCE

NO. 1084

**AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 195, Shade Trees, To Provide For The Director Of Public Works To Issue A Permit For Any Work To Be Done On Shade Trees Within The Public Right Of Way And To Provide That The Director Of Public Works, The Township Manager And The Assistant Township Manager Are Empowered To Enforce The Provisions Of Chapter 195 By Issuing A "Stop Work" Order.**

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

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

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

\* \* \* \* \*

B. Any person who wishes to plant, prune, spray or remove a shade tree in the township right-of-way or who wishes to perform maintenance work on trees growing within the public right-of-way or on that portion of a tree extending over the public right-of-way shall secure a permit from the Director upon written application 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 the work can be carried out and, if so, the manner in which it may be done and, if work is to be performed by the Commission, whether there will be any charge. The provisions of this subsection 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. The Township Manager, the Assistant Township Manager and the Director of Public Works are empowered to revoke or suspend any permit for such work by issuing a "stop work" order in the event work under the permit is being performed in violation of the terms of this Chapter, the conditions attached to the grant of a permit, or the Rules and Regulations of the Shade Tree Commission.

\* \* \* \* \*


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

Approved by the Board this *9<sup>th</sup>* day of *April*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
Robert J. Pesavento, President

ATTEST:

  
Paul A. Leonard, Secretary

udfordshade tree enforcement  
4.10.02

**UPPER DUBLIN TOWNSHIP  
SHADE TREE COMMISSION**

**RULES AND REGULATIONS**

*Vault  
Room  
W/ord 1084*

The Upper Dublin Shade Tree Commission ("STC") was created by the Board of Commissioners of Upper Dublin Township ("Township") under the authority of Section 3020 of the First Class Township Code (53 P.S. §58020). The STC has exclusive custody and control of the shade trees in the Township, and is authorized to plant, remove, maintain, and protect shade trees on the public streets and highways in the Township. The Shade Tree Commission has also by ordinance been given jurisdiction over shade trees in public parks, however to the extent these regulations affect trees in public parks, they shall not apply to Township personnel. The Board of Commissioners has further authorized the STC to adopt such rules and regulations as the STC deems appropriate to carry out these duties. Based on this authority, the Upper Dublin Shade Tree Commission hereby adopts the following rules and regulations.

**I. Shade Tree Commission Operating Procedures**

**A. Organization; quorum**

1. The STC shall organize at its first regularly scheduled meeting in each calendar year by the election of one of its members to serve as Chairperson, one as Vice Chairperson, and one as Secretary. The Vice Chairperson and the Secretary may be the same person.
2. Three members of the STC shall constitute a quorum, and no action of the STC shall be valid unless it shall have the concurrence of at least two members.

**B. Duties of Officers.**

1. The Chairperson or, in his or her absence, the Vice Chairperson shall preside at all meetings and hearings of the STC, decide all points of order or procedure and perform any duties required by law or these rules and regulations.
2. The Secretary shall carry on at the direction of the STC all official correspondence of the STC, send out all notices required by law and these rules and regulations, keep a record of each official action of the STC and perform all other duties required by law or these rules and regulations. Any other STC Commissioner may

likewise issue correspondence on behalf of the STC if directed by the Chairperson, the Vice Chairperson or the STC to do so.

### **C. Meetings**

All meetings shall be held either at the call of the Chairperson or at the call of two members of the STC. All meetings of the STC shall be held in compliance with the Sunshine Act (53 Pa.C.S.A. §§ 701-716). The Secretary of the STC shall give the Township Manager and each member of the STC no less than 24 hours notice of each and every meeting of the STC.

### **D. Administrative assistance.**

The Board of Commissioners may approve such administrative assistance as may be necessary for the STC to fulfill its duties. In addition, the STC may request the assistance of such other consultants or experts as it deems necessary.

### **E. Amendment of rules and regulations**

The STC may amend, revise, void or replace these rules and regulations for any reason by action of a majority of the STC at any properly convened meeting of the STC. Before any changes to these rules and regulations become effective, those changes must be reviewed by the Township Manager, approved by the Township Board of Commissioners and advertised twice in a newspaper in general circulation in the Township. These rules and regulations and any amendments thereto shall be made available to the public for distribution or inspection.

## **II. Tree Trimming and Removal Operations**

### **A. Statement of policy**

1. Severe tree trimming poses a significant threat to the health of street trees in the Township, endangers the welfare and property of those using public rights-of-way, and creates adverse aesthetic effects which denigrate the quality of life in the community and negatively impact property values.
2. Healthful trees constituting the urban forest can aid in the conservation of vital energy resources and natural resources in the Township.
3. Healthful trees are a valuable amenity to the urban environment, creating greater human comfort by providing shade, cooling the air through evaporation, restoring oxygen to the atmosphere, reducing glare, reducing noise levels, providing an ecological habitat for songbirds and other animal and plant species, providing for

more effective transitions between different land uses and breaking the monotony of urbanized development.

4. While it is recognized that the public rights-of-way are shared by the Township, the traveling public, the owners of adjacent properties, public utility companies and others using them with permission, it is the Shade Tree Commission's obligation to assure that all using the public rights-of-way do so in a manner which respects, preserves and enhances that portion of the urban forest made up of street trees growing within or adjacent to such rights-of-way.
5. The most effective way the Shade Tree Commission can fulfill its obligation is to carefully regulate the activities of those using the public rights-of-way and to assure that they do so responsibly by the promulgation and enforcement of these regulations.

#### B. Permits

1. Any person or entity seeking to cut, trim, prune or remove all or part of any tree in the public right-of-way shall first apply for and receive a permit therefore from the STC. The application fee shall be Ten Dollars (\$10.00) per tree or Five Hundred Dollars (\$500) for a blanket permit. Applications shall be submitted on a form available from the Secretary of the STC and from the Township Director of Public Works. The Secretary may reject any application which is not accompanied by all of the information requested on the form.
2. No permit shall be required to remove all or part of any tree constituting an immediate hazard to life or property or to those using or occupying the public-right-of way, or where such removal is necessitated by reason of damage to the tree from storm, wind, earthquake, fire or accident. The STC may waive the requirement for a permit in cases of hardship, or where the public interest requires.
3. Permits may be granted outright or granted subject to conditions consistent with the provisions of the Township Code and these regulations. Unless specifically set forth on the permit, no permit shall be valid for a period greater than 90 days after the date of its issuance. No permit shall be granted unless the following minimum conditions are met (in all cases where the STC is referenced, that shall be taken to mean the STC, or its authorized representative):
  - a. the STC has determined that there is a need for the proposed work on the tree; and
  - b. the STC is satisfied that the persons who are to perform the work are qualified to do so, although the issuance of the permit shall not be construed as a warranty of the qualifications of such person; and

- c. the STC has determined that any potential detriment to the Township tree population entailed by the proposed work is justified in the individual case. In making this determination, the STC shall consider factors such as the probability that the proposed work will destroy or seriously injure the tree, the tree's health, the desirability of that species as a street tree, whether the tree's condition and size threaten serious damage to life or property, the condition and number of other street trees in the vicinity, and whether there are other less onerous means of accomplishing the applicant's goals, and other criteria derived from the application of the policy statement set forth hereinabove to the individual application.
4. The STC may condition any permit granted for the removal of a shade tree on the permittee replacing the tree with one of a size and specie approved by the STC. The cost of removal and the cost of replacement, if required, shall be borne by the permittee.
5. No work pursuant to a permit may be performed where the permittee is not the owner of the property adjacent to the public right of way where the work is to be performed, unless a sign has been posted in a prominent location adjacent to the work site and visible from the public right of way, for a period of not less than five days beforehand. Where work is to be performed on or adjacent to several properties in the same block, only one sign per block must be posted. The sign must state that tree trimming work is to be performed, the approximate date when it will be performed, the name of the entity performing it or on whose behalf it is being performed, and a telephone number where interested parties may call a representative of the permittee to discuss the work. In lieu of such a sign the permittee may provide the owners of property abutting the work with actual written notice, containing this same information, no less than five days beforehand. A copy of the notice, when posted or written, shall be forwarded to the STC and the Township Manager.
6. Public utility companies subject to the jurisdiction of the Pennsylvania Public Utility Commission (PUC) are subject to this permitting requirement. Utilities may apply for a blanket permit to prune around utility lines, the fee for which shall be \$500. Public Utilities may perform such pruning as is necessary to comply with the safety regulations of the PUC and to maintain a safe operation of their facilities provided they shall comply with the provisions of these regulations, including the notification provisions and the specific pruning standards set forth herein. The Shade Tree Commission will modify such specific pruning standards, upon application, where the public utility company demonstrates to its satisfaction that such pruning standards will not permit it to comply with the PUC's safety regulations for a period of three years of normal tree growth following completion of such pruning.

C. **Trimming Standards.** The primary aim of trimming is to preserve the health, beauty, and longevity of trees. Trimming for such purpose will also make trees safer, more functional, and valuable. Practices such as stub cuts, random branch removal, and topping (stubbing back the entire crown) defeat the primary aim, create hazards, and drastically reduce the monetary value of trees. Therefore, such practices shall not be employed. The following standards identify trimming methods which will give maximum benefits to both trees and people, and must be employed when trimming and pruning within the public right-of-way:

1. **Types of cuts.**

a. **Removal of laterals.**

- (1) **Shoulder cuts.** The final cut in removing a lateral branch should be immediately beyond the branch bark ridges, preserving the branch collar. Do not make stub cuts (an inch or more beyond the branch collar). Do not make flush cuts (through the branch collar).
- (2) **Triple cuts.** For any branch too large to be held while being cut, remove by means of the following cuts:
  - (a) Undercut the branch four (4") inches to ten (10") inches beyond the base.
  - (b) Cut off the branch beyond the undercut.
  - (c) Remove the remaining stub via a shoulder cut as described above.

b. **Removal of terminals (tip thinning and drop crotching).**

- (1) **Thinning.** "Lace out" the terminal portions of branches by cutting the terminals back to the laterals. (The basal diameter of the remaining lateral should be one-third ( $\frac{1}{3}$ ) the diameter of the terminal being removed.) Remove numerous small terminals and laterals rather than taking out a few large ones.
- (2) **Size reduction.** To take out portions of the crown for reducing height, remove the terminals back to the laterals. Each lateral should be suitably situated to serve as the new terminal, thus establishing the crown at a lower level. The basal diameter of a lateral should be at least one-third ( $\frac{1}{3}$ ) the basal diameter of the terminal being removed. (Laterals smaller than this cannot function effectively as new terminals, and the effect is then similar to a stub cut.)

2. **Pruning functions.** Not all of the following procedures will apply to any one tree, and two (2) or more may be performed more or less simultaneously. In most cases, however, trimming done in the following general sequence will be more efficient and will help avoid unnecessary trimming.

a. As a rule, not more than one-fourth ( $\frac{1}{4}$ ) of the total foliage mass should be removed at one trimming. Exceptions are:

- (1) extreme thinning of heavy crowns of brittle trees, and
- (2) severe thinning of crowns to prevent blow-down when root pruning is done.

- b. Remove branches as needed and redirect new growth to clear utility lines, pedestrian and vehicular traffic areas, buildings, street lights, walls, and other objects, as well as trees and shrubs. Do not make stub cuts. Do not cut terminals back to very small laterals. Retain a screen effect as much as possible.
  - c. Remove dead, broken, diseased, or markedly unthrifty branches.
  - d. Remove crossing branches and those which will become crossing branches (such as suckers, water sprouts, and branches growing vigorously into the interior of the crown).
  - e. Remove sharp-angled branches. Remove most branches arising at angles of less than thirty (30) degrees, with the exception of species which fuse at branch bases. If a narrow-angled branch needs to be retained for the sake of form, it should be lightened and restricted in growth to reduce the danger of wind breakage.
  - f. Remove parallel branches. If two (2) branches within a foot or so of each other run parallel for several feet along their main stems, the less desirable one should be taken out.
  - g. Trim for balance and form. To maintain the natural shape, if a tree grows in an unbalanced manner which is atypical and unattractive, or which poses a potential hazard, remove such branches as may need to be eliminated to restore more typical form or to minimize the perceived hazard.
  - h. Trim to reduce wind resistance. (If a tree is shallow rooted or has a high or heavily foliated crown, such that it is susceptible to blow-down or limb breakage in high winds, trim more frequently. It does not call for topping: beheading tall or dense trees ruins their form and vitality and intensifies wind hazards in subsequent years. This type of thinning should be done by removing a large number of small branches rather than a few large branches. The end effect should maintain most of the original form, but with a lacy openness.
  - i. Exceptions. The STC may approve trimming trees in a manner not typical of the natural form of the tree specie. Such approval shall be based upon a finding that the resulting shape is necessary for the public health and safety or the health and safety of the tree.
3. Severe tree trimming is prohibited. "Severely trimmed" shall mean the cutting of the branches and/or trunk of a tree in a manner which will substantially reduce the overall size of the tree area so as to destroy the existing symmetrical appearance or natural shape of the tree in a manner which results in the removal of main lateral branches leaving the trunk of the tree in a stub appearance.
4. Other prohibited activities. Those activities set forth in the Upper Dublin Township Code, §195-10 are considered prohibited activities, and, in addition, the following:
- a. damaging or cutting the roots of a shade tree;
  - b. anchoring heavy equipment to a shade tree;
  - c. dropping or lowering any object or tree section through the canopy of a shade tree, except such as are securely fastened to ropes to control damage.

5. Utility line clearance standards. The STC recognizes that public utilities provide a service to the public, that such service should not be subject to interruption, and that the trimming of street trees is necessary to forestall such interruption. The STC also recognizes that public utilities can trim street trees and accomplish the utility's goals while adhering to the standards set forth in these regulations. It is expected that public utilities will maintain a schedule of line clearance that will minimize interruptions while at the same time minimizing the clearance distances required from tree branches. It is the STC's view that repeating line clearance activities no less frequently than every three years is a reasonable expectation, and that the clearances set forth on the following chart represent an appropriate accommodation to the needs of public utilities if such a schedule is adhered to. Pruning to accomplish greater line clearances than are set forth below will be considered a violation of these regulations (Note: all measurements are in feet):

Rate of Tree Growth	All Public Utilities			13.2 KV Electric Line			34 KV Electric Line		
	Over	Side	Under	Over	Side	Under	Over	Side	Under
<i>Fast</i>	6	6	6	8	8	8	10	8	8
<i>Medium</i>	6	4	4	8	6	6	10	6	6
<i>Slow</i>	6	4	4	8	4	4	10	4	4
<i>Compatible</i>	4	2	2	4	3	3	6	3	3

### III. Enforcement

- A. The STC will consider a violation of the trimming and removal standards set forth in these regulations to constitute a public nuisance. Upon finding that any person or entity has caused such a violation, the STC shall give notice to the violator to immediately cease and desist from further violations. If the nature of the violation is that a tree has been "severely trimmed" the permit or, in the case of a public utility, the privilege to trim in the public right-of-way shall immediately be suspended until such time as the violator removes the damaged tree and replaces it with a suitable specie of comparable maturity, or as nearly so as reasonably possible. The STC, in its sole discretion, and in lieu of the violator replacing the damaged tree, can accept from the violator the payment of a sum of money which the STC determines to be required to accomplish the same purpose, plus an additional payment of 10% for administration expenses.

- B. The STC reserves the right to seek such further legal and equitable remedies as it deems appropriate to remedy the violation and/or to prevent further violations.
- C. Any person or entity objecting to an enforcement decision or action of the STC, including the STC's determination of the cost of replacement of any tree, may, within 30 days of receipt of notice from the STC, appeal to the Board of Commissioners which shall hold a hearing thereon within 30 days and promptly render a decision.

Adopted by the Upper Dublin Shade Tree Commission: August 9, 2001

Approved by the Upper Dublin Board of Commissioners:

A handwritten signature in black ink, appearing to be 'M. P. A.', written over a horizontal line.

6-11-02

**AN ORDINANCE**  
**NO. 1085**

**AN ORDINANCE Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, To Amend The Upper Dublin Township Zoning Map By Extending The DO Dresher Overlay District To Include Approximately 3 Acres Of Ground, More Or Less, Comprising Two Lots Fronting On Susquehanna Road, Commencing Approximately 972 Feet Northwest Of Its Intersection With Virginia Drive And Continuing The Additional Distance Of Approximately 481 Feet Along The Susquehanna Road Frontage.**

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

**Section 1.** The Code of the Township of Upper Dublin, § 255-9, Zoning Map, is hereby amended by designating on the zoning map incorporated into the zoning ordinance by that section the below-described tract as "DO DRESHER OVERLAY DISTRICT" to overlay and not replace the existing underlying zoning district which shall remain as set forth on the Zoning Map:

All that certain piece of ground situate in the Township of Upper Dublin, County of Montgomery, State of Pennsylvania, described according to a Final Record Plan entitled "Golden Circle" prepared by Woodrow & Associates, Inc., North Wales, Pennsylvania, dated December 14, 2000, last revised March 21, 2001 and recorded in the office of the Recorder of Deeds, Norristown, as follows, to wit:

**Beginning** at a point at the intersection of the centerline of Susquehanna Road (Width Varies) and Virginia Drive (50' wide) said point being the point of commencement; thence continuing from the point of commencement along the centerline of Susquehanna Road, Northwesterly, 972.18 feet to a point; thence leaving the centerline of Susquehanna Road, North 43 degrees 30 minutes 00 seconds East, a distance of 50.01 feet to a corner of these lands and lands of Marla Kay McMillan and the first mentioned point and Place of Beginning;

**Thence** along the Ultimate Right of Way of Susquehanna Road, North 45 degrees 56 minutes 34 seconds West, a distance of 481.08 feet to a point, a corner of these lands and lands of Lot 'B';

**Thence** leaving the Ultimate Right of Way of Susquehanna Road along the line dividing these lands and lands of Lot 'B', North 45 degrees 19 minutes 59 seconds East, a distance of 259.69 feet to a point, a common corner of these lands, lands of Lot 'B', lands of Arbour Hill Associates, Inc. and lands of Robert N. and Barbara F. Senst;

**Thence** continuing along the line dividing these lands and lands of Robert N. and Barbara F. Senst, lands of Alan S. and Cathy A. Lindy, the Right of Way of Golden Circle (50 feet) and lands of Amy L. Corson-Nadell, South 46 degrees 30 minutes 00 seconds East, a distance of 515.54 feet to a point, a corner of these lands and lands of Walter F. and Isabella Nelson;

**Thence** along the line dividing these lands and lands of Walter F. and Isabella Nelson; South 421 degrees 57 minutes 09 seconds West, a distance of 126.55 feet to a point, a common corner of these lands, lands of Walter and Isabella Nelson and lands of Marla Kay McMillan;

**Thence** along the lands of Marla Kay McMillan, South 43 degrees 30 minutes 00 seconds West, a distance of 51.00 feet to a point;

**Thence** continuing along the lands of Marla Kay McMillan, North 46 degrees 30 minutes 00 seconds West, a distance of 44.00 feet to a concrete monument;

**Thence** continuing along the line dividing these lands and lands of Marla Kay McMillan, South 43 degrees 30 minutes 00 seconds West, a distance of 86.68 feet to the first mentioned point and Place of Beginning.

Containing 3.0453 acres, more or less.

**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.

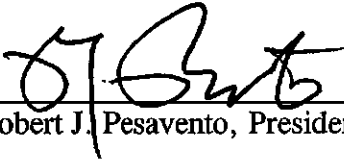
**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences,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

Approved by the Board this *16<sup>th</sup>* day of *April*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
Robert J. Pesavento, President

Attest:  
  
Paul A. Leonard, Secretary

g:\ordinances\Chapter 255 Zoning\resher overlay ord amend 3.11.02

**AN ORDINANCE**  
**NO. 1086**

**AN ORDINANCE Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, §255-9, Zoning Map, To Adopt The Upper Dublin Township Zoning Map As Newly Revised To Accurately Represent The Zoning Classifications Of All Property In Upper Dublin Township.**

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

**Section 1.** The Code of the Township of Upper Dublin, § 255-9, Zoning Map, is hereby amended by the adoption of a newly revised zoning map to accurately represent the zoning classifications of all property in Upper Dublin Township, the section to read henceforth as follows:

**§ 255-9. Zoning Map.**

The boundaries of said districts shall be as shown upon the map attached to and made a part of this chapter, which shall be designated the Zoning Map. The Zoning Map is further described as that graphic representation of the Zoning Districts adopted by ordinances of the Board of Commissioners of Upper Dublin Township prepared by Metz Engineers dated March 8, 2002, as the same may be amended from time to time. The said map and all notation, references and other things shown thereon shall be made a part of this chapter, as if the matters and things shown by said map were fully described herein. In the event of any inaccuracy or discrepancy between the depiction of zoning districts shown on the Zoning Map, and the descriptions of such zoning districts as set forth in the individual ordinances adopted by the Board of Commissioners, the descriptions set forth in the ordinances shall prevail.

**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.


Approved by the Board this *16<sup>th</sup>* day of *April*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN



---

Robert J. Pesavento, President

Attest.  


---

Paul A. Leonard, Secretary





AN ORDINANCE

NO. 1089

**An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Entitled Zoning, Article I, To Add definitions for Commercial School, Indoor Recreation, Outdoor Recreation, Post-secondary School, Pre-school, Primary School, and Secondary School and by amending Article XIX, Off-Street Parking And Loading, Section 255-135, "Required Spaces," To Add/Amend The Parking Requirements For Churches, Auditoriums, Stadiums, Hospitals, Pre-school and Primary Schools, Secondary Schools, Commercial Schools, Post-secondary Schools, Dormitories, Indoor Recreation, and Outdoor Recreation, And To Make Provisions For The Board Of Commissioners To Approve A Reserve Parking Request.**

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 I, General Provisions, § 255-7, Definitions, shall be revised by the inclusion of the following definitions:

§ 255-7. Definitions.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

\* \* \* \* \*

**COMMERCIAL SCHOOL** – . A private for profit vocational, avocational, trade, arts, performing arts, or other skill-teaching institution or training provider that is not a primary, secondary, or post-secondary school as defined herein.

\* \* \* \* \*

**INDOOR RECREATION** – An indoor, enclosed facility such as a gymnasium or natatorium designed to accommodate athletic and recreational activities such as bowling, skating, , swimming, court sports, weightlifting, fitness programs, and similar uses which are operated on a commercial or membership basis primarily for the benefit of patrons who do not reside on the same lot or premises.

\* \* \* \* \*

**OUTDOOR RECREATION** – An outdoor, unenclosed facility designed to accommodate athletic and recreational activities such as miniature golf, public or private golf, court sports, field sports, track sports, trail activities, and similar uses which are operated on a commercial or membership basis primarily for the benefit of patrons who do not reside on the same lot or premises.

\* \* \* \* \*

**POST-SECONDARY SCHOOL** – A public or private nonprofit school or institution of higher learning beyond educational grade 12 offering degree, certificate, or continuing education programs in the arts, sciences, trades, or professions.

\* \* \* \* \*

**PRE-SCHOOL** – A public, private, or parochial school, not a day-care center or primary school, offering early childhood education programs such as found in a nursery school or kindergarten.

\* \* \* \* \*

**PRIMARY SCHOOL** – A public, private, or parochial school teaching kindergarten and / or one or more educational grades of 1 through 8.

\* \* \* \* \*

**SECONDARY SCHOOL** – A public, private, or parochial school teaching educational grade 9 and / or one or more educational grades of 10 through 12.

**Section 2.** 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 as follows:

§ 255-135. Required spaces.

Any building, structure, or other facility erected, constructed, 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 and shall comply with any additional parking requirements of the zoning district in which the building or other

structure is located. The adequacy of passageways and driveways or other means of circulation shall be determined by the Township Engineer based upon principles of traffic safety and customary engineer standards. Whenever two methods for calculating required parking are provided, that which results in the greater number of parking spaces shall be applied:

\* \* \* \* \*

B. For any of the following uses, the required parking space shall be all-weather, shall be paved, and shall be located on the same lot therewith or on land adjacent thereto.

(1) Church, public auditorium, assembly or meeting room or other similar place of public or private assembly: one parking place for every three seats provided for public assembly, where one seat is defined as one chair or three feet of pew/bench.

(2) Stadium or other similar place of assembly: one parking space for every three seats provided, where one seat is defined as one chair or three feet of bench length.

(3) Hospital, convalescent or nursing home: one parking space for every four beds plus one per employee on the largest shift.

\* \* \* \* \*

(8) Pre-school and primary schools : the greater number of one parking space per employee, plus one additional space for every two classrooms or if the facility has an attached auditorium or other place of assembly, the number of parking spaces specified in B(1).

(9) Secondary schools: the greater number of one space per employee, plus one space for every two students based on design capacity or if the facility has an attached auditorium or other place of assembly, the number of parking spaces specified in B(1).

(10) Commercial School: the greater number of one parking space for every two students based on design capacity plus one space per employee; or if the facility has an associated auditorium or other place of assembly on the same lot, the number of parking spaces specified in B(1).

(11) Post-secondary School : the greater number of one parking space for every three students not housed in dormitories, based on design capacity, plus one space per employee; or if the facility has an attached auditorium or other place of assembly, the number of parking spaces specified in B(1) .

- (6) The Zoning Officer may deny or revoke a Use and Occupancy permit for failure to comply with the provisions of this subsection.
- (7) For a period of sixty (60) months following approval of the development plan showing reserve parking, the applicant shall provide a financial guarantee calculated as provided in Chapter 212 for the cost of installing the reserve parking, including the Township's professional fees. The amount of the guarantee shall be approved by the Township Engineer and the form of the guarantee shall be approved by the Township Solicitor.

**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 16<sup>th</sup> day of April, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
ROBERT J. PESAVENTO, PRESIDENT

ATTEST:

  
PAUL A. LEONARD, SECRETARY

AN ORDINANCE

NO. 1088

**AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Entitled Zoning, By Amending The Provisions Of Article XVII Relating To The Mobile Home Development District By Adding Thereto Definitions For Double-Wide Unit, Service Building And Single-Wide Unit; By Eliminating The Restriction On Transferability Of Units Within A Mobile Home Development District; By Making The Lot, Yard And Bulk Requirements Less Restrictive; By Imposing Lot, Yard And Bulk Requirements On A Service Building Within A Mobile Home Development District; By Revising The Area Requirements For Common Areas; And By Reducing The Width Of Required Buffers.**

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

**Section 1.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVII, MHD Mobile Home Development District, §255-119, Definitions, shall be amended by the addition in alphabetical of the following:

**DOUBLE-WIDE UNIT** - a mobile home constructed from two sections delivered separately to the site that, when attached, form on integral unit.

**SERVICE BUILDING** - a structure containing the management office and other common facilities for the development.

**SINGLE-WIDE UNIT** - a mobile home constructed from one section.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVII, MHD Mobile Home Development District, §255-121, Development requirements, subsection A, shall be amended to provide as follows:

**§ 255-121. Development requirements.**

A. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed by the owner of the entire tract, and it shall be agreed that the tract shall be developed under single direction and in the manner approved.

\*\*\*\*\*

**Section 3.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVII, MHD Mobile Home Development District, §255-122, Lot, yard and bulk requirements, shall be amended to provide as follows:

**§ 255-122. Lot, yard and bulk requirements.**

- A. **Density.** The total number of lots in a mobile home development shall not exceed a maximum density of five per acre. All areas not contained in developable acreage (as defined in § 255-119) shall be excluded from density calculations.
- B. **Height.** No structure built in a Mobile Home Development District shall exceed a height of one story or a maximum of 22 feet, except those permitted as accessory uses.
- C. **Lot size.** Mobile home lots in a mobile home development shall have a minimum lot size of 4500 square feet.
- D. **Lot width.** No individual double-wide mobile home lot shall be less than 50 feet in width at the building setback line. No individual single-wide mobile home lot shall be less than 40 feet in width at the building setback line. No individual mobile home lot shall be less than 25 feet in width at the right-of-way line of an interior street or the edge of the pavement of a private street.
- E. **Distance between structures.** Mobile homes shall have side to side separation of not less than 30 feet. Mobile homes shall have rear to rear separation of not less than 20 feet.
- F. **Mix of Unit Types.** A minimum of 50 percent of units shall be double-wide units.
- G. **Setback from tract boundary.** No mobile home or other primary building may be located closer than 50 feet from any boundary of a mobile home development, regardless of whether that boundary abuts a lot, water body, road or other right-of-way. In the event that a mobile home development abuts another such development, this provision will not apply; however, all other applicable setbacks prescribed herein shall apply.
- H. **Setbacks from streets.** No mobile home, other primary building or accessory use shall be located closer than 25 feet to the right-of-way line of any interior street or to the edge of the cartway or private interior roadways in a mobile home development. Accessory building setbacks. Accessory buildings

on individual mobile home lots shall be set back a minimum of five (5) feet from side or rear lot or lease line and a minimum of ten (10) feet from any building on adjacent lots.

J. Side and rear setbacks. No mobile home or accessory building may be located closer than 10 feet to any rear lot or lease line or five (5) feet to any side lot or lease line of an individual mobile home lot; provided, however, that all minimum requirements of § 255-122E must be met.

K. Unit location on individual lots. Mobile homes placed on individual lots are encouraged to utilize the minimal setbacks specified in § 255-122J and to be placed off-center on the lots so as to provide a large usable open yard space and outdoor living area in one area of the lot.

L. Lot coverage. The maximum coverage of any individual mobile home lot by all primary and accessory buildings and structures shall be no greater than thirty-five percent (35%).

M. Service buildings. Service buildings shall be set back a minimum of twenty-four (24) feet from front lot lines, ten (10) feet from side lot lines, and ten (10) feet from rear property lines, but in no case shall be less than fifty (50) feet from any other structure. Parking for a service building shall be provided at a rate of four spaces per 1,000 square feet of floor area. Parking areas for the service building shall be set back 40 feet from any mobile home, 50 feet from site property lines, 25 feet from cartways, and 10 feet from the service building.

**Section 4.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVII, MHD Mobile Home Development District, §255-123, Common areas, subsections A & C, shall be amended to provide as follows:

**§ 255-123. Common areas.**

A. At least ten percent (10%) of the site area of the mobile home development must be in common space other than parking and roadways, including recreation space, space for laundry and storage facilities. Buffer areas may not count toward the minimum common space requirements.

\* \* \* \* \*

C. Recreation areas and facilities shall be provided to meet the anticipated needs of the residents of the development. Not less than five percent (5%) of the usable site area exclusive of lands within the required setback area shall be

devoted to recreation. Recreation areas should be of a size, shape and relief that is conducive to active and passive recreation.

\* \* \* \* \*

**Section 5.** The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVII, MHD Mobile Home Development District, §255-126, Buffers, shall be amended to provide as follows:

**§ 255-126. Buffers.**

A. Supplementing the landscaping provisions of Chapter 212, a permanent buffer shall be maintained along all exterior property boundary lines, other than those adjacent to a right-of-way, designed to provide screening between the mobile home development and its abutting uses. The depth of the buffer shall be forty (40) feet where the boundary line abuts another mobile home development, a commercial district, an industrial district. In all other cases the depth of the buffer shall be fifty (50) feet.

B. The primary component of this buffer screen shall be a row of evergreen trees, at a height of not less than six feet when planted, spaced not more than eight feet apart on-center, and these trees shall be of such species as to attain a height at maturity of not less than 20 feet. The buffer must also include an opaque fence six (6) feet in height. The use of mounding is also encouraged, provided that the slopes shall be a maximum of 3:1. Along all property boundaries which abut a public street, the use of a single row of deciduous trees with a spacing of not more than 40 feet on-center shall be placed at the edge of the right-of-way, subject to the approval of the Shade Tree Commission.

C. In cases where an edge(s) of a mobile home development borders natural features which function as buffers, including but not limited to mature woodland, severe grade changes or stream valleys, buffering may not be required along that edge(s) if approved as a conditional use by the Board of Commissioners.

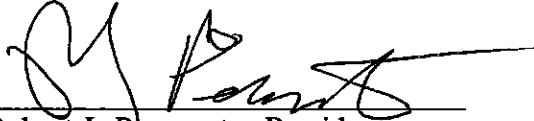
**Section 6.** Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 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 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.

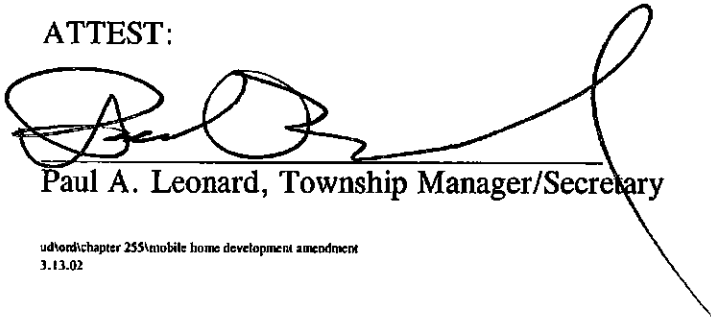
**Section 8.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Approved by the Board this *16<sup>th</sup>* day of *April*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
Robert J. Pesavento, President

ATTEST:

  
Paul A. Leonard, Township Manager/Secretary

ud\ord\chapter 255\mobile home development amendment  
3.13.02

**AN ORDINANCE**  
**NO. 1089**

**An Ordinance To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Entitled Zoning, Article XIX, Off-Street Parking And Loading, Section 255-135, "Required Spaces," By Amending The Parking Provisions of Section 255-135(A) And, To Amend Section 255-135(C) by Adding Separate Parking Provisions For Office Building or Wholesale Establishments, Laboratory or Industrial Establishments, Personal Care Facility or Senior Assisted Living Residences, Life Care Complex, Motor Vehicle Service Or Repair Facilities, Gasoline Service Stations, Motor Vehicle Sales Facilities, Day Care Centers, Convenience Stores, Home Occupations, and Banks, And To Amend Section 255-90, To Provide That The Standards For Life Care Complexes Are Those Set Forth In Article XIX Of Chapter 255; By Amending Article I, General Provisions, Section 255-7, "Definitions" To Revise the Definition of "Parking Space;" Amending the Following Articles and Sections to Conform Parking Regulations With Article XIX of the Code: Article IV, Accessory Buildings, Structures and Uses, Sections 255-27 H (g) and 255-30.1 D (8); 255-90.1 D(8), Senior Assisted Living District; Article XV, SC Shopping Center District, Section 255-99 G.**

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 I, General Provisions, Section 255-7, "Definitions," shall be amended as follows:

**PARKING SPACE** -- A reasonably level space, surfaced to whatever extent necessary to permit use under all weather conditions, or surfaced and sized as otherwise provided herein, available for the off-street parking of one four-wheel motor vehicle, exclusive of passageways or other means of circulation or access to a street. Outdoor parking spaces shall be paved or covered with gravel or cinders and shall under all circumstances be considered as impervious surface. Off-street parking shall be permitted only on areas improved as parking spaces.

**Section 2.** 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 as follows:

§ 255-135. Required spaces.

Any building , structure, or other facility erected, constructed, 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 and shall comply with any additional parking requirements of the zoning district in which the building or other structure is located. Whenever two or more

methods of calculating required parking are provided, that which results in the greater number of parking spaces shall be applied. Where no parking requirement is provided for a use or occupancy which will generate the need therefor, parking shall be provided based on the closest analogous use or occupancy for which a parking requirement has been specified.

\* \* \* \* \*

A. Dwelling. Two all-weather parking space per family on the same lot therewith. Such parking space shall be in addition to enclosed garage space.

\* \* \* \* \*

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 or wholesale establishment:

\* \* \* \* \*

(c) Medical Office: One parking space for every 150 square feet of gross floor area.

\* \* \* \* \*

(7) Laboratory or industrial establishment:

(a) A minimum of one parking space, exclusive of travel lanes, shall be provided for every 500 square feet of gross floor area. Parking areas must comply with the standards of §255-115B(4) and 255-116G.

\* \* \* \* \*

(12) Personal care facility or Senior assisted living residence: one parking space for every three residents, plus one parking space for each full-time staff member employed on the largest shift.

(13) Life Care Complex: One and one-half (1½) parking spaces shall be provided for each single-family attached dwelling unit; one parking space shall be provided for each apartment dwelling unit; one parking space shall be provided for each four beds intended to accommodate patients other than occupants of the residential portion of the complex within an accessory health care facility; and one parking space shall be provided for each employee working on the largest shift.

\* \* \* \* \*

(16) Motor vehicle service or repair facility: three parking spaces per service bay.

(17) Gasoline service station: one parking space per 300 sq. ft. of gross floor area or three parking spaces per service bay, whichever is greater.

(18) Motor vehicle sales facility: one parking space per 500 sq. ft. of indoor gross floor area, plus one parking space per 5,000 sq. ft. of outdoor sales area, to be set aside for parking and not used for display or storage, plus any parking as required in § 255-135.C(16) for vehicle repair facilities.

(19) Day care center: one parking space per ten care receivers of design capacity plus one parking space per employee on the largest shift.

(20) Convenience store/Mini-Market: One parking space for every 200 square feet of gross floor area plus two parking spaces for every automated teller machine and lottery terminal.

(21) Home occupation: One parking space shall be provided in addition to those required for the residential use.

(22) Bank. Six parking spaces per interior teller window plus three parking spaces per self service facility when drive-in service is provided.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIII, INST Institutional Districts, Section 255-90. Life care complexes, Subsection E, Development regulations, Paragraph (6), Parking, shall be amended as follows:

\* \* \* \* \*

(6) Parking shall comply with the requirements set forth in Article XIX of this Chapter.

**Section 3.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article IV, Accessory Buildings, Structures and Uses, Section 255-27, "Dwellings," shall be amended as follows:

\* \* \* \* \*

H. Professional office.

\* \* \* \* \*

(g) Parking shall be provided as required by Article XIX of this chapter.

**Section 4.** 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 antennae," shall be amended as follows:

\* \* \* \* \*

D. Standards of approval of all wireless communications antennae.

\*\*\*\*\*

(8) Parking shall be provided as required by Article XIX of this chapter.

**Section 5.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article V, MD Multi-Dwelling District, Section 255-52, "Senior assisted living residence," shall be amended as follows:

\*\*\*\*\*

B. Development Regulations.

\*\*\*\*\*

2. Parking shall be provided as required by Article XIX of this chapter.

**Section 6.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XIII, INST Institutional Districts, Section 255-90.1, "Senior assisted living residence," Subsection D (8) shall be amended as follows:

(8) Parking shall be provided as required by Article XIX of this chapter. A maximum of 35% of the required parking may be held in reserve if the applicant can demonstrate, 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 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 considered in calculating the 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 7.** The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XV, SC Shopping Center District, Section 255-99, "Development requirements," shall be amended as follows:

\*\*\*\*\*

G. Parking shall be provided as required by Article XIX of this chapter.

**Section 8.** 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 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 *11<sup>th</sup>* day of *June*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
PAUL A. LEONARD, SECRETARY

  
ROBERT J. PESAVENTO, PRESIDENT

**AN ORDINANCE**  
**NO. 1090**

**AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES," SECTION 233-56, "SCHEDULE XV: TIME LIMIT PARKING" BY ESTABLISHING A TWO-HOUR PARKING LIMIT, MONDAY TO SATURDAY, ON FT. WASHINGTON AVE. FROM PENNSYLVANIA AVE. TO MONTGOMERY AVE.**

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, Schedule XV: 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:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
		*****	
Fort Washington Ave.	Both	2 hours/ Mon. to Sat.	From Pennsylvania Ave. northeasterly to Montgomery Ave.

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<sup>th</sup>* day of *June*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

ud\ord\CH 233 VEHICLES & TRAFFIC\ParkingLimit-Ft. Wash



ROBERT J. PESAVENTO, PRESIDENT

AN ORDINANCE

NO. 1091

**AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin By Revising Chapter 9, Electoral Districts In Order To Reapportion The Seven Wards Of The Township Of Upper Dublin, Montgomery County, Pennsylvania By Revising The Boundary Lines Thereof Based On The 2000 Federal Census In Order To Make The Populations In Each Ward As Nearly Equal As Practicable.**

WHEREAS, Article IX, Section 11, of the Constitution of the Commonwealth of Pennsylvania, and the Municipal Reapportionment Act, require the Board of Commissioners of the Township of Upper Dublin (the "Board of Commissioners") to reapportion the Township within the year following the year in which the Federal decennial census is officially reported as required by Federal Law, and at such other times as the Board shall deem necessary; and

WHEREAS, the results of the 2000 Federal Census were reported to the President of the United States in December 2000 as required by Federal Law and made available on the census block level shortly thereafter in 2001 by the United States Census Bureau; and

WHEREAS, Section 536 of the Pennsylvania Election Code, as amended, prohibits the establishment, abolishment, or alteration of any election district until after June 30, 2002, or until all judicial appeals to the 2002 Congressional Reapportionment Plan have been resolved, whichever occurs later; and

WHEREAS, on February 15, 2002, the Supreme Court of Pennsylvania found constitutional the Final Reapportionment Plan for the state legislature thereby giving the Final Reapportionment Plan the force of law; and

WHEREAS, the United States District Court for the Middle District of Pennsylvania issued an order on April 23, 2002, permitting the Secretary of the Commonwealth of Pennsylvania to conduct the 2002 elections using the Congressional Reapportionment Plan provided by Act No. 1, signed into law on January 7, 2002; and

WHEREAS, the Board of Commissioners now has the authority to reapportion the Township under the Pennsylvania Election Code;

NOW THEREFORE, 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 9 thereof, entitled Electoral Districts, is hereby amended to provide as follows:

## Chapter 9

### ELECTORAL DISTRICTS

#### §9-1. Reapportionment of wards.

There shall continue to be seven (7) wards in the Township of Upper Dublin, which wards are hereby reapportioned to be as nearly equal in population as practicable based on the official statistics of the 2000 Federal Census conducted by the United States Census Bureau.

#### §9-2. Retention in office and new elections.

The commissioners in office at the time of this reapportionment shall retain their offices and continue to represent their respective wards until the end of their respective terms. The election of commissioners under the reapportionment shall be held in accordance with the First Class Township Code, 53 P.S. § 55101 *et seq.*, and the Pennsylvania Election Code, 25 P.S. § 2600 *et seq.*

#### §9-3. Boundaries of the First Ward, Ward One.

The boundaries of the First Ward shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward One (1), situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southwest corner of the Township, being bordered to the north by the Borough of Ambler and the Township of Lower Gwynedd; to the west by the Township of Whitpain; and to the south by the Township of Whitemarsh, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, at the intersection of the center line of Susquehanna Road and the center line of Tennis Avenue; THENCE from said point of beginning, along the center line of Susquehanna Road, in a southeasterly direction, crossing the north and south Branch of the Rose Valley Creek, to the center line of Butler Pike; THENCE leaving Susquehanna Road, extending in a northerly direction along the center line of Butler Pike to the center line of the Route 309 Expressway; THENCE leaving Butler Pike, extending in a southerly direction along the center line of the Route 309 Expressway to the center line of Susquehanna Road; THENCE leaving the Route 309 Expressway, extending in a northwesterly direction along the center line of Susquehanna Road to the center line of Cedar Road; THENCE leaving Susquehanna Road, extending along the center line of Cedar Road in a southwesterly direction, crossing the beds of Hoffman Road, Forest Creek Drive, Meadowbrook Avenue, Booth Lane and Argyle Avenue to the center line of Loch Alsh Avenue; THENCE leaving Cedar Road, extending along the center line of Loch Alsh Avenue in a southeasterly direction, crossing the beds of Hoffman Road, Lake Drive, the Honey Run Creek and Farm Lane to the center line of the Route 309 Expressway; THENCE leaving Loch Alsh Avenue, extending along the center

line of the Route 309 Expressway in a southerly direction, crossing the bed of Highland Avenue to the center line of Fort Washington Avenue; THENCE leaving the Route 309 Expressway, extending along the center line of Fort Washington Avenue in a southwesterly direction, crossing the beds of Creek Drive, Prospect Avenue and Spring Avenue to the center line of Montgomery Avenue; THENCE leaving Fort Washington Avenue, extending along the center line of Montgomery Avenue to the center line of Washington Lane; THENCE leaving Montgomery Avenue, extending along the center line of Washington Lane in a westerly direction to the center line of Bethlehem Pike; THENCE leaving Washington Lane, extending along the center line of Bethlehem Pike, southerly to the center line of Pennsylvania Avenue, the line dividing the Township of Upper Dublin from the Township of Whitmarsh; THENCE along said township line, northwesterly (this line being the extended center lines of Pennsylvania Avenue and Morris Road in this area) crossing the beds of the SEPTA Railroad, the Wissahickon Creek and entering the bed of Morris Road crossing the beds of Carey Drive and Butler Pike, to a point on the line between the Township of Upper Dublin and the Township of Whitpain; THENCE leaving the extended center line bed of Morris Road, extending along the aforementioned Whitpain Township Line in a northeasterly direction, crossing the beds of Morris Road, the Wissahickon Creek, Maple Avenue and the SEPTA Railroad to a point on the borough line of the Borough of Ambler, a common point of said borough line with the Whitpain and Upper Dublin Township Lines; THENCE extending along the said borough line, in a counter-clockwise manner, around the Borough of Ambler, the following twelve (12) courses:

- (1) Southwesterly, crossing Maple Avenue,
- (2) Still southwesterly to an angle point;
- (3) Southerly crossing Butler Pike to an angle point,
- (4) Southeasterly, paralleling Wissahickon Creek and Morris Road to an angle point, in line of Church Street,
- (5) Northeasterly, crossing the SEPTA Railroad to the center line of Church/Main Street,
- (6) Southerly, along the center line of Main Street to the center line of Randolph Avenue,
- (7) Leaving Main Street, easterly along the center line of Randolph Avenue to a point,
- (8) Then perpendicular in a northerly direction, leaving Randolph Avenue to an angle point,
- (9) Northeasterly, paralleling Church Street to the center line of Ambler Road,
- (10) Along the center line of Ambler Road, northerly, to the center line of Church Street,
- (11) Along the center line of Church Street, northeasterly, crossing Southern Avenue, Highland Avenue, Trinity Avenue, and Rosemary Avenue to the center line of Bethlehem Pike,
- (12) Leaving Church Street, along the center line of Bethlehem Pike in a northerly direction, crossing the beds of Lindenwold Terrace, Ardross Avenue, Loch Alsh Avenue, Argyle Avenue, Homestead Lane, Butler Pike, East Fairview, Hagues Mill Road, the south branch of the Rose Valley Creek to the center line of Tennis Avenue;

THENCE leaving Bethlehem Pike, extending in a northeasterly direction along the center line of Tennis Avenue to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe the perimeter of a political block or voting district in the Township of Upper Dublin known as the First Ward.

**§9-4. Boundaries of the Second Ward, Ward Two.**

The boundaries of Ward Two shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Two, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southwest corner of the Township, being bordered to the southwest by the Township of Whitemarsh, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, said point being the point of intersection of the center line of Susquehanna Road with the center line of Cedar Road; THENCE along the Susquehanna Road center line, in a southeasterly direction, to the center line of the Route 309 Expressway; THENCE leaving Susquehanna Road, extending along the Route 309 Expressway center line in a northerly direction to the center line of the Tannery Run Creek; THENCE along the bed of the Tannery Run Creek, in an easterly direction, crossing the access road to the Woods Apartments to the center line of Meetinghouse Road; THENCE leaving the Tannery Run Creek, extending along the center line of Meetinghouse Road in a southeasterly direction, crossing Joel Drive to the center line of Fort Washington Avenue; THENCE leaving Meetinghouse Road, extending along the center line of Fort Washington Avenue, in a northeasterly direction to the center line of Limekiln Pike; THENCE leaving Fort Washington Avenue, extending along the Limekiln Pike center line in a southerly direction, crossing the beds of Fulton Drive, Dillon Road and Broad Street to the center line of Mundock Road; THENCE leaving Limekiln Pike, extending in a westerly direction along the center line of Mundock Road to the center line of Susquehanna Road; THENCE leaving Mundock Road, extending in a northwesterly direction along the center line of Susquehanna Road, crossing the beds of Cinnamon Drive/ Cinnamon Circle, Crosby Road, Pinetown Road, and Broad Street to the center line of Dillon Road; THENCE leaving Susquehanna Road, extending along the Dillon Road center line in a southwesterly direction, crossing the bed of Crosby Drive to the center line of Wentz Drive; THENCE leaving Dillon Road, extending along the center line of Wentz Drive in a southerly direction to the center line of Goodman Drive; THENCE leaving Wentz Drive, extending along the Goodman Drive center line in a southwesterly direction crossing Hawthorne Lane to the center line of Hazelwood Drive; THENCE leaving Goodman Drive, extending along the Hazelwood Drive center line in a northerly direction to the center line of Victor Lane; THENCE leaving Hazelwood Drive, extending along the Victor Lane center line in a westerly

direction crossing Nash Drive to the center line of Barton Drive; THENCE leaving Victor Lane, extending along the Barton Drive center line in a southeasterly direction, to the center line of Hartranft Avenue; THENCE leaving Barton Drive, extending along the Hartranft Avenue center line, in a westerly direction, crossing Cory Drive to the center line of Highland Avenue; THENCE leaving Hartranft Avenue extending along the Highland Avenue center line in a southerly direction to the center line of Pinetown Road; THENCE leaving Highland Avenue, extending along the Pinetown Road center line in a southwesterly direction, crossing New Jersey Drive and Delaware Drive to the center line of Commerce Drive; THENCE changing direction ninety degrees to a northwesterly direction, extending along the Commerce Drive center line, crossing the bed of the Route 309 Expressway, changing direction ninety degrees to a southwesterly direction to the center line of Pennsylvania Avenue (said center line being the line dividing the Township of Upper Dublin from the Township of Whitemarsh); THENCE leaving Commerce Drive, extending along the Pennsylvania Avenue center line in a northwesterly direction, crossing Summit Avenue and Fort Washington Avenue to the center line of Bethlehem Pike; THENCE leaving Pennsylvania Avenue, extending along the Bethlehem Pike center line in a northerly direction to the center line of Washington Lane; THENCE leaving Bethlehem Pike extending along the Washington Lane center line in an easterly direction to the center line of Montgomery Avenue; THENCE extending along the Montgomery Avenue center line, in a southeasterly direction, to the center line of Fort Washington Avenue; THENCE leaving Montgomery Avenue, extending along the Fort Washington Avenue center line in an easterly direction crossing the beds of Spring Avenue, Prospect Avenue and Creek Drive to the center line of the Route 309 Expressway; THENCE leaving Fort Washington Avenue, extending along the Route 309 Expressway center line in a northeasterly direction, crossing the bed of Highland Avenue to the center line of Loch Alsh Avenue; THENCE leaving the 309 Expressway, extending along the Loch Alsh Avenue center line in a northwesterly direction crossing the beds of Farm Lane, Lake Drive and Hoffman Road to the center line of Cedar Road; THENCE leaving Loch Alsh Avenue, extending along the Cedar Road center line in an easterly direction, crossing the beds of Argyle Avenue, Booth Lane, Meadowbrook Avenue, Forest Creek Drive, and Hoffman Road to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe the perimeter of a political block or voting district in the Township of Upper Dublin known as the Second Ward.

**§9-5. Boundaries of the Third Ward, Ward Three.**

The boundaries of the Third Ward shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Three, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the northeast corner of the Township, being bordered to the north by the Township of Horsham and the Township of Upper

Moreland; to the east by the Township of Abington; and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Welsh Road, said point being the point of intersection of the center line of Dreshertown Road with the center line of Welsh Road; THENCE extending along the center line of Welsh Road in a southeasterly direction, following the common line between Upper Dublin, Horsham, and Upper Moreland Townships, crossing the beds of the Pennsylvania Turnpike, the Norfolk Southern Trenton cutoff, Twining Road and Kimball Avenue to the center line of North Hills Avenue extended (said extended center line being the common line between Upper Dublin and Abington Townships in this area); THENCE leaving Welsh Road, extending along the extended center line of North Hills Avenue in a southwesterly direction crossing Sunnycrest Road, the bed of Goenter Road, recrossing Kimball Avenue, crossing the beds of Woodlyn Avenue, Alba Avenue, Elliot Avenue, Alba Avenue, entering the bed of North Hills Avenue, Brentwood Drive and School Lane to a point in the center lines of North Hills Avenue, Woodland Avenue and Fitzwatertown Road; THENCE leaving North Hills Avenue and extending along the center line of Fitzwatertown Road, in a southwesterly direction to the point of the line extended along the center line of Paul Avenue (extended undedicated street) at Fitzwatertown Road; THENCE leaving Fitzwatertown Road extending in a line along the center line of Paul Avenue crossing the beds of Bernard Avenue, Henry Avenue, Karl Avenue to the center line of Dundee Drive; THENCE extending along the center line of Dundee Drive in a northeasterly direction to the center line of Malcolm Drive; THENCE extending along the center line of Malcolm Drive in a northerly direction to a point, said point being the intersection of the centerline of Malcolm Drive and the southwestern property line of Tax Block 14, Unit 1; THENCE extending in a northwesterly direction along the southwestern property line of Tax Block 14, Unit 1 and continuing along the same line to the center line of Twining Road; THENCE extending in a southwesterly direction along the center line of Twining Road to a point in the Twining Road center line, said point being the extension of the northeasterly property line of Tax Block 12, Unit 15 (also known as the Dresherbrooke Townhouse Development); THENCE extending along said property line in a northwesterly direction crossing the Twining Valley Golf Course to a point in the center line of the Norfolk Southern Trenton cutoff; THENCE along the center line of the Norfolk Southern Trenton cutoff in an easterly direction to a point in the center line of same (said point being the extension of the southwest line of the Dublin Hunt Open Space parcel); THENCE leaving the Trenton cutoff, extending along said extended property line, in a northwesterly direction, crossing the beds of the Pennsylvania Turnpike and the Pine Run Creek to a point in the center line of Dreshertown Road; THENCE extending along the center line of Dreshertown Road, in an easterly direction to the center line of Kirk's Lane; THENCE extending in a northwesterly direction along the center line of Kirk's Lane crossing the beds of Glenecho Lane and Harris Road to a point in the center line intersection of Kirk's Lane and Aiman Circle; THENCE continuing in a southwesterly direction along the center line of Kirk's Lane to the center line of Limekiln Pike; THENCE leaving Kirk's Lane and extending in a northerly direction along the center line of Limekiln Pike crossing the beds of Harris Road, the second time, Candlebrook Drive, and Mundock Road, to the center line of Jarrettown Road; THENCE leaving Limekiln Pike, extending in an easterly direction along the center line of Jarrettown Road crossing the beds of Kenmare Drive, Lexington Drive, Aidenn Lair Road, Dublin Road and Heard Drive, to a point where the property line between the Dublin Open Space (Tax Block 11, Unit 3) and the Philadelphia Montgomery

Christian Academy (Tax Block 11, Unit 4, "Philmont Academy") intersects with Jarrettown Road; THENCE leaving Jarrettown Road, extending in a southerly direction along the property line between Dublin Open Space and Philmont Academy to the common point between Dublin Open Space, Philmont Academy, and Tax Block 11D, Unit 3; THENCE extending in a southwesterly line from said common point along the eastern boundary of the Philmont Academy and beyond to a point at the southeast corner of the Dawesfield Open Space; THENCE extending in a southeasterly direction along the southern boundary of the Dawesfield Open Space and beyond to the center line of Dreshertown Road; THENCE extending in a northeasterly direction along the center line of Dreshertown Road crossing the beds of Tuckerstown Road, Prudential Road, and St. Georges Road to the center line of Welsh Road the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Third Ward.

#### **§9-6. Boundaries of the Fourth Ward, Ward Four.**

The boundaries of the Fourth Ward shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Four, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southeast corner of the Township, being bordered on the northeast by the Township of Abington and on the southwest by the Township of Springfield, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, said point being the point of intersection of the center line of Susquehanna Road with the center line of Dillon Road; THENCE from said point of beginning, extending along the center line of Susquehanna Road in a southeasterly direction, crossing the beds of Broad Street/Pinetown Road, Crosby Drive and Cinnamon Drive/Cinnamon Circle, and Mundock Road to the center line of Camphill Road; THENCE leaving Susquehanna Road, extending along the center line of Camphill Road, in a southwesterly direction, crossing the beds of Office Center Drive and Cinnamon Drive to a point in the center line of Camphill Road, said point being the extension of the southern property line of Tax Block 52, Unit 15 (also known as Honeywell Corporation); THENCE leaving Camphill Road and extending along said property line in a southeasterly direction to an angle point in same, proceeding in a southeasterly direction along same property line, crossing the bed of Virginia Drive, proceeding along the aforementioned property line extended in a southerly direction, crossing the bed of the Pennsylvania Turnpike, still in a southerly direction along the extension of an interior tract line of Tax Block 52, Unit 7, changing direction from southerly to southwesterly, crossing the Norfolk Southern Trenton cutoff to a point, a common corner of Taxblock 53A, Unit 26 and Taxblock 53a, Unit 1; THENCE extending along the property line of Tax Block 53A, Unit 1, in a southeasterly direction to a point in the center line of Dreshertown

Road, said point being the point of intersection of said property line extended with the Dreshertown Road center line; THENCE along the center line of Dreshertown Road, in a southwesterly direction, crossing the beds of Applewood Drive and Bluebird Lane to a point in the center line of Dreshertown Road, said point being the extension of the southern property line of Tax Block 54, Unit 13 (also known as Manufacturers Country Club); THENCE along said southern property line to an angle point in same, changing direction from an easterly to a southerly direction along same perimeter to its point of intersection with the Sandy Run Creek; THENCE along the Sandy Run Creek in an easterly direction to the center line of Twining Road; THENCE leaving the Sandy Run Creek, extending along the center line of Twining Road in a southwesterly direction to a point in the center line of Twining Road, said point being the extension of the center line of Beechwood Avenue (not open); THENCE leaving Twining Road, extending along the unopened center line of Beechwood Avenue in a southeasterly direction crossing the bed of Limekiln Pike to the center line of Ruscombe Avenue extended (not open); THENCE along the center line of the unopened Ruscombe Avenue in a southwesterly direction to the center line of Summit Avenue extended (not open); THENCE extending along the center line of the unopened Summit Avenue in a southwesterly direction, crossing the bed of Limekiln Pike to the open portion of Summit Avenue, along said center line to the center line of Chelsea Avenue; THENCE leaving Summit Avenue and extending along Chelsea Avenue in a southwesterly direction, crossing Walnut Avenue, Chestnut Avenue and Mount Carmel Avenue to a point on the northwest line of the SEPTA Railroad; THENCE along said line in a southeasterly direction to an angle point; THENCE changing direction ninety degrees to the southwest, crossing the SEPTA Railroad to a point on the southeast side of the SEPTA Railroad, said point also being a common point in line of Springfield Township; THENCE along the same line in a northwest direction, recrossing the SEPTA Railroad to a point in the center line of Pennsylvania Avenue, said point being the extension of the common rear property line of those properties facing on Mill Road and Jackson Avenues; THENCE extending along the center line of Pennsylvania Avenue, in a northwesterly direction, crossing the beds of Mill Road, Garden Road, Twining Road, Apel Avenue, Bala Avenue, Weldy Avenue, Lafayette Avenue, Rech Avenue (after which this line becomes the center line of Pennsylvania Avenue extended), then continuing along said extended center line, still in a northwesterly direction, crossing the beds of Sandy Run Creek, Camphill Road, the Norfolk Southern Trenton cutoff, the Pennsylvania Turnpike and the Route 309 Expressway, and Indiana Avenue to the center line of Commerce Drive; THENCE leaving the bed of Pennsylvania Avenue (this previous course had reentered the bed of Pennsylvania Avenue at the Indiana Avenue intersection) along the center line of Commerce Drive, in a northeasterly direction, crossing the Bodenstein Creek to an angle point (at which point Commerce Drive turns ninety degrees to the right), continuing along same in a southeasterly direction, crossing the Route 309 Expressway to a point in the center line of Pinetown Road; THENCE leaving Commerce Drive, changing direction ninety degrees to a northeasterly direction along the center line of Pinetown Road, crossing the beds of Delaware Drive and New Jersey Drive to the center line of Highland Avenue; THENCE leaving Pinetown Road, along the center line of Highland Avenue in a northwesterly direction, to the center line of Hartranft Avenue; THENCE leaving Highland Avenue, along the center line of Hartranft Avenue in a northeasterly direction, crossing Cory Drive to the center line of Barton Drive; THENCE leaving Hartranft Avenue, extending along the center line of Barton Drive in a northerly direction to the center line of Victor Lane; THENCE leaving Barton Drive, along the center line of Victor Lane, in a northeasterly direction, crossing the bed of Nash Drive to a point

in the center line of Hazelwood Drive; THENCE leaving Victor Lane along the center line of Hazelwood Drive in a southerly direction to the center line of Goodman Drive; THENCE leaving Hazelwood Drive, extending along the center line of Goodman Drive, in a northeasterly direction, crossing the bed of Hawthorne Lane to the center line of Wentz Drive; THENCE leaving Goodman Drive, along the center line of Wentz Drive, in a northerly direction to the center line of Dillon Road; THENCE leaving Wentz Drive, extending along the center line of Dillon Road in a northeasterly direction, crossing the Mondauk waters and Crosby Drive, to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Fourth Ward.

**§9-7. Boundaries of the Fifth Ward, Ward Five.**

The boundaries of Ward Five shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Five, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located between the center of the Township and the southeast line of the Township being border by the Township of Abington, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Limekiln Pike, said point being the point of intersection of the center line of Limekiln Pike and the center line of Mundock Road; THENCE from said point of beginning, extending along the center line of Limekiln Pike in a southerly direction, crossing the beds of Candlebrook Drive and Harris Road to the center line of Kirks Lane; THENCE leaving Limekiln Pike and extending along the center line of Kirks Lane in a northeasterly direction, crossing the bed of Aiman Circle and continuing along said center line and crossing the beds of Harris Road and Glenecho Lane to the center line of Dreshertown Road; THENCE leaving Kirks Lane and extending along the center line of Dreshertown Road in a southwesterly direction to a point in the center line of Dreshertown Road, said point being the extension of the southern property line of the Dublin Hunt Open Space parcel; THENCE along said line in a southeasterly direction, along the aforementioned Open Space parcel and crossing Tax Block 12, Unit 12, and Tax Block 12, Unit 13, and crossing the Pennsylvania Turnpike to the center line of the Norfolk Southern Trenton cutoff; THENCE leaving said line and extending along the center line of the Trenton cutoff in a southwesterly direction to a point, said point being the intersection of the center line with the property line of the Dresherbrooke townhouse project; THENCE extending along said line in a southeasterly direction through the lands of the Twining Valley Golf Course to a point in the center line of Twining Road; THENCE extending along the center line of Twining Road in a northeasterly direction to a point, said point being the intersection of the center line of Twining Road and a line extended from the southwestern

property line of Tax Block 14, Unit 1; THENCE leaving Twining Road extending in a southeasterly direction along the extended line of the southwestern property line of Tax Block 14, Unit 1 to the center line of Malcolm Drive; THENCE extending in a southerly direction along the center line of Malcolm Drive to the centerline of Dundee Drive; THENCE extending along the center line of Dundee Drive in a southwesterly direction to the extended center line of Paul Avenue (extended undedicated street); THENCE leaving Dundee Drive extending southeast along the center line of Paul Avenue to the center line of Fitzwatertown Road; THENCE extending in a southwesterly direction along the center line of Fitzwatertown Road crossing the beds of Burn Brae Drive and Alpin Drive to the center line of Anzac Avenue; THENCE leaving Fitzwatertown Road extending in a southeasterly direction along the center line Anzac Avenue to the center line of Clemens Avenue; THENCE leaving Anzac Avenue extending in a southwesterly direction along the center line of Clemens Avenue to the center line of Susquehanna Road; THENCE leaving Clemens Avenue extending in a southeasterly direction along Susquehanna Road to a point, said point being the point of intersection of the rear property line of Tax Block 78, Unit 19 extended; THENCE along said line in a southwesterly direction, along the rear property line of Tax Block 78, Units 19 through 24, and continuing along said line extended and crossing the beds of Madison Avenue, Jefferson Avenue, Lincoln Avenue, Spear Avenue and Woodrow Avenue to the center line of Jenkintown Road; THENCE extending along the center line of Jenkintown Road in a northerly direction to the center line of North Hills Avenue; THENCE along the center line of North Hills Avenue in a southwesterly direction to a point in the center line of North Hills Avenue, said point being the extension of the Beechwood Avenue center line (not open) ; THENCE leaving North Hills Avenue and extending along the unopened Beechwood Avenue center line in a northwesterly direction to the center line of Twining Road; THENCE extending along the Twining Road center line in a northerly direction to a point in the center line of the Sandy Run Creek; THENCE along the Sandy Run Creek in a southwesterly direction to a point, the point of intersection of the center line of the Sandy Run Creek and the westerly property line of Tax Block 54, Unit 13, Lands of Manufacturers Country Club; THENCE along said westerly property line, in a northerly direction to an angle point in the perimeter line of said parcel, thence along same perimeter line in a northwesterly direction to the center line of Dreshertown Road; THENCE along the center line of Dreshertown Road, in a northeasterly direction crossing the beds of Bluebird Lane and Applewood Drive to a point in the center line of Dreshertown Road, said point being the extension of the northern property line of Tax Block 53A, Unit 1; THENCE along said property line in a northwesterly direction to a point, a common corner of Tax Block 53A, Unit 1 and Tax Block 53A, Unit 26; THENCE extending in a northeasterly direction along an interior tract line of Tax Block 52, Unit 7 crossing the Norfolk Southern Trenton cutoff to a point, said point being an intersection of said interior tract line and the northerly property line of Tax Block 52, Unit 15 (Honeywell Corporation) extended; THENCE extending along the said extension of the northerly property line of Block 52, Unit 15, (Honeywell Corporation) in a northerly direction, crossing the beds of the Pennsylvania Turnpike, Virginia Drive and past the terminus of the West Office Center Drive cul-de-sac to an angle point in the said Honeywell property line, extending along same, in a northwesterly direction to the center line of Camphill Road; THENCE leaving Honeywell property line and extending along the center line of Camphill Road, in a northeasterly direction crossing the beds of Cinnamon Drive and Office Center Drive to the center line of Susquehanna Road; THENCE leaving Camphill Road and extending along the center line of Susquehanna Road, in a northwesterly direction, to the centerline of Mundock Road; THENCE leaving Susquehanna

Road extending along the center line of Mundock Road in a northeasterly direction to the center line of Limekiln Pike the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Fifth Ward.

**§9-8. Boundaries of the Sixth Ward, Ward Six**

The boundaries of Ward Six shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Six, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located along the northwest line of the Township, being bordered by the Township of Horsham, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Welsh Road, said point being the point of intersection of the center line of Welsh Road with the center line of Limekiln Pike, said point also being a point in the common line between the Township of Upper Dublin and the Township of Horsham; THENCE from said point of beginning extending along the center line of Welsh Road in a southeasterly direction crossing the beds of Norristown Road, Howe Lane, Terrace Drive, Farmview Road, Fort Washington Avenue, Dillon Road, Purdie Lane, Spring Hill Drive, Brittany Drive and Jarrettown Road to the center line of Dreshertown Road; THENCE leaving the bed of Welsh Road and extending along the center line of Dreshertown Road in a southwesterly direction and crossing the bed of St. Georges Road, Prudential Road, and Tuckerstown Road to a point where the extended property line along the southern border of the Dawesfield Open Space intersects with the center line of Dreshertown Road; THENCE, from said point of intersection extending along the extended southern property line of the Dawesfield Open Space in a northwesterly direction to a point at the southwest corner of the Dawesfield Open Space; THENCE from said point at the southwest corner of the Dawesfield Open Space extending in a northeasterly direction along the extended property line of the eastern boundary of the Philadelphia Montgomery County Academy ("Philmont Academy") to the common point between the Dublin Open Space, Philmont Academy, and Tax Block 11D, Unit 3; THENCE, from said common point extending in a northerly direction along the property line between the Dublin Open Space and the Philmont Academy to a point where the said property line intersects with the center line of Jarrettown Road.; THENCE in a westerly direction along the center line of Jarrettown Road crossing the beds of Heard Drive, Dublin Road, Aiden Lair Road, Lexington Drive, Kenmare Drive to the center line of Limekiln Pike; THENCE leaving Jarrettown Road and extending along the center line of Limekiln Pike in a northerly direction, crossing the beds of Broad Street, Dillon Road, Fulton Drive, Fort Washington Avenue, Shepard Drive, Bell Lane, Howe Lane, Wright Drive, Thornbury Drive, and Norristown Road to the center line of Welsh Road, said center line being the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Sixth Ward.

**§9-9. Boundaries of the Seventh Ward, Ward Seven.**

The boundaries of Ward Seven shall be as shown on the Electoral District Map, dated 2002 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Seven, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the northwest corner of the Township, being bordered by the Townships of Lower Gwynedd and Horsham, and being bound and described as follows, to wit:

BEGINNING at a point, said point being located at the intersection of the center lines of Welsh Road and Tennis Avenue, said point also being a common corner of Upper Dublin Township and Lower Gwynedd Township and also a point in the southeast line of Horsham Township, thence from said point of beginning, extending along the center line of Welsh Road in a southeasterly direction and crossing the beds of Webster Lane, Daisy Lane and Butler Pike to the center line of Limekiln Pike; THENCE leaving Welsh Road, extending in a southerly direction along the center line of Limekiln Pike crossing the beds of Norristown Road, Thornbury Drive, Wright Drive, Howe Lane, Bell Lane, Shepherd Drive to a point in the center line of Fort Washington Avenue; THENCE leaving Limekiln Pike and extending along the center line of Fort Washington Avenue in a southwesterly direction to the center line of Meetinghouse Road; THENCE leaving Fort Washington Avenue and extending along the center line of Meetinghouse Road in a northwesterly direction, crossing the bed of Joel Drive to the center line of the Tannery Run Creek; THENCE leaving Meetinghouse Road and extending along the center line of the Tannery Run Creek in a westerly direction along lands now or late of the Tannery Woods Homeowner's Association and crossing the access drive to the Woods Apartments to the center line of the Route 309 Expressway; THENCE leaving the Tannery Run Creek and extending along the Route 309 Expressway in a northerly direction to the center line of Butler Pike; THENCE leaving the Route 309 Expressway extending along the center line of Butler Pike in a westerly direction to the center line of Susquehanna Road; THENCE leaving Butler Pike, extending in a northwesterly direction along the center line of Susquehanna Road and crossing the north branch of the Rose Valley Creek, the bed of Arrowhead Trail, and Willow Avenue to the center line of Tennis Avenue; THENCE leaving Susquehanna Road and extending along the center line of Tennis Avenue in a northeasterly direction (said center line being the common line between the Townships of Upper Dublin and Lower Gwynedd in this area) crossing the beds of Arrowhead Trail, the Route 309 Expressway, Cheston Lane, Gift Circle, Stout Road, Norristown Road, Executive Drive, Jem Drive and Annasmead Road to the intersection of the center lines of Tennis Avenue and Welsh Road, the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Seventh Ward.

**Section 2.** 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 pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing under the Code of the Township of Upper Dublin prior to this amendment; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 3.** The provisions of this Ordinance are severable, and if any chapter, article, 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 chapters, articles, sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of this Board that this Ordinance would have been adopted if such illegal, invalid or unconstitutional chapter, article, 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 December 1, 2002 as required by law.

ENACTED AND ORDAINED this *13<sup>th</sup>* day of *August*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
ROBERT J. PESAVENTO, PRESIDENT

ATTEST:

  
Jonathan K. Bleemer for  
PAUL A. LEONARD, SECRETARY

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**AN ORDINANCE**

NO. 1092

**AN ORDINANCE** To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Entitled Zoning, Article XXI Signs, To Provide That In The EC Employment Center District Two Business Signs Are Permitted On Each Property And All Signs Must Refer To A Use Conducted On The Same Lot Where The Sign Is Located Except For Off-Premises Signs; To Provide That Where An Off-Premises Sign Is Erected Only Two Signs On That Property Are Permitted; To Provide That Any Off-Premises Sign Having A Sign Area Greater Than 25 Square Feet Must Be Located On A Property Adjacent To And Having Frontage Upon A Limited Access Highway And Must Not Be Within 750 Feet Of Another Off-Premises Sign On The Same Side Of The Highway; To Provide That Any Off-Premises Sign Must Be Set Back From The Ultimate Right Of Way Of An Adjacent Street By A Minimum Of 50 Feet And Must Be A Minimum Of 500 Feet From A Single Family Residence District; To Provide That All Off-Premises Signs Must Be Lit From The Bottom Up, Shielded So That The Light Does Not Shine Beyond The Sign Surface And Not Be Illuminated Between The Hours Of 11:00 P.M. And Dawn; And To Provide That Any More Restrictive Code Section, Or Federal Or State Statute Or Regulation Shall Apply To Freestanding Off-Premises Signs.

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

**Section 1.** The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article XXI, Signs, Section 255-155, EC Employment Center Districts, shall be amended to provide as follows:

**Article XXI Signs**

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§ 255-155. EC Employment Center Districts.

In EC Employment Center Districts, the following signs shall be permitted and no other:

- A. Any sign permitted in any other district, provided that the use to which it refers is permitted in the EC Employment Center District and is conducted on the same lot where the sign is located.

B. For any commercial, industrial or office use, a maximum of two business signs are permitted, provided that the sign area of each sign shall not exceed 200 square feet or the sign height exceed 10 feet.

C. Freestanding off-premises signs are permitted as a special exception pursuant to the special exception regulations of this article and the following:

(1) If the provisions with respect to location, use, size or height of signs are more restrictive in the Building Code adopted by Upper Dublin Township or any state or federal statute or regulation, those restrictions shall take precedence over the regulations and restrictions set forth in this article.

(2) A freestanding off-premises sign shall be single-faced but may have two back-to-back advertising surfaces. However, both surfaces shall be the same size and shape, the total length of the sign structure shall not exceed 50 feet, and the sign height shall not exceed 35 feet, with a total copy area not exceeding 675 square feet.

(3) Freestanding off-premises signs having a sign area greater than 25 square feet shall be located only adjacent to a limited access highway on property having frontage on a limited access highway, at a distance of not less than 25 feet from the ultimate right-of-way, and at a distance of not less than 100 feet from any property line. Freestanding off-premises signs having a sign area of 25 square feet or less shall be located no less than 50 feet from the ultimate right-of-way of any public street, and at a distance of not less than 100 feet from any property line.

(4) Except for freestanding off-premises signs having a sign area of 25 square feet or less, an open space of not less than four feet shall be maintained between the lower edge of the freestanding off-premises sign display surface and the ground.

(5) No portion of the supporting structure shall be visible above any advertising display area.

(6) No freestanding off-premises sign shall be located closer than 750 feet to the nearest freestanding off-premises sign on the same side of the highway, regardless of the size of the sign.

(7) No freestanding off-premises sign shall be allowed within 500 feet of a public or private elementary, middle or high school, religious institution or single family residential zoning district.

(8) All freestanding off-premises signs shall be erected on permanent footings or support structures designed by a registered structural engineer.

(9) The owner or applicant, at his sole expense, will remove any freestanding off-premises sign if the sign remains without bona fide advertisement, which shall not include rental of the sign space, for 90 days, or if the right to use the property has expired for any reason whatsoever.

(10) On a lot where an off-premises sign is erected, no more than two signs of any type shall be permitted.

(11) Except for freestanding off-premises signs having a sign area of 25 square feet or less, externally illuminated signs shall be lighted by fixtures mounted at the bottom of the sign and aimed upward. The lighting of all freestanding off-premises signs shall be automatically extinguished between the hours of 11 p.m. and dawn and shall be so designed or fitted with fixtures to concentrate the light output onto and not beyond the sign.

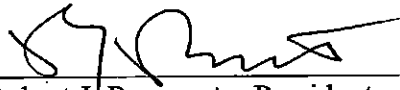
**Section 2.** Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the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

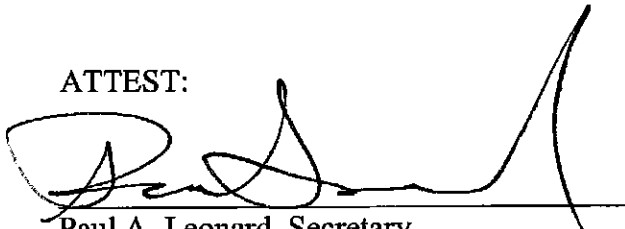
**Section 4.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this 07<sup>th</sup> day of September, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
\_\_\_\_\_  
Robert J. Pesavento, President

ATTEST:

  
\_\_\_\_\_  
Paul A. Leonard, Secretary  
ud\ord\Zoning\signs\billboards\Billboard Ord 09.06.02

AN ORDINANCE

NO. 1093

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 158, Entitled Nuisances, By The Addition Of A New Section 158-14, Entitled "Outdoor Lighting," To Require And Set Minimum Standards For Outdoor Lighting; To Make Such Standards Applicable To Sign, Architectural, Landscape, Lighting Applications Involving Multi-Family Residential, Commercial, Industrial, And Institutional Uses; To Provide Definitions For Footcandle, Full Cutoff Luminaire, Fully Shielded, Glare, Illuminance, Light Trespass, Lumen, Luminaire, Residential; To Establish Illumination Levels For Non-Residential Outdoor Lighting Design; To Provide Regulations For The Control Of Nuisance Lighting And Glare; To Provide For The Submission Of Outdoor Lighting Plans In Conjunction With Subdivision And Land Development Applications; To Provide For Compliance Monitoring; To Provide For Waivers By The Board Of Commissioners; To Establish Penalties For Violation; And To Amend Chapter 212, Subdivision And Land Development, To Provide For The Submission Of Outdoor Lighting Plans As Part Of The Preliminary Plans Filed For Subdivisions And Land Developments.

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, is hereby amended by adding a new Section 158-14, "Outdoor Lighting" to provide as follows:

**§ 158-14. Outdoor Lighting.**

- A. Purpose. To require and set minimum standards for outdoor lighting to:
- (1) Provide appropriate lighting in outdoor public places to protect public health, safety and welfare.
  - (2) Protect drivers and pedestrians from the glare of non-vehicular light sources that impairs vision and safety.
  - (3) Protect the public and the environment from nuisance glare and intrusive, stray, and /or excessive light emitted from poorly or improperly shielded, designed, aimed, placed, applied or maintained light sources.

**B. Applicability.**

- (1) The provisions of this section shall be applicable to all multi-family residential, commercial, industrial and institutional uses, and to residential uses in combination with any of such uses or as specifically set forth herein.
- (2) Appropriate outdoor lighting with adequate nuisance glare-control shall be required for safety and personal security during hours of darkness where there is public assembly and traverse, including but not limited to the following uses: multi-family residential, commercial, industrial, and institutional.
- (3) The glare-control requirements herein contained apply to lighting in all above-mentioned uses as well as, but not limited to, sign, architectural, landscape, and streetscape lighting applications.
- (4) Appropriate officers or agents of the Township may require lighting be incorporated and /or controlled for nuisance glare in residential uses or locations as necessary. Otherwise the provisions of this section shall not be applicable to residential uses.
- (5) The provisions of this section shall not be applicable to public rights of way or to properties owned by Upper Dublin Township or the Upper Dublin School District or to properties used by them for public purposes.

**C. Definitions.** The following words and phrases when used in this section shall have the meanings indicated:

**FOOTCANDLE** – A common unit of light intensity used in the United States and stated in lumens per square foot. It is measurable with a light meter. (Note: LUX is the metric equivalent. There are approximately 10.7 lux per footcandle).

**FULL CUTOFF LUMINAIRE** – A lighting unit in its mounted form that allows no direct light or reflected source image from the lighting unit above a 90 degree plane, and no more than 10% of rated lamp output on an 80 degree plane, at any lateral angle around the fixture.

**FULLY SHIELDED** – Providing internal and/or external shields and louvers to prevent brightness from lamps, reflectors and lenses from causing glare at normal viewing angles.

**GLARE** – The sensation produced by direct lighting that causes an annoyance, discomfort or loss in visual performance and visibility to the eye.

**ILLUMINANCE** – The intensity of incident light at a point, measured in footcandles or lux.

**LIGHT TRESPASS** – Light emitted by a lighting installation which shines beyond the boundaries of the property on which the installation is sited.

**LUMEN** – A unit of measurement of light. One lumen is equal to one footcandle falling onto one square foot of area.

**LUMINAIRE** – A complete luminaire, including a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.

**RESIDENTIAL** – Single family or two family residential.

**D. Criteria.**

**(1) Illumination Levels.**

- (a)** Lighting, where required or permitted by this Section, shall have intensities and uniformity ratios which shall not exceed the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook or separately in IESNA Recommended Practices.
- (b)** Future amendments to such recommended practices shall become a part of this Section without further action of the Township.

**(2) Outdoor Luminaire Design**

- (a)** Luminaires shall be of a type and design appropriate to the lighting application and shall conform to the requirements set forth in this Code
- (b)** For lighting horizontal tasks such as private roadways, sidewalks, entrances and parking areas, full cutoff luminaires shall be used.
- (c)** The use of floodlighting, spotlighting, wall-mounted fixtures, internally illuminated decorative globes and spheres and other

fixtures not meeting "full-cutoff" criteria, shall be permitted only with the approval of the Township, based upon acceptable justification and achievement of adequate glare control.

- (d) Luminaires shall be equipped with light directing and/or shielding devices such as shields, visors, skirts or hoods to redirect offending light distribution and/or to reduce direct or reflected glare.
- (e) A NEMA-head fixture, a.k.a. "barn light" or "dusk-to-dawn light," shall not be permitted where it is visible from a neighboring use or property, unless fitted with a reflector to render it full cutoff. In no case shall the intensity of illumination cast by a source or sources regulated by this section onto an adjacent residential property exceed 0.1 vertical footcandle measured line-of-sight, from anywhere on the adjacent residential property.

(3) Control of Nuisance and Disabling Glare.

- (a) All outdoor lighting shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting light onto a neighboring use or property which interferes with such use or with the enjoyment of such property.
- (b) Only full cutoff luminaires may be used under outdoor canopies. They shall be shielded in such a manner that the edge of the fixture shield shall be level with or below the light source envelope and reflector. Outdoor canopies include, but are not limited to, the following applications:
  - [1] Fuel island canopies associated with service stations and convenience stores.
  - [2] Exterior canopies above storefronts in shopping centers and malls.
  - [3] Exterior canopies above driveways and building entrances.
  - [4] Pavilions and gazebos.

[5] Parking garages with interior lighting visible from the exterior.

- (c) Floodlights and spotlights.. The use of searchlights or laser source lights for advertising or entertainment purposes is prohibited.
- (d) Outdoor lighting shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, that will extinguish such lighting between 11 p.m. and dawn, to reduce energy waste and mitigate nuisance glare and sky-lighting consequences, except as specifically otherwise permitted herein.
- (e) Lighting proposed for use after 11 p.m., or after normal hours of operation, which ever is earlier, for commercial, industrial, or institutional safety applications, shall be reduced by 75% from the permitted illumination levels set forth above from then until dawn.
- (f) All illumination for advertising signs, buildings and/or surrounding landscapes for decorative, advertising or esthetic purposes is prohibited between 11:00 p.m. and sunrise, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing.
- (g) Flagpole lighting sources shall not exceed 10,000 lumens per pole.
- (h) Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- (i) Except as set forth by § 255-155, externally illuminated signs shall be lighted by fixtures mounted at the top of the sign and aimed downward. Such lighting shall be automatically extinguished between the hours of 11 p.m. and dawn. All such fixtures shall be so designed or fitted to concentrate the light output onto and not beyond the sign.

- (j) Full cutoff luminaires shall not be mounted in excess of twenty (20) feet above finished grade unless under a canopy. All other luminaires shall not be mounted in excess of sixteen (16) feet above grade.
- (k) Directional fixtures for such applications as façade, fountain, feature, recreational and landscape illumination shall be aimed so as not to project their output beyond the objects intended to be illuminated, and shall be extinguished between the hours of 11 p.m. and dawn.
- (l) The use of white strobe lighting for tall structures such as smokestacks, chimneys and radio/communications/television towers is prohibited during hours of darkness except as required by the Federal Aviation Administration or other regulatory agency.

(5) Installation.

- (a) For new installations, electrical feeds for fixtures mounted on poles shall be run underground.
  - (b) Poles supporting lighting fixtures for the illumination of parking areas shall be placed a minimum of five (5) feet outside the paved area, or on concrete pedestals at least thirty (30) inches high above the pavement, or otherwise suitably protected from damage by vehicles as approved by the Board of Commissioners.
- (6) Maintenance. Lighting fixtures and ancillary equipment shall be maintained so as always to meet the requirements of this Section.

E. Plan Submission.

- (1) For subdivision and land-development applications and non-residential construction, where site lighting is employed in four or more locations, whether proposed or existing, lighting plans shall be submitted to the Township for review and approval with any preliminary subdivision/land-development plan submission and with any non-residential application for conditional use, special exception, variance or building permit, and shall include:
  - (a) A site plan, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and adjacent use that might be

adversely impacted by the lighting, containing a layout of all proposed fixtures by location, mounting height and type.

- (b) Isofootcandle plots for individual fixture installations, or 10'x10' illuminance-grid plots for multi-fixture installations, which demonstrate compliance with the intensity and uniformity requirements as set forth in this Section. Building and property outlines shall be clearly identified on the layout plots.
- (c) Description of the proposed equipment, including fixture catalog cuts, photometrics, glare reduction devices, lamps, on/off control devices, mounting heights, pole foundation details and mounting methods.

- (3) In all instances where plan submission is required, the Board of Commissioners may require that appropriate steps be taken to mitigate on-site and off-site glare and light intrusion.
- (4) Post-approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the Township for review and approval. A note to that effect shall be placed on the lighting plan. Property owners shall maintain the approved lighting plan and may not alter it without the approval of the Township.

E. Post Installation Inspection. The Township reserves the right to conduct a post-installation nighttime inspection to verify compliance with the requirements of this Section, and if appropriate, to require remedial action at no expense to the Township. A note to that effect shall be placed on the lighting plan.

F. Compliance Monitoring.

- (1) Safety Hazards.
  - (a) If the Building Officer judges a lighting installation creates a safety or personal-security hazard, the person(s) responsible for the lighting shall be notified in writing and required to take remedial action.
  - (b) If appropriate corrective action has not been effected within thirty (30) days of written notification, the Township may commence legal action as provided in paragraphs I. and J. below.
- (2) Nuisance Glare and Inadequate Illumination Levels.

- (a) When the Building Officer judges an installation produces unacceptable levels of nuisance glare, direct skyward light, excessive or insufficient illumination levels or otherwise varies from this Section, the Township may cause written notification of the person(s) responsible for the lighting and require appropriate remedial action.
- (b) If appropriate corrective action has not been effected within thirty (30) days of notification, the Township may commence legal action as provided in Paragraphs I. and J. below.

G. Noncompliant Lighting.

Any lighting fixture or lighting installation existing on the effective date of this Section that does not conform with the requirements of this Section, shall be considered as a lawful nonconformance. Unless minor corrective action is deemed by the Township to be an acceptable alternative, a noncompliant lighting fixture or lighting installation shall be made to conform with the applicable requirements of this Section in any of the following instances:

- (1) When it is deemed by the Township to create a safety hazard or a nuisance.
- (2) When it is replaced, abandoned or relocated.
- (3) When there is a change in use of the property on which the area being illuminated is located.
- (4) Within two (2) years after the effective date of this Section.

H. The Board of Commissioners, upon written application accompanied by a fee of \$100, may grant waivers from the requirements of this section to meet public safety or security concerns, to meet the needs of all-night operations on a property, or where the strict application of the requirements of this section in a commercial, industrial, or institutional application would impose an unreasonable financial hardship or would deprive the applicant the reasonable use of the property. Before acting on the application for a waiver, the Board may require that the applicant submit a lighting plan meeting the criteria set forth in §158-14 above.

I. All appeals from notifications authorized by this section shall be taken to the Board of Commissioners within thirty (30) days of the date of such notification.

J. Violations and Penalties. Violations of this Section shall be enforced in accordance with the provisions of Section 158-9 of this Chapter. The penalties

during any one year period for the first offense shall be \$50, for the second offense \$200, and for the third offense and all other offenses, no less than \$350.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-43, Preliminary plan requirements, subsection D, Proposed features, shall be amended by retitling the section and by the addition of a new paragraph (13), to provide as follows:

§ 212-43. Preliminary subdivision plan requirements.

D. Proposed features. (lots and improvements). All proposed improvements as required by the design standards (accompanied by all supporting documents) shall be shown on the plan.

\* \* \* \* \*

(13) A street lighting plan in accordance with § 158-14 shall be submitted whenever a street is proposed to be constructed or extended.

**Section 3.** The Code of the Township of Upper Dublin, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, Section 212-46, Land development plans, subsection B, Preliminary plan, shall be amended by the addition of a new paragraph (9), to provide as follows:

§ 212-46. Land development plans.

B. Preliminary plan. A preliminary plan shall be submitted and conform to the standards set forth in § 212-43 of this Article, with appropriate data, plus the following information, shown on the plan:

\* \* \* \* \*

(9) An outdoor lighting plan in accordance with § 158-14.

**Section 4.** Nothing in this Ordinance or in Chapter 158 or 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 158 or 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 *8<sup>th</sup>* day of *October*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
ROBERT J. PESAVENTO, PRESIDENT

g:\authordch 158\158-14.ord(revised)  
9.23.02

AN ORDINANCE

NO. 1094

**AN ORDINANCE To Amend The Code Of The Upper Dublin Township To Remove Those Portions Of Chapter 110, Fees And Chapter 192, Sewers Dealing With The Regulation, Maintenance And Installation Of A Sanitary Sewer System In Upper Dublin Township; To Amend Chapter 192, Article II, Connections, To Add Definitions For Operator, To Amend The Definition Of Sewer System And To Provide For The Operator To Issue Sewer Connection Permits And To Inspect Commercial And Industrial Properties Connected To The Sewer System; And, Where Applicable In Chapter 212, Subdivision And Land Development, To Remove The Identification Of The Sewers System In Upper Dublin Township As The "Township" Sanitary Sewer System, In Response To The Purchase Of The Upper Dublin Sanitary Sewer System By The Bucks County Water And Sewer Authority.**

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

**Section 1.** The Code of Upper Dublin Township, Chapter 110, Fees, shall be amended by removing therefrom Section 110-10 in its entirety.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 192, Sewers, shall be amended by removing therefrom in their entirety Article I, Sewer District, Article III, General Provisions, Article IV, Regulations, Article V, Pretreatment of Wastewater, Article VI, Wastewater Discharge Permit Administration, Article VII, Reporting Requirements, Article VIII, Compliance Monitoring, Article IX, Enforcement Remedies, Article X, Affirmative Defenses To Discharge Violations, and Article XII, Ambler Wastewater Treatment Plant.

**Section 3.** The Code of Upper Dublin Township, Chapter 192, entitled Sewers, Article II, Connections, Section 192-6, Definitions, shall be amended by adding thereto a definition of Operator and by amending the definition of Sewer System, to provide as follows:

ARTICLE II, Connections

§ 192-6. Definitions.

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

OPERATOR – The Bucks County Water and Sewer Authority, its successors and assigns, and any other entity lawfully operating a public sewage collection system in the Township

\* \* \* \* \*

SEWER SYSTEM -- Refers to the public sewerage collection system and sewage treatment plant acquired, constructed and operated by an Operator in the Township, and all additions, extensions and improvements thereto.

\* \* \* \* \*

**Section 4.** The Code of Upper Dublin Township, Chapter 192, entitled Sewers, Article II, Connections, Section 192-9, Compliance required; rules and regulations, subsections B, E and G thereof, shall be amended to provide as follows:

§ 192-9. Compliance required; rules and regulations.

No connection shall be made to the sewer system except in compliance with the appropriate ordinances of the township and with such rules and regulations of the township as may be approved from time to time by ordinance of the township. The following rules and regulations are approved for adoption by the township and shall have the force and effect as though promulgated by the township:

\* \* \* \* \*

B. Permit for connection. Before making any connection to the sewer system, a permit must be obtained from the Operator.

\* \* \* \* \*

E. Inspections. The township, the Operator, or their representatives shall have the right of access at all reasonable times to all parts of any industrial or commercial premises connected with the sewer system and to examine and inspect the connections thereto and the plumbing fixtures or any improper connection, installation, maintenance or use. The township and Operator may make reasonable charges for such inspections to users of the sewer system.

\* \* \* \* \*

G. Vacated premises. When premises are vacated, the owner shall give notice thereof to the Operator, and the owner will be responsible for the sewage charges until such notice is given.

\* \* \* \* \*

**Section 5.** The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Section 212.26, Sanitary sewers and on-site disposal, subsections B and C, shall be amended to provide as follows:

§ 212-26. Sanitary sewers and on-site disposal.

\* \* \* \* \*

B. Sewers.

(1) Whenever practicable, sanitary sewers shall be installed and connected to a public sanitary sewer system following review of plans and approval by the Pennsylvania Department of Environmental Resources (DER). In areas not presently served by public sanitary sewers, appropriate sewage disposal must be provided in accordance with the regulations of the DER and, in addition, the installation and capping of sanitary sewer mains and house laterals may be required if studies by the township indicate that extension of public sanitary sewer trunks or laterals to serve the property subdivided appears probable or necessary to protect public health.

(2) When consistent with the Township Sewage Facilities Plan, a sanitary sewer system, with connection to each building in a subdivision or land development, shall be installed at the expense of the applicant or subdivider and connected to a public sanitary sewer system.

\* \* \* \* \*

(4) If outfall sewers are not available in the vicinity, but are considered reasonably necessary in the near future by the township for the area in question, a system of sewers, together with all necessary laterals extending from mains to the street right-of-way line, shall be installed at the expense of the subdivider or applicant. The sewer lines shall be suitably capped at the limits of the subdivision or land development, and the laterals shall be capped at the right-of-way line. The sewer installation shall include the construction within rights-of-way or easements to bring the sewer to the future connection with a public sanitary sewer system.

(5) If sanitary sewers are not to be installed at the time of subdivision, developers shall grant, reserve and set aside easements in the streets and roads for installation and maintenance of sewer lines at such time that the subdivision or land development shall be a part of a public sanitary sewer system.

\* \* \* \* \*

C. Design and construction.

(1) The design and construction of the sanitary sewer system, including size and grade of sewer pipe, manholes, laterals, pumping stations, trenches and all appurtenant work thereto, shall be in

accordance with the Standards of the Bucks County Water and Sewer Authority and the PADEP.

\*\*\*\*\*

(3) Reserved

(4) The sanitary sewer system shall be tested in accordance with the Standards of the Bucks County Water and Sewer Authority and shall be approved by the Township Engineer before buildings are permitted to be connected to the laterals.

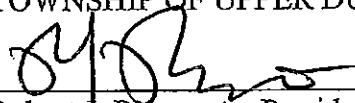
**Section 6.** Nothing in this Ordinance shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

**Section 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 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 8.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this *8<sup>th</sup>* day of *October*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
Robert J. Pesavento, President

ATTEST:

  
Paul A. Leonard, Secretary

udford\Chapter 192\renewal  
7.19.02

AN ORDINANCE  
NO. 1095

AN ORDINANCE, TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 233, VEHICLES AND TRAFFIC, ARTICLE VIII, "SCHEDULES", SECTION 233-54, "PARKING PROHIBITED AT ALL TIMES" BY DELETING "NO PARKING" RESTRICTIONS ON LOCH ALSH AVENUE FOR 25 FEET ON EITHER SIDE OF THE ENTRANCE TO THE UPPER DUBLIN PUBLIC LIBRARY AND BY ADDING A "NO PARKING" RESTRICTION ON THE SOUTH SIDE OF LOCH ALSH AVE. FROM A POINT 365 FEET WEST OF THE WEST SIDE OF FORT WASHINGTON AVE. WESTERLY TO THE ROUTE 309 EXPRESSWAY.

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 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended by deleting the following:

**§ 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:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
* * * * *		
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 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended to provide as follows:

**§ 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:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
	*****	
Loch Alsh Avenue	South	From 365 feet west of the West side of Ft. Washington Ave., westerly to the Route 309 Expressway

\*\*\*\*\*

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.

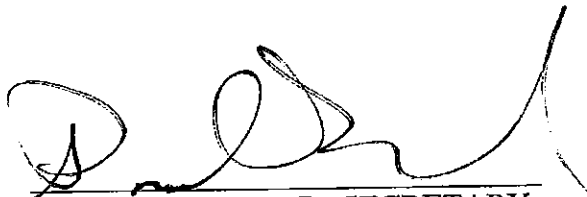
Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, 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*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:



PAUL A. LEONARD, SECRETARY

  
ROBERT J. PESAVENTO, PRESIDENT

ud\ord\CH 233 VEHICLES & TRAFFIC\LochAlsh-No Parking9.17.02

AN ORDINANCE

NO. 1096

**AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 212, Subdivision And Land Development To Clarify The Obligation Of Developers To Reimburse The Township For All Professional Fees And Costs Incurred In The Processing and Reviewing Of Subdivision And Land Development Applications And Plans And The Inspection And Acceptance Of Project Improvements; To Provide That If The Escrow Fund To Pay Such Fees And Costs Is Not Supplemented When Requested, Or The Charges Are Not Reimbursed Within 20 Days Of The Township's Request To Do So, The Township Can Refuse To Issue Permits, Suspend Permits Previously Issued, And Refuse To Release Site Improvement Escrows, In Addition To Other Legal And Equitable Remedies; To Provide That The Costs Incurred By The Township For Which The Escrow Fund Can Be Charged, Include Costs Incurred In Completing Project Improvements Following The Developer's Default, To The Extent The Security Provided By The Developer Is Inadequate.**

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

**Section 1.** The Code of the Township of Upper Dublin, Chapter 212, Subdivision and Land Development, Article VIII, Fees and Conditions of Acceptance, §212-54, Fees and costs, subsection C thereof, is hereby amended to provide as follows:

§212-54 – Fees and costs

\* \* \* \* \*

C. Escrow funds. The applicant shall be required to reimburse the Township for professional fees and other costs incurred in reviewing the plans and/or processing the application and to furnish and maintain a cash escrow fund sufficient for this purpose. The amount of the escrow fund will be initially determined and thereafter it will be supplemented according to a schedule set forth in §110-13 of this Code. Upon completion of the review, whether the application is approved or rejected, any moneys not expended in the review shall be refunded to the applicant. In addition to any legal or equitable remedy, the Township reserves the right to decline the issuance of permits, to suspend any permits previously issued, and to withhold any site improvement releases until receipt of payment if a written statement for a subsequent escrow deposit or a

written statement for the payment of charges remains unpaid for 20 days. The professional fees and costs for which the applicant is responsible and for which the escrow fund is chargeable include:

- (1) Professional services: all services pertaining to the processing of the application, plans, and related documents including any hearings required by the application, rendered by the Township Engineer, Township Solicitor, Traffic Engineer, Landscape Architect, Lighting Consultant, Environmental Consultant, Structural Consultant, and/or other professionals whose advice the Township deems to be necessary in order to properly and fully review the plans submitted.
- (2) Material and facilities tests: the actual cost of all drainage, water and/or material tests.
- (3) Inspection: the cost of inspection by township personnel at a rate per hour determined by the Township Manager on an annual basis.
- (4) Public hearings and advertising, if required.
- (5) Dedication: legal fees, advertising and other costs involved in the dedication of streets, easements and public improvements to the township.
- (6) Recording: actual costs of recording.
- (7) Additional costs: additional costs incurred by the Township in completing project improvements following the default of the Developer to the extent security supplied by the Developer is inadequate.

\* \* \* \* \*


**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 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 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 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.

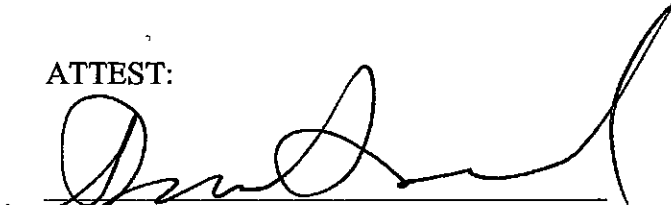
**Section 4.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this *12<sup>th</sup>* day of *November*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
Robert J. Resavento, President

ATTEST:

  
Paul A. Leonard, Secretary

ud\ord\chapter 212ND- Escrow Ordinance 10.15.02

ORDINANCE NO. 1097

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2003

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 2003.

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 2003 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	12,101,568
Receipts from Taxes of Prior Years	32,000
Other Revenues and Receipts	<u>6,538,463</u>
<b>TOTAL ESTMATED RECEIPTS AND CASH</b>	<b>18,672,031</b>

SUMMARY OF ALL APPROPRIATIONS

<b>GENERAL GOVERNMENT</b>	
Administration and Finance	1,715,047
Treasurer and Tax Collector	17,765
Library	691,147
Municipal Buildings	<u>272,426</u>
<b>TOTAL</b>	<b>2,696,385</b>
<b>PROTECTION TO PERSON AND PROPERTY</b>	
Police	4,321,298
Fire	925,033
Emergency Services	<u>210,424</u>
<b>TOTAL</b>	<b>5,456,755</b>

SANITARY SEWER	75,000
SANITATION	2,218,027
CODE ENFORCEMENT	424,147
NON EXPENDABLE TRUSTS	19,400
HIGHWAY AND ENGINEERING	2,363,343
PARKS AND RECREATION	1,396,385
DEBT SERVICE	1,259,639
CAPITAL PROJECTS	
General Capital	935,310
Storm Sewer Management Projects	1,716,000
Open Space	<u>99,390</u>
	<b>TOTAL</b>
	2,750,700
COMMUNITY CONTRIBUTIONS	<u>12,250</u>
<b>TOTAL APPROPRIATIONS</b>	<b>18,672,031</b>

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, 2003.

ENACTED AND ORDAINED THIS 10<sup>th</sup> day of December 2002.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
Robert J. Pesavento, President

ATTEST:   
Paul A. Leonard, Secretary

ORDINANCE NO. 1098

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2003 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2003 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2003 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2003 FOR PARKS AND RECREATION 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 2003, as follows:

Tax rate for General Purposes, the sum of	1.827 mils
on each dollar of assessed valuation, or the sum of	18.27 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	1.827	18.27

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 2003, 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 2003, 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 2003, as follows:

Tax rate for Parks and Recreation, the sum of 0.505 mils  
on each dollar of assessed valuation, or the sum of 5.050 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	.505	5.050

**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.

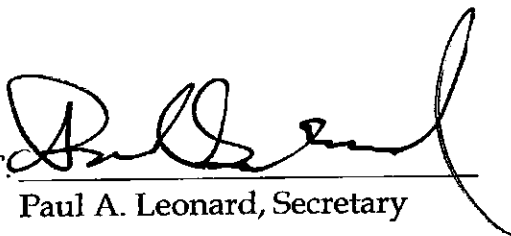
SECTION 8: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, 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, 2003.

ENACTED AND ORDAINED THIS 10<sup>th</sup> day of December 2002.

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY:   
Robert J. Pesavento, President

ATTEST:   
Paul A. Leonard, Secretary

ORDINANCE NO. 1099

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 110, Entitled Fees, To Revise The Current Fee Schedule And To Impose New Fees For Permits, Inspections And/or The Processing Of Plans Relating To Building Construction, Housing, Excavations And Grading, Accessibility Compliance, Food And Beverage Sales, and Subdivision And Land Development Applications, Including Escrow Funds Required In Conjunction With Such Applications.

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", subsection A, 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.

(1) New construction.

(a) Permit fees for new single-family and two-family dwellings, townhouses, and buildings accessory thereto shall be as follows:

[1] The floor area of any proposed building referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building level, excluding unfinished basements and unfinished attics, as determined from the exterior perimeter dimensions of each building level. For the first 1,500 square feet, including attached garages and excluding areas of crawl space, basements and attic space under six feet in height, the basic fee is \$350.

- [2] Where the total floor area of each unit is more than 1,500 square feet: an additional fee of \$100. for each additional 500 square feet, or fraction thereof over 1,500 square feet.
- (b) Permit fees for the construction of multiple dwelling unit structures, such as apartments, dormitories, rooming houses and boardinghouses and buildings accessory thereto shall be as follows:
  - [1] For each dwelling unit: \$200.
  - [2] Buildings accessory to a multiple dwelling unit structures shall be charged in the same manner as the charge for new single-family and two-family dwellings.
- (c) Permit fees for assisted living facilities, skilled nursing care facilities, hotels and similar construction shall be computed in the same manner as provided above in Subsection A(1)(b).
- (d) Permit fees for all non-residential construction shall be as follows:
  - [1] The floor area of any proposed building referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by totaling the area determined from outside building exterior perimeter dimensions at ten-foot intervals from the basement level to the mean roof elevation or top of wall, whichever is higher, or the uppermost level. For the first 1,000 square feet of floor area or fraction thereof: \$400.
  - [2] For the floor area in excess of 1,000 square feet: an additional fee of \$250. for each additional 1,000 square feet or fraction thereof.
- (2) Alterations, residential additions, repairs, demolition and installation of permanent equipment.
  - (a) Permit fees for residential additions shall be as follows:
    - [1] The floor area of any proposed residential addition

referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building level, excluding unfinished basements and unfinished attics, as determined from the exterior perimeter dimensions of each building level. For the first 500 square feet, including attached garages and excluding areas of crawl space, basements and attic space under six feet in height, the basic fee is \$500.

[2] Where the total floor area of each addition is more than 500 square feet: an additional fee of \$450. for each additional 500 square feet, or fraction thereof over 500 square feet.

(b) Permit fees for non-residential additions shall be as follows:

[1] The floor area of any proposed non-residential addition referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building level, excluding unfinished basements and unfinished attics, as determined from the exterior perimeter dimensions of each building level. For the first 1,000 square feet, including attached garages and excluding areas of crawl space, basements and attic space under six feet in height, the basic fee is \$480.

[2] Where the total floor area of each addition is more than 1,000 square feet: an additional fee of \$300. for each additional 1,000 square feet, or fraction thereof over 1,000 square feet.

(c) Permit fees for the alteration or repair of a residential building, the installation of permanent equipment therein, and the repair of miscellaneous structures accessory thereto, shall be as follows:

[1] The floor area of any proposed alteration, repair, or equipment installation referred to in this subsection shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building room or space to be

altered, repaired, or improved with equipment. The floor area for any proposed demolition shall be computed the same as for new construction described in paragraph A.(1) above. For the first 1,500 square feet, including attached garages, the basic fee is \$225.

[2] Where the total floor area of each alteration, repair, demolition, or equipment installation is more than 1,500 square feet: an additional fee of \$75. for each additional 500 square feet, or fraction thereof over 1,500 square feet.

(d) Permit fees for the alteration or repair of a non-residential building, and the installation of permanent equipment therein, and the repair of miscellaneous structures accessory thereto, shall be as follows:

[1] The floor area of any proposed building referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building room or space to be altered, repaired, or improved with equipment. The floor area for any proposed demolition shall be computed the same as for new construction described in paragraph A.(1) above. For the first 1,000 square feet of floor area or fraction thereof: \$300.

[2] For the floor area in excess of 1,000 square feet: an additional fee of \$200. for each additional 1,000 square feet or fraction thereof.

(e) Permit fees for the demolition of a residential or non-residential building shall be based on the estimated cost of demolition:

[1] For the first \$1,000. of estimated cost, the fee is \$30.

[2] For each additional \$1,000. or fraction thereof over \$1,000., the fee is 25.

(f) Permit fees for erection of swimming pools, retaining walls, fences and other structures of a similar nonresidential character shall be as follows:

[1] For every \$1,000. of estimated cost, or fraction thereof, a fee of \$25.

\* \* \* \* \*

(3) Accessibility compliance. An additional charge to review building plans for accessibility compliance shall be made, except in those instances where the plans are for a single-family dwelling or an accessory structure, according to the following schedule:

- (a) Residential structures - \$50.00
- (b) Nonresidential structures - \$100.00

**Section 2.** The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-4, "Basic housing fees", shall be amended to provide as follows:

§ 110-4. Basic housing fees.

For rental units within a single-family home, a permit fee of \$30. per building plus \$15. for each dwelling unit shall be paid at or before the issuance of the permit, which permit shall have a term of term two years.

Apartment and condominium buildings shall have a permit fee of \$40. per unit every two years.

**Section 3.** The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-5, Excavation permits, subsection A, shall be amended to provide as follows:

§ 110-5. Excavation permits. The following permits are issued under Chapter 99, Excavations:

A. Before issuing a grading permit, the appropriate official of the township shall collect a permit fee to be determined as follows:

<u>Volume of Material</u>	<u>Permit Fee</u>
Not more than 50 cubic yards	\$30.00

More than 50 cubic yard and not more than 250 cubic yards	\$35.00
More than 250 cubic yard and not more than 500 cubic yards	\$40.00
More than 500 cubic yard and not more than 1,000 cubic yards	\$45.00
More than 1,000 cubic yards	\$50.00, plus \$5.00 for each additional 1000 cubic yards or portion thereof

B. The fee for an inspection shall be \$25.00 per ½ hour in addition to the permit fee above.

**Section 4.** The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-6, Food and Beverages, shall be amended to provide as follows:

§ 110-6. Food and beverages.

The following fees shall be paid pursuant to Chapter 125, Food and Beverages:

A. Retail food establishments, such as grocery stores. A license and inspection fee shall be paid by the applicant on or before the issuance of the permit as follows:

<u>Floor Area</u>	<u>Inspection Fee</u>
Under 5,000 square feet	\$100.00
Each additional 2,500 square feet or fraction thereof	\$ 40.00

\* \* \* \* \*

C. Public drinking and eating establishments. The following fees shall be paid by the applicant:

(1) License and inspection fees shall be paid before the issuance of the

permit in accordance with the following schedule:

<u>Number of Seats</u>	<u>Inspection Fee</u>
0 to 25	\$100.00
26 to 75	\$125.00
76 to 125	\$200.00
126 to 175	\$250.00
Over 175	\$300.00

- (2) Food facilities plan review fee: \$100.

\*\*\*\*\*

**Section 5.** The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-13, Subdivision and land development, shall be amended to provide as follows:

§ 110-13. Subdivision and land development.

In accordance with Chapter 212, Subdivision and Land Development, the following fees shall be charged:

A. Plan processing.

- (1) Sketch plan - \$120
- (2) Minor subdivision plan
- (a) Residential

Number of Lots

2 to 5	\$ 60.00 plus \$10.00 per lot
6 to 10	\$120.00 plus \$10.00 per lot

(b) Nonresidential - \$120.00 plus \$30 per lot

- (3) Preliminary/final plan (one time charge)

(a) Residential

Number of Units

2 to 5	\$120.00 plus \$15.00 per unit
6 to 10	\$240.00 plus \$15.00 per unit
11 to 20	\$360.00 plus \$15.00 per unit
21 to 99	\$480.00 plus \$15.00 per unit
100 or more	\$600.00 plus \$15.00 per unit

(b) Nonresidential: \$250.00, plus \$60.00 per acre.

\* \* \* \* \*

C. Escrow Fund. An initial escrow fund will be established for each subdivision or land development plan filed (including sketch plans) out of which those charges set forth in §212-54(C) will be paid, according to the schedule below. If a single filing encompassing both subdivision and land development is received, the required escrow will be the largest sum calculated from this schedule. If the escrowed amount falls below 25% of the initial deposit a subsequent escrow deposit will be required. In addition to any other legal or equitable remedy, the Township reserves the right to suspend the processing of plans, to decline the issuance of permits, to suspend any permits previously issued, and to withhold any site improvement releases until receipt of payment if a written statement for a subsequent escrow deposit or a written statement for the payment of charges remains unpaid for 20 days.

(1) Initial escrow deposit:

(a) Subdivision plans, per lot	\$ 500.00
(b) Land Development plans	\$ 2000.00
Plus per disturbed acre or portion thereof	\$ 400.00
(c) Amendments to approved or recorded plans	\$ 800.00

(2) Subsequent escrow deposit: the amount of the initial deposit or the estimated amount of the additional costs, whichever is the lesser.

\* \* \* \* \*

**Section 6.** 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 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.

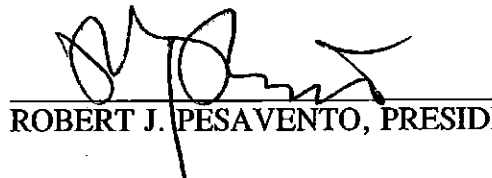
**Section 8.** This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this *10<sup>th</sup>* day of *December*, 2002.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

ATTEST:

  
\_\_\_\_\_  
PAUL A. LEONARD, SECRETARY

  
\_\_\_\_\_  
ROBERT J. PESAVENTO, PRESIDENT