

UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u> |
|------------|-------------|---|
| 600 | 1980 | Fire Hydrant assessment |
| 601 | 1981 | Amends Title 9 – Design standards and yard tree regulatory zones |
| 602 | 1981 | Rezones tract to MHD - Mobile Home Development District |
| 603 | 1981 | Regulates dealers of used precious metals, jewelry and coins |
| 604 | 1981 | Rezones Amtrak tract to LIM - Limited Industrial District |
| 605 | 1981 | Sidewalks along Pennsylvania Ave between Summit and Commerce Dr |
| 606 | 1981 | Rezones Prudential Insurance Co. tract to OC-Office Center District |
| 607 | 1981 | Rezones Raymond H. Miller & Marie Jahn Tracts to B-Residential |
| 608 | 1981 | Bond ordinance |
| 609 | 1981 | Sewer connection fees and rates |
| 610 | 1981 | Street light assessment |
| 611 | 1981 | Fixes Tax Rate for 1982 for general purposes |
| 612 | 1981 | Fixes Tax Rate for 1982 for Debt Service |
| 613 | 1981 | Establishes meeting dates for 1982 |
| 614 | 1981 | Appropriates sums for 1982 |
| 615 | 1981 | Fixes tax rate for 1982 for Parks & Recreation |
| 616 | 1981 | Fixes tax rate for Fire Protection for 1982 |
| 617 | 02/09/1982 | Adopts BOCA Basic Building Code of 1981 |
| 618 | 02/23/1982 | Amends Title 5 – Sewer Connections |
| 619 | 02/23/1982 | Adopts BOCA Basic Plumbing Code of 1981 |
| 620 | 02/23/1982 | Adopts BOCA Basic Fire Prevention Code of 1981 |

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| <u>No.</u> | <u>Date</u> | <u>Description</u> |
|------------|-------------|--|
| 621 | 02/23/1982 | Adopts BOCA Basic Property Maintenance Code of 1981 |
| 622 | 04/13/1982 | Rezones area at Farm Lane and Highland Avenue to B-Residential |
| 623 | 04/13/1982 | Rezones Burn Brae Golf Course RE - Recreational District |
| 624 | 04/13/1982 | Prohibits raccoons as permitted animal in Township |
| 625 | 04/13/1982 | Increases Planning Advisory Board number from 7 to 9 |
| 626 | 07/13/1982 | Amusement Games |
| 627 | 07/13/1982 | Prohibits use of certain Township streets by trucks or commercial vehicles |
| 628 | 10/12/1982 | Amends Title 10 to provide for amusement games |
| 629 | 12/14/1982 | Refinances 1981 Issue – Bond Ordinance |
| 630 | 12/14/1982 | Unexcused absences of Board members |
| 631 | 12/14/1982 | Restricts truck parking in residential districts |
| 632 | 12/24/1982 | Fire Prevention Amendment |
| 633 | 12/22/1982 | Appropriates sums for 1983 |
| 634 | 01/03/1983 | Street light assessment |
| 635 | 01/11/1983 | Fixes tax rate for general purposes |
| 636 | NONE | DOES NOT EXIST |
| 637 | 02/08/1983 | Establishes meetings for 1983 |
| 638 | 03/15/1983 | Ordains Kirks Lane / Harris Road Sewers |
| 639 | 04/12/1983 | Electronic Speed Traffic Devices (ESP) authorization |
| 640 | 06/14/1983 | Weed Ordinance |
| 641 | 06/14/1983 | Amends Title 3, Building Code |

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| <u>No.</u> | <u>Date</u> | <u>Description</u> |
|------------|-------------|--|
| 642 | 06/14/1983 | Amends Title 3, Electrical Wiring |
| 643 | 07/12/1983 | Amends Title 7, Alarm Devices |
| 644 | 07/12/1983 | Amends Title 10, Mixed Residential District (MRD) |
| 645 | 07/12/1983 | Rezones Donahue Tract to MRD (Dublin Meadows) |
| 646 | 10/11/1983 | Revises Amusement Ordinance |
| 647A | 10/11/1983 | Rezones Jacob Property (Summit Avenue) |
| 647 | 10/11/1983 | Parking in Industrial Zones |
| 648 | 12/13/1983 | Sidyard Requirements |
| 649 | 12/13/1983 | Amends Title 10, Development Requirements |
| 650 | 12/27/1983 | 1984 Budget |
| 651 | 01/03/1984 | Fixes tax rate for 1984 |
| 652 | 01/03/1984 | Fixes street light assessment for 1984 |
| 653 | 01/03/1984 | Establishes meeting dates for 1984 |
| 654 | 01/03/1984 | Amends Title 2, Discounts & penalties for sewer rental fees |
| 655 | 01/03/1984 | One way traffic on Renfrew Avenue |
| 656 | 01/17/1984 | Snow and Ice penalty |
| 657 | 01/17/1984 | Amends Title 2, Fees, Rates and Permits |
| 658 | NONE | DOES NOT EXIST |
| 659 | 03/13/1984 | Building permit fees for new commercial and industrial buildings |
| 660 | 04/11/1984 | Amends Title 7, Board of Animal Regulation |
| 661 | 05/08/1984 | Mail Box placement |

UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u> |
|------------|-------------|--|
| 662 | 06/12/1984 | Curb installation and assessment on Fort Washington Ave between Limekiln Pike & Welsh Road |
| 663 | 06/12/1984 | Planned Residential Areas |
| 664 | 06/12/1984 | Spillage clean-up and costs connected |
| 665 | 08/14/1984 | Day care facilities |
| 666 | 07/10/1984 | Laying out of Indiana Avenue |
| 667 | 07/10/1984 | Vacates Indiana Avenue |
| 668 | 09/11/1984 | Realigns wards |
| 669 | 09/11/1984 | Bulk Food regulations |
| 670 | 11/13/1984 | Vaccination of cats against rabies |
| 671 | 11/13/1984 | Amends Title 2, Fees, Rates and Permits |
| 672 | 11/13/1984 | Provides for Life Care Complex |
| 673 | 11/13/1984 | Amends zoning map for Three Tuns School (Life Care Complex) |
| 674 | 11/13/1984 | Condemnation of right of way for Rapp Run Interceptor I |
| 675 | 12/18/1984 | 1985 Budget Adoption |
| 676 | 12/18/1984 | Sets Tax Rate for 1985 |
| 677 | 12/18/1984 | Fixes assessment for street lighting for 1985 |
| 678 | 01/22/1985 | Establishes meeting dates for Commissioners |
| 679 | 01/22/1985 | Increases treasurer's salary |
| 680 | 02/12/1985 | Water conservation ordinance |
| 681 | 02/12/1985 | Condemnation of rights of way for Dublin Meadows |
| 682 | 02/26/1985 | Pinetown Road Reconstruction assessments |

UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u> |
|------------|-------------|---|
| 683 | 04/19/1985 | Amends Title 7, Alarm Devices |
| 684 | 05/14/1985 | Condemnation of Laurence Silver property at Meetinghouse and Fort Washington Avenue |
| 685 | 05/14/1985 | Amends BOCA Plumbing code |
| 686 | 06/11/1985 | Widening of Virginia Dr at Susquehanna & condemnation of same |
| 687 | 07/09/1985 | Laying out Randolph Avenue |
| 688 | 07/09/1985 | Vacates Randolph Avenue |
| 689 | 08/13/1985 | “LIM” Limited Industrial Development |
| 690 | 08/13/1985 | Municipal Industrial Pre-Treatment Program |
| 691 | 09/10/1985 | Rezones 449 Pennsylvania Avenue to “CR” |
| 692 | 09/10/1985 | Amends Title 10, Floodplain conservation District |
| 693 | 09/10/1985 | Amends Title 10, Accessory Uses |
| 694 | 09/10/1985 | Dublin Downs Sewer Project |
| 695 | 10/01/1985 | Refinances 1982 Bond Series |
| 696 | 10/08/1985 | Joint Bidding with Upper Moreland |
| 697 | 10/08/1985 | Contribution for Road Improvements |
| 698 | 11/12/1985 | Rezones Buerger property |
| 699 | 11/12/1985 | Amends Title 2, Fees, Rates and Permits |

ORDINANCE No. 600

AN ORDINANCE ESTABLISHING AN ANNUAL ASSESSMENT FOR FIRE HYDRANTS IN THE FIRE AND WATER DISTRICT OF UPPER DUBLIN TOWNSHIP, EFFECTIVE AS OF JANUARY 1, 1981, AND THEREAFTER.

The Board of Commissioners of Upper Dublin Township hereby enacts and ordains:

SECTION 1. That the cost and maintenance of fire hydrants for fire protection within the Township of Upper Dublin is hereby distributed according to an annual assessment of one-half (1/2) mill on the dollar or the sum of five (5) cents on each hundred dollars (\$100.00) of assessed valuation, on all property within the Fire and Water District of Upper Dublin Township, established by Ordinance No. 543.

SECTION 2. Ordinance No. 544 is hereby repealed.

ORDAINED AND ENACTED this 30th day of December, A.D. 1980.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Attest

Harry Wardle
Secretary

By

C. J. [Signature]
President

ORDINANCE NO. 601

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 9, LAND DEVELOPMENT AND SUBDIVISION, ARTICLE 4, DESIGN STANDARDS, SECTION 4.19, 3 (e), YARD TREE REGULATORY ZONES.

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

SECTION 1. That Section 4.19, 3 (e), of Article 4, Title 9, shall be repealed and the following substituted therefor:

Yard Tree Regulatory Zones. Yard tree regulatory zones shall include all zoning districts of the Township.

ENACTED AND ORDAINED this 14th day of April, 1981.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Cappaw President

Attest M. H. H.
Secretary

ORDINANCE No. 602

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP BY DESIGNATING THE HEREIN DESCRIBED TRACT FROM SC-SHOPPING CENTER DISTRICT AND A-RESIDENTIAL DISTRICT TO MHD-MOBILE HOME DEVELOPMENT DISTRICT.

The Board of Commissioners of the Township of Upper Dublin do hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from SC-Shopping Center District and A-Residential District to MHD-Mobile Home Development District:

ALL THAT CERTAIN piece or parcel of ground, with the building and improvements thereon erected SITUATE in Upper Dublin Township, Montgomery County, Pennsylvania, and described according to a Plan of Property prepared for J. T. Jackson Co., "Maple Glen", made by C. Raymond Weir, Registered Professional Engineer, dated July 8, 1958, as follows, to wit:

BEGINNING at a point formed by the intersection of the center line of Welsh Road (40 feet wide)(dividing the Townships of Upper Dublin and Horsham) with the center line of Limekiln Pike (50 feet wide); thence extending from said point of beginning South 07 degrees 39 minutes West along the center line of Limekiln Pike 617.95 feet to a point in the center line of Norristown Road (33 feet wide); thence extending North 84 degrees 20 minutes West along the center line of Norristown Road 1294.70 feet to a point; thence extending North 46 degrees 25 minutes East crossing the Northerly side of Norristown Road, also crossing the Southwesterly side of Welsh Road 1338.93 feet to a point in the center line of same; thence extending South 42 degrees 26 minutes East along the center line of Welsh Road aforesaid 594.00 feet to the first mentioned point of intersection and place of beginning.

CONTAINING in area 18.258 acres, more or less.

ENACTED AND ORDAINED this 12th day of May A.D. 1981.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By [Signature] President

Attest [Signature]
Secretary

TOWNSHIP OF UPPER DUBLIN

ORDNINANCE NO. 603

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, TO REQUIRE DEALERS IN PRECIOUS METALS TO ACQUIRE A LICENSE, POST PRICE SIGNS, MEET WEIGHING REQUIREMENTS, KEEP RECORDS, AND PROVIDE PENALTIES FOR VIOLATIONS.

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

SECTION 1: Chapter shall be added to the CODE of the Township of Upper Dublin entitled "Precious Metals".

SECTION 2: Definitions. The following definitions shall be applicable in this Ordinance:

A. Precious Metals

Items of gold, silver, platinum, and their alloys, including but not limited to jewelry but excluding coins and bullion.

B. Dealer in Precious Metals.

An individual, partnership, association, corporation or other business entity including an itinerant merchant doing business in the Township of Upper Dublin which purchases or makes appraisals of precious metals and their alloys for resale to refiners, brokers, or the public.

SECTION 3: Licenses

A. No license shall be issued unless the applicant furnishes the Township with an application setting forth the following:

1. The name, home, and business address and telephone number of the dealer in precious metals;

2. The exact location(s), if other than the business address of the dealer, where transactions in precious metals are to be conducted;

3. Such other information as the Township may require.

B. The licensee shall notify the Township, in writing, within seventy-two (72) hours of any changes in the information supplied to the Township.

C. The applicant for a license hereunder shall pay an annual license fee of One Hundred Dollars (\$100.00).

D. The license shall be prominently displayed on the premises.

E. Each license shall be valid for one place of business only. A dealer with more than one place of business must secure a license for each location.

F. All licenses shall be conditioned upon continued compliance with the provisions of this Ordinance. Any licensed dealer who violated any provisions of this Ordinance in addition to the fine prescribed by this Ordinance shall have his license revoked by the Township.

SECTION 4: Weighing Devices. All scales or other devices used by dealers to weight precious metals must be of the type approved for commercial use in the Commonwealth of Pennsylvania and must be inspected and sealed by the Bureau of Weights and Measures.

A. the dealer of precious metals must notify the Montgomery County Bureau of Weights and Measures whenever a weighing device is moved from one location to another.

B. All weighing devices shall be so positioned that their indications may be accurately read and the weighing operation observed by the seller.

SECTION 5: Price Posting. The dealer shall post a conspicuous sign in proximity to the place where weighings are made quoting the prices offered for the various units and fineness of precious metals.

SECTION 6: Records Required. All dealers in precious metals shall maintain records of each transaction in which they purchase precious metals from the public or give a statement of appraisal. Such information will be kept in a bound book and shall include, at least, the following information:

A. The name, current address and telephone number of the person making the transaction as evidenced by two documents of identification, one of which must prove the individual is at least eighteen (18) years of age.

B. The date and time of transaction.

C. An accurate description of each item.

D. The source of acquisition.

E. The name, current address and telephone number of the purchaser of such property.

6. Such other information as the Chief of Police shall require.

SECTION 7: Police Inspection. The book required by Section 6 shall be subject to the periodical inspection and approval of the Upper Dublin Township Police Department.

A. The dealer shall return to the office of the Chief of Police a sheet, to be furnished by the Police Department, showing all business transacted the previous week, and giving the information required by Section 6.

B. The information given to the Police Department shall be made under penalty of prosecution pursuant to 18 Pa.C.S. 490-1(b) (relating to unsworn falsification to authorities).

SECTION 8. Retention of Articles. The dealer shall retain articles purchased for a period of fifteen (15) days in their original condition and such articles shall be subject to examination by the Police Department.

SECTION 9. Transactions Prohibited. No dealer, or his clerk or employee, shall purchase any article from any person under eighteen (18) years of age, anyone intoxicated, any habitual drunkard, or any person known to be a thief, an associate of thieves or receiver of stolen property, or any person he has reason to suspect to be such, and must require that valid identification be presented to the dealer prior to the transaction of any business.

SECTION 10. Exception Clause. This Ordinance shall not apply to the purchase by a retailer of merchandise from an established wholesaler located within or outside of the boundaries of Upper Dublin Township.

SECTION 11. Penalty. Any dealer in precious metals who violates any provisions of this Ordinance shall, upon summary conviction, be subject to a fine of not more than Three Hundred Dollars (\$300.00) and costs, and, in default of payment thereof, shall be imprisoned for not more than thirty (30) days.

ENACTED into an Ordinance this *8th* day of *September*, 1981.

Attest:

Harry Wardle

Acting Secretary

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Christopher*

President

ORDINANCE No. 604

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP BY DESIGNATING THE HEREIN DESCRIBED TRACT FROM MOTEL-MOTOR INN-MOTOR LODGE DISTRICT (M) TO LIMITED INDUSTRIAL DISTRICT (LIM).

The Board of Commissioners of the Township of Upper Dublin do hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from Motel-Motor Inn-Motor Lodge District (M) to Limited Industrial District (LIM):

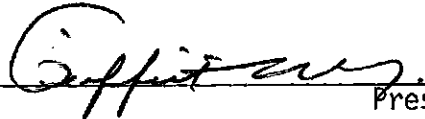
BEGINNING at a point, which point is measured from a point at the intersection of the center lines of Delaware Drive and Commerce Drive, thence South 37 degrees 25 minutes 33 seconds West along the center line of Commerce Drive, formerly Pinetown Road, a distance of 665.36 feet to a point, the place of beginning.

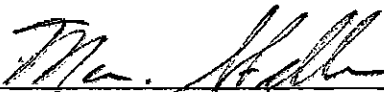
THENCE South 52 degrees 35 minutes 7 seconds East a distance of 734.64 feet to a point, thence South 76 degrees 21 minutes 45 seconds West a distance of 790.17 feet to a point, thence North 52 degrees 35 minutes 7 seconds West a distance of 237.43 feet to a point, thence North 37 degrees 24 minutes 53 seconds East a distance of 614.75 feet to a point, the place of beginning.

CONTAINING in area 6.74 acres, more or less.

ENACTED and ORDAINED this 9th day of June, A.D. 1981.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By  President

Attest  Secretary

ORDINANCE No. 605

AN ORDINANCE PROVIDING FOR THE LAYING OUT, ESTABLISHMENT AND CONSTRUCTION OF A SIDEWALK, AND INCLUDING THE ESTABLISHMENT OF GRADES AND SPECIFICATIONS THEREFOR, WITHIN THE RIGHT OF WAY LINE ALONG PENNSYLVANIA AVENUE BETWEEN THE INTERSECTION OF SUMMIT AVENUE AND THE INTERSECTION OF COMMERCE DRIVE IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, LEVYING COSTS THEREOF AND PROVIDING FOR THE COLLECTION THEREOF BY LIEN.

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

SECTION 1. A sidewalk shall be laid out, graded, constructed, and paved within the right of way line along Pennsylvania Avenue in Upper Dublin Township between the intersection of Summit Avenue and the intersection of Commerce Drive, in the Township of Upper Dublin, Montgomery County, Pennsylvania. The sidewalk shall be forty-eight (48) inches wide along its entire length and plans and specifications therefor shall be prepared by the Township Engineer in accordance with design criteria as contained in the subdivision regulations of the Township. The Township Engineer is authorized to change the lines of the said sidewalk in order to preserve healthy shade trees. All other obstructions interfering with the free and full construction of such work are hereby declared to be nuisances and may be removed or changed by or under the direction of the Township Engineer.

SECTION 2. A list containing the names and addresses of each property owner of property abutting such sidewalk, and the address and legal description of each property abutting such sidewalk shall be prepared by the Township Manager who shall give notice in writing thereof to each property owner by certified mail within ten (10) days of the enactment of this ordinance.

SECTION 3. Grading, construction and paving of such sidewalk shall be performed by the Township and the cost thereof shall be and it is hereby assessed against the owners of abutting property. The cost of the entire work shall be paid by the owners of abutting real estate by an assessment on the front foot method; provided that the cost of installation of driveway aprons shall be separately calculated and assessed upon the owners of properties where such aprons are required.

SECTION 4. Upon completion of the said project and determination of all costs in connection therewith, the Township Engineer shall deliver the same in writing to the Secretary of the Township, who shall cause thirty (30) days' notice of the assessment of costs to be given to each party assessed, either by service on the owner, or his or its agent, or left on the assessed premises, in accordance with the provisions of the First Class Township Code and the Acts of Assembly in such case made and provided.

SECTION 5. If any assessment shall remain unpaid at the expiration of the thirty (30) days of the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from thirty (30) days after the


completion of the improvement, 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, and shall collect the same together with interest and costs in accordance with 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. Municipal claims or liens for unpaid assessments must be filed in the Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement, the date of which shall be certified by the Township Engineer to the Board of Commissioners.

SECTION 6. Any owner of property assessed shall have the option of paying the same in five (5) equal annual installments, bearing interest at the rate of six percent (6%), provided First, the first installment be paid within thirty (30) days of the receipt of notice of said assessment and each annual installment, with interest at the expiration of each annual period succeeding date of the assessment. Second, that notice of intention to exercise such option given on a blank to be prepared by the Secretary of the Board of Township Commissioners containing such stipulations as the Board shall require to be filed at the time of paying the first installment, and Third, that a lien shall be duly filed for the amount of the remaining installments of the assessments, which lien shall not be prosecuted so long as the installments are duly paid. Upon default in the payment of a current installment, the entire unpaid balance, plus a penalty of five percent (5%) of the unpaid balance, interest at six percent (6%), and costs shall become immediately payable and collectable.

SECTION 7. If anyone, who has not elected to pay by installments, shall fail to pay his or her assessment for thirty (30) days after the assessment shall have been levied and served, then there shall be imposed the penalty of five percent (5%) for failure to pay within that time. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

ENACTED AND ORDAINED this 9th day of June, A.D. 1981.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By  President

Attest 
Secretary

ORDINANCE NO. 606

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED TRACT FROM A-RESIDENTIAL DISTRICT TO OC-OFFICE CENTER DISTRICT.

The Board of Commissioners of the Township of Upper Dublin do hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from A-Residential District to OC-Office Center District:

ALL THAT CERTAIN lot or piece of ground SITUATE in Upper Dublin Township, Montgomery County, Pennsylvania described as follows to wit:

BEGINNING at a point of intersection which the center line of Dreshertown Road (50.00 feet wide) makes with the southwesterly side of Welsh Road (85.00 feet wide in this area as widened by the Pennsylvania Department of Transportation) produced; thence partly along the northeasterly end of Dreshertown Road and along the southwesterly side of Welsh Road by a line parallel with the center line of Welsh Road and 40.00 feet southwest therefrom South 49 degrees 16 minutes 47 seconds East 638.60 feet to a point; thence South 40 degrees 43 minutes 13 seconds West 5.00 feet to a point on the southwesterly side of Welsh Road; thence along the said side of Welsh Road by a line parallel to the center line and 45.00 feet southwest therefrom the two following courses and distances: (1) South 49 degrees 16 minutes 47 seconds East 31.33 feet to an angle point; thence (2) South 49 degrees 27 minutes 47 seconds East 338.81 feet to a point; thence North 40 degrees 32 minutes 13 seconds East 5.00 feet to a point on the southwesterly side of Welsh Road; thence along the said side of Welsh Road by a line parallel with the center line and 40.00 feet southwest therefrom South 49 degrees 27 minutes 47 seconds East 240.00 feet to a point; thence South 40 degrees 32 minutes 13 seconds West 5.00 feet to a point on the southwesterly side of Welsh Road; thence along the said side of Welsh Road by a line parallel to the center line and 45.00 feet southwest therefrom South 49 degrees 27 minutes 47 seconds East 100.29 feet to a point, a corner of land of The Prudential Insurance Company of America; thence along land of The Prudential Insurance Company of America the two following courses and distances: (1) South 41 degrees 02 minutes 27

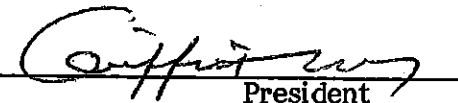
seconds West 1,297.97 feet to an angle point; thence (2) South 41 degrees 01 minutes 19 seconds West 1,482.97 feet to a point; thence North 48 degrees 56 minutes 42 seconds West 1,157.26 feet to a point; thence South 40 degrees 47 minutes 00 seconds West 49.50 feet to a point; thence North 48 degrees 40 minutes 00 seconds West and partly crossing Dreshertown Road 148.53 feet to a point on the center line of Dreshertown Road; thence along the said center line of Dreshertown Road as shown on a plan prepared by A. Raymond Weir dated July 5, 1957 the four following courses and distances: (1) North 40 degrees 47 minutes 00 seconds East 323.66 feet to an angle point; thence (2) North 47 degrees 35 minutes 00 seconds East 234.94 feet to an angle point; thence (3) North 42 degrees 37 minutes 00 seconds East 77.1 feet to an angle point; thence (4) North 22 degrees 06 minutes 00 seconds East 215.55 feet to an angle point; thence still along the center line of Dreshertown Road North 41 Degrees 00 minutes 00 seconds East 1,986.65 feet to a point on the aforementioned southwesterly side of Welsh Road produced, the place of BEGINNING.

ENACTED AND ORDAINED this *11th* day of *August*, 1981.

Attest:

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP


Secretary

By: 
President

ORDINANCE No. 607

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP BY DESIGNATING THE TWO TRACTS DESCRIBED HEREIN FROM A-RESIDENTIAL DISTRICT TO B-RESIDENTIAL DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tracts from A-Residential District to B-Residential District:

Tract One:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, with the buildings and improvements constructed thereon, as shown on a Lot Location Plan of Property of Raymond H. Miller, Jr. and Mary Louise, his wife, dated 4/29/71, as prepared by C. Raymond Weir Associates, Inc., Civil Engineers and Surveyors, Ambler, PA, bounded and described as follows, to wit:

BEGINNING at a point on the southwesterly right of way line of Woodland Road, 40 feet wide, formerly Tyson Lane, which said point of beginning, being a corner between this and land of Marie Jahn; thence along the same South 56 degrees 47 minutes 50 seconds West 462.25 feet to a point in line of land of Upper Dublin Township; thence along the same the three following courses and distances to wit: 1. North 38 degrees 37 minutes 10 seconds West 73.22 feet to a point a corner, 2. South 54 degrees 30 minutes 43 seconds West 213.76 feet to a point a corner, 3. North 40 degrees 08 minutes 30 seconds West 193.77 feet to a point a corner of land of William and Margaret M. Risko; thence along the same and passing through the bed of Paul Avenue North 14 degrees 56 minutes 44 seconds East 26.21 feet to a point on the centerline of Paul Avenue, not open; thence along the same, by a curved line bearing to the right in a northwesterly direction with a Radius of 218.59 feet, the Arc distance of 101.18 feet, to a point of tangency; thence still along the centerline of Paul Avenue North 48 degrees 32 minutes West 35.10 feet to a point a corner of land of Upper Dublin Township Burn Brae Golf Course; thence along the same North 55 degrees 24 minutes 24 seconds East 728.42 feet to a point a corner of Parcel 'A'; thence along the same South 34 degrees 35 minutes 36 seconds East 180.00 feet on the northwesterly right of way line of Paul Avenue, not open; thence along the same South 55 degrees 24 minutes 24 seconds West 4.15 feet to a point of curvature; thence by a curved line bearing to the left in a southwest to southeast direction with a Radius of 40.00 feet, the Arc distance of 68.98 feet, to a point of tangency on the aforementioned southwesterly right of way line of Woodland Road, 40 feet wide; thence along the same South 43 degrees 24 minutes 10 seconds East 189.70 feet to the point and place of beginning.

CONTAINING in Area 5.92 Acres of land be the same more or less.
BEING Parcel 'B' as shown on the lot location plan.

Tract Two:


ALL THAT CERTAIN tract or piece of land, with the buildings thereon erected, Situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described according to a survey made by Albright & Mebus, Civil Engineers, dated September 7, 1926, as follows, to wit:

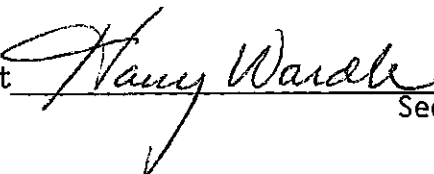
BEGINNING at a point of tangent in the northwesterly side of Paul Avenue 40 feet wide, at the distance of 13.34 feet southwestwardly from the intersection which the said side of Paul Avenue produced makes with the southwesterly side of Tyson Lane 40 feet wide produced; thence along the said side of Paul Avenue South 55 degrees 35 minutes West 447.74 feet to a point an angle in Paul Avenue; thence North 34 degrees 29 minutes 35 seconds West 1.00 foot to a point a corner of land now or late of Philip Wunderle; thence by the same North 39 degrees 37 minutes 10 seconds West 199.48 feet to a point; thence along the rear line of certain other lots fronting on the southeasterly side of another part of Paul Avenue North 56 degrees 47 minutes 50 seconds East 441.93 feet to a point in the aforesaid side of Tyson Lane; thence by the same South 43 degrees 24 minutes 10 seconds East 143.27 feet to a point of curve; thence still along the same by a line curving to the left with a radius of 344.69 feet, the distance of 37.29 feet to a point of reverse curve; thence southwestwardly by a line curving to the right with a radius of 10 feet the distance of 18.36 feet to the place of beginning.

CONTAINING 2.014 acres.

ENACTED AND ORDAINED this 10th day of November, A.D. 1981.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By  President

Attest  Secretary

TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania

ORDINANCE NO. 608

AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE TOWNSHIP BY THE ISSUANCE OF \$2,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES OF 1981 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE CONSTRUCTION OF RENOVATIONS, ADDITIONS AND IMPROVEMENTS TO THE TOWNSHIP BUILDING, INCLUDING THE PURCHASE OF FIXTURES, FURNITURE AND EQUIPMENT THEREFOR, THE REIMBURSEMENT TO THE TOWNSHIP FOR MONEYS ADVANCED FOR THE ACQUISITION OF LAND FOR THE TOWNSHIP'S BURN BRAE GOLF COURSE, THE CONSTRUCTION OF IMPROVEMENTS TO THE CLUBHOUSE FACILITIES AT THE BURN BRAE GOLF COURSE, THE CONSTRUCTION OF IMPROVEMENTS TO THE TOWNSHIP'S STORM SEWER AND DRAINAGE SYSTEM, THE WIDENING AND RECONSTRUCTION OF PINETOWN ROAD, AND THE PAYMENT OF THE COSTS OF THE FINANCING; AUTHORIZING THE PREPARATION OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF BONDS AND COUPONS; SETTING FORTH THE STATED PRINCIPAL MATURITY DATES AND AMOUNTS, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS, PROVISIONS FOR REDEMPTION AND OTHER DETAILS OF THE BONDS; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SAID BONDS; APPOINTING A PAYING AGENT, SINKING FUND DEPOSITARY AND BOND REGISTRAR; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township of Upper Dublin has undertaken various capital improvement projects identified in Section 1 of this Ordinance (the "Projects") and is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, approved July 12, 1972, Act No. 185 as reenacted and amended by Act 52 of 1978 approved April 28, 1978 (the "Act") to incur indebtedness and to issue bonds for the purpose of financing the Projects; and

WHEREAS, the Township proposes to issue its General Obligation Bonds, Series of 1981 (the "Bonds") for the purpose of financing the Projects and has received a proposal for the purchase of the Bonds.

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 Projects. This Township shall undertake the acquisition or construction of the following Projects having the following estimated costs, including the costs of the financing:

| <u>Description</u> | <u>Estimated Cost</u> |
|---|-----------------------|
| A. The construction of additions, renovations and improvements to the Township Building, including the purchase of fixtures, furniture and equipment therefor. | \$ 680,000 |
| B. The reimbursement to the Township for moneys advanced for the acquisition of land for the Township's Burn Brae Golf Course and the construction of improvements to the clubhouse facilities at the Burn Brae Golf Course. | \$ 200,000 |
| C. The construction of improvements to the Township's storm sewer and drainage system (including highway and sidewalk reconstruction in connection therewith) in various areas of the Township, including, but not limited to, Limekiln Pike, Ambler Road, Apel Avenue, Pembroke Road, Spring Avenue, Pennsylvania/Rech Avenues, Maple Avenue (West Ambler Flood Control Project), Loch Alsh Avenue, Spear Avenue, Twining Road, Hartranft Avenue, Welsh Road, Argyle Avenue, Honey Run Creek, Ft. Washington and Maple Glen. | \$ 700,000 |
| D. The widening and reconstruction of Pinetown Road (including installation and construction of storm sewers, inlets, curbing and sidewalks in connection therewith) | \$ 345,000 |
| E. Financing costs. | \$ 75,000 |
| Total Estimated Costs of all Projects | \$2,000,000 |

The Projects are hereby combined for financing purposes. The Board of Commissioners 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 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 the "costs", as defined in the Act, of the projects identified above 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 stated that the estimated costs of each Project as set forth above are based upon actual bids or estimates received by the Township from persons qualified by experience to make such estimates.

Section 2. Useful Life of Projects. It is hereby determined and stated that the realistic estimated useful life for each of the Projects described in Section 1 of this Ordinance is not less than twenty (20) years.

Section 3. Authorization of Indebtedness and Issuance of Bonds. This Township shall incur indebtedness, pursuant to the Act in the amount of \$2,000,000 for the purpose of providing funds for and toward the costs of the Projects. This Township shall issue, pursuant to this Ordinance \$2,000,000 aggregate principal amount of its General Obligation Bonds, Series of 1981, to finance the indebtedness authorized hereunder.

Section 4. Type of Indebtedness. The indebtedness authorized by this Ordinance is nonelectoral debt.

Section 5. Execution of Debt Statement, Bonds and Other Documents. The President or Vice President of the Board of Commissioners, the Township Secretary or Acting Secretary and the Township Treasurer and their successors are hereby authorized and directed to file the debt statement required by Section 410 of the Act, to prepare, certify and 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. The said officers 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 Article II of the Act in order to qualify all or any portion of the existing indebtedness of the Township and of the above authorized indebtedness as subsidized debt or as self-liquidating debt.

Section 6. Type of Bonds. The Bonds when issued will be general obligation bonds.

Section 7. Covenant to Pay Debt Service - Pledge of Taxing Power. The Township hereby covenants with the holders from time to time of the Bonds that the Township (i) shall include in its budget for each year commencing with the fiscal year ending December 31, 1982 the amount of the debt service on the Bonds which will be payable in each such fiscal year so long as any of the Bonds shall remain outstanding, (ii) shall appropriate from its general revenues such amounts to the payment of such debt service, and (iii) shall duly and punctually pay or cause to be paid from its sinking fund or any other of its revenues or funds the principal of and interest on the Bonds at the dates and places and in the manner stated in the Bonds and coupons appertaining thereto 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 herein shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenant are those set forth in Exhibit A 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 8. Form of Bonds. The Bonds shall be substantially in the following form with appropriate omissions, insertions and variations:

(Form of Bond)

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN

(Montgomery County)

GENERAL OBLIGATION BOND, SERIES OF 1981

KNOW ALL MEN BY THESE PRESENTS, that the Township of Upper Dublin, Montgomery County, Pennsylvania (the Township), a municipal corporation of the Commonwealth of Pennsylvania, for value received, hereby acknowledges itself to be indebted and promises to pay, upon surrender hereof, to the bearer or, if this bond is registered as hereinafter provided, to the registered owner hereof, on the first day of November, 19 , unless sooner called for redemption and payment of the redemption price made or provided for, the principal sum of FIVE THOUSAND DOLLARS (\$5,000) and to pay interest thereon from November 15, 1981 at the annual rate of percent (%).

payable initially on May 1, 1982 and semi-annually thereafter on May 1 and November 1 of each year, but only upon presentation and surrender of the interest coupons hereto attached as they severally become due, until the Township's obligation with respect to the payment of the principal sum shall be discharged as provided in the Ordinance hereinafter mentioned. The principal of and interest on this Bond shall be payable in lawful money of the United States of America, at the principal corporate trust office of The Philadelphia National Bank in Philadelphia, Pennsylvania (the Paying Agent).

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 1981 (the Bonds), of the Township in the aggregate principal amount of \$2,000,000 in the denomination of \$5,000 each, numbered V1 to V400, inclusive, 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, Act 185 of 1972 approved July 12, 1972, as amended and reenacted by Act 52 of 1978 approved April 28, 1978 (the Act), pursuant to an ordinance of the Township duly enacted by the Board of Commissioners of the Township on November 10, 1981 (the Ordinance).

The Act provides that this Bond, its transfer and the income therefrom, including any profits made on the sale thereof, shall at all times be free from taxation for state and local purposes within the Commonwealth of Pennsylvania, but this exemption shall not extend to gift, estate, succession or inheritance taxes or to any other taxes not levied directly on the Bonds, the transfer thereof, the income therefrom, or the realization of profits on the sale thereof.

The Bonds are subject to redemption prior to maturity at the option of the Township as a whole on November 1, 1986 or any date thereafter, or in part from time to time on November 1, 1986 or any interest payment date thereafter in inverse order of maturity and within a maturity by lot, at a redemption price of 100% of principal amount together with interest accrued to the date fixed for redemption.

The Bonds stated to mature on November 1, 1996 and November 1, 2001 (the Term Bonds) are also subject to redemption prior to maturity by the Township by lot from moneys to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from moneys deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said

moneys as permitted by law) on November 1 of the years, from the maturities and in the annual principal amounts as set forth in the following schedule:

Mandatory Redemption Schedule

| Principal Amount of Term Bonds to be Redeemed or Purchased | Maturity from which Selected | Redemption Date (November 1) |
|--|---------------------------------|---------------------------------|
| \$ 90,000 | 1996 | 1993 |
| 105,000 | 1996 | 1994 |
| 120,000 | 1996 | 1995 |
| 155,000 | 2001 | 1997 |
| 175,000 | 2001 | 1998 |
| 195,000 | 2001 | 1999 |
| 225,000 | 2001 | 2000 |

Each such redemption shall be made upon not less than thirty (30) days prior notice given by publication once a week for two (2) successive weeks in a newspaper of general circulation in Montgomery County, Pennsylvania, as provided in the Ordinance. Such notice having been published and amounts sufficient for redemption having been deposited with the Paying Agent, the Bonds so called for redemption shall become due and payable on the date fixed for redemption and interest thereafter shall cease to accrue thereon, whether such Bonds shall be presented for payment or not, and coupons representing interest thereafter to accrue shall be void and of no effect.

This Bond shall pass by delivery or it may be registered as to principal only at the principal corporate trust office of the Paying Agent by endorsement upon the back hereof by the Paying Agent, after which no transfer shall be made except by the registered holder or holders in person or his or their attorney duly authorized in writing, provided, however, that this Bond may be transferred to bearer at the option of the holder or holders for the time being, but no such registration as to principal shall affect the negotiability of the coupons hereto attached, which shall continue to be transferable by delivery merely.

The Township and the Paying Agent may treat the bearer of this Bond if it shall not at the time be registered as to principal, the registered owner of this Bond if it shall at the time be so registered, and the bearer of any coupon appertaining hereto, whether or not this Bond shall be so registered, as the absolute owner of this Bond or of such

coupons, as the case may be, for all purposes, and neither the Township nor the Paying Agent shall be affected by any notice to the contrary.

The Township, pursuant to recommendations made by the Committee on Uniform Security Identification Procedures, has caused CUSIP numbers to be printed on the Bonds and has directed the Paying Agent to use such numbers in notices of redemption and other notices, if any, as a convenience to bondholders. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice and reliance may be placed only on the identification numbers prefixed "V" printed hereon.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any member, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or 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 and the coupons appertaining hereto.

It is hereby certified that the approval of the Department of Community Affairs 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 with the Paying Agent 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.

Neither this Bond nor any coupon for interest hereon shall be entitled to any benefit under the Ordinance nor be valid nor become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent, by execution of the certificate endorsed hereon.

IN WITNESS WHEREOF, the Township of Upper Dublin, Montgomery County, Pennsylvania, has caused this Bond to be signed in its name by the facsimile signature of the President of its Board of Commissioners and a facsimile of its common or corporate seal to be hereto affixed and duly attested by the facsimile signature of the Acting Township Secretary and the coupons for interest hereto attached to be authenticated by the facsimile signature of the Township Treasurer, all as of the fifteenth day of November, 1981.

TOWNSHIP OF UPPER DUBLIN

(FACSIMILE SEAL)

Attest:

By: (Facsimile Signature)
President of Board of
Commissioners

(Facsimile Signature)
Acting Secretary

(Form of Coupon)

On the day of , 19 , unless the Bond hereinafter mentioned shall have been duly called for previous redemption and payment of the redemption price made or provided for, the Township of Upper Dublin will pay to the bearer upon surrender hereof at the principal corporate trust office of The Philadelphia National Bank, Philadelphia, Pennsylvania, the amount shown hereon in lawful money of the United States of America, being interest then due upon its General Obligation Bond, Series of 1981, dated as of November 15, 1981 and numbered V .

TOWNSHIP OF UPPER DUBLIN

By (Facsimile Signature)
Treasurer

(Form of Authentication Certificate)

Authentication Certificate

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series of 1981 described in the within mentioned Ordinance.

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

THE PHILADELPHIA NATIONAL BANK,
PAYING AGENT

By _____
Authorized Officer

Section 9. Terms of Bonds. The Bonds shall be issued in coupon form, in the denomination of \$5,000 each, registrable as to principal only, shall be numbered V1 to V400, inclusive, shall be dated as of November 15, 1981, shall bear interest from such date payable initially on May 1, 1982 (five and one-half months) and semi-annually thereafter on May 1 and November 1 of each year, until maturity or the date fixed for redemption, at the rates per annum and shall be stated to mature on November 1 in the years and in the amounts all as set forth in Exhibit A attached hereto and made a part hereof.

The principal of and interest on the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of The Philadelphia National Bank, Philadelphia, Pennsylvania, which is hereby appointed paying agent for the Bonds and sinking fund depository and is hereinafter called the "Paying Agent".

The Bonds shall be subject to redemption at the option of the Township as a whole on November 1, 1986 or any date thereafter, or in part from time to time on November 1, 1986 or any interest payment date thereafter in inverse order of maturity and within a maturity by lot, at a redemption price of 100% of principal amount together with interest accrued to the date fixed for redemption.

In addition, the Bonds maturing November 1, 1996 and November 1, 2001 (the Term Bonds) shall be subject to redemption prior to maturity by lot from moneys to be deposited in the Sinking Fund at a redemption price of 100% of principal amount. The Township covenants that it will or will cause the Paying Agent to select by lot, give notice of redemption and redeem Term Bonds at said redemption price on November 1 of the years, from the maturities and in the annual principal amounts (to the extent not purchased as hereinafter permitted) set forth in the Mandatory Redemption Schedule in the Form of Bond contained in Section 8 hereof. The Township reserves the right to purchase at any time in the eleven month period ending October 1 of each year in which Term Bonds are required to be redeemed pursuant to the foregoing covenant, such Term Bonds as may be then tendered for purchase and the principal amount of Term Bonds required to be redeemed on November 1 of such year shall be reduced by the principal amount of Term Bonds so purchased.

Each such redemption shall be upon not less than thirty (30) days prior notice given by publication, once a week for two (2) successive weeks, in a newspaper of general circulation in Montgomery County, Pennsylvania. Prior to any such redemption, the Township shall use its best efforts to give notice, by mail, to the holders of any Bonds registered as to principal at their respective addresses as they appear on the bond registry books of the Paying Agent, and to the holders of any coupon Bonds who have filed their names and addresses with the Paying Agent for the purpose of receiving such notices, and shall also give notice to two of the principal investment services then maintaining lists of called bonds. Notice by publication having been duly given, any failure to give the other notices hereinabove provided for, or any defect in the giving thereof, shall not affect the validity of the proceedings for redemption. Notice by publication having been given and funds sufficient for redemption having been deposited with the Paying Agent, the Bonds so called for redemption shall become due and payable on the date fixed for redemption and interest thereafter shall cease to accrue thereon, whether such Bonds shall be presented for payment or not, and coupons representing interest thereafter to accrue shall be void and of no effect.

Section 10. Private Negotiated Sale of Bonds.

After due consideration, the Board of Commissioners hereby finds and determines on the basis of all available information, including the recommendation of its financial advisor, Public Financial Management, Inc. of Philadelphia, Pennsylvania, that a private negotiated sale of the Bonds is in the best financial interest of the Township. The Bonds shall be sold as hereinafter set forth in Section 15.

Acting Secretary of the Township are hereby authorized to purchase a policy of insurance from Municipal Bond Insurance Association guaranteeing the payment of the principal of and interest on the Bonds and to pay the premium for such policy from the proceeds of the Bonds. If any such policy is obtained, 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 insurance policy is on file with the Paying Agent.

Section 14. Contract with Paying Agent. The proper Township officers are hereby authorized to contract with the Paying Agent in connection with the performance of duties as paying agent and sinking fund depository on unusual and customary terms, including an agreement on the part of the Paying Agent to observe and comply with the provisions of this Ordinance and of the Act.

Section 15. Award and Sale of Bonds. The Bonds are hereby awarded and sold at private sale by negotiation to Dolphin & Bradbury and Butcher & Singer Inc. at a price of \$1,952,500 plus accrued interest from November 15, 1981 to the date of delivery and in accordance with the other terms and conditions set forth on the Bond Purchase Proposal of said firms which proposal is hereby approved and accepted. Copies of said proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting. The proper officers of this Township are hereby authorized and directed to endorse the acceptance of this Township on said proposal and to deliver executed copies thereof to Dolphin & Bradbury and Butcher & Singer Inc.

The proper officers of the Township are hereby authorized to invest or deposit at interest the good faith check of the Bond purchasers. The proceeds of such check shall be credited against the purchase price payable by Dolphin & Bradbury and Butcher & Singer Inc. at the time of delivery of the Bonds. All interest earned on the good faith deposit shall be retained by the Township and deposited in its general fund or otherwise as the Board of Commissioners shall determine.

Section 16. Execution and Authentication of Bonds. As provided in Section 5, the Bonds shall be executed by the President or Vice President of the Board of Commissioners and the Township Secretary or Acting Secretary and each such execution shall be by facsimile signature. The coupons appertaining to the Bonds shall be authenticated by the facsimile signature of the Township Treasurer. The Bonds shall be

authenticated by the manual signature of the Paying Agent, which shall also certify that the approving opinion of Bond Counsel which shall be printed on the reverse of each Bond, is an accurate reproduction of the approving opinion delivered at the Closing.

Section 17. Application of Bond Proceeds. The proceeds of the Bonds shall be deposited in a Township bank account with the Paying Agent or other depository. The proceeds shall be held in such account and applied to the costs of the projects as provided in this Ordinance.

Section 18. Authorization of 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 insofar as the same relate to the Bonds, in the name and on behalf of the Township.

Section 19. Act Applicable to Bonds. This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be issued subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply and be deemed incorporated herein by reference whether or not explicitly stated herein.

Section 20. No Arbitrage Covenant. The Township covenants with the holders or registered owners of the Bonds that no part of the proceeds of the Bonds shall at any time be used directly or indirectly to acquire securities or obligations the acquisition of which would cause the bonds to be "arbitrage bonds" as defined in Section 103(c) of the Internal Revenue Code of 1954 of the United States of America, as amended, and the regulations promulgated thereunder.

Section 21. Preliminary Official Statement. The Preliminary Official Statement dated November 3, 1981 prepared in respect of the Bonds is hereby approved and authorized and the Township consents to and ratifies the use thereof by the Bond purchasers in connection with the public offering and sale of the Bonds. A copy of said Preliminary Official Statement shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference.

Section 22. Contract with Bondholders. This Ordinance constitutes a contract with the holders or registered owners of the Bonds from time to time outstanding hereunder and shall be enforceable in accordance with the laws of the Commonwealth of Pennsylvania.

Section 23. Severability. In case any one or more of the provisions contained in this Ordinance or in any Bond or coupon 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 or coupons, and this Ordinance or said Bonds or coupons shall be construed and enforced as if such invalid, illegal or unenforceable provision had never been contained therein. The titles of the sections of this Ordinance are included for convenience only and shall not affect the meaning or construction of any provision hereof.

Section 24. Repealer. All Ordinances and parts of Ordinances heretofore adopted, to the extent that the same are inconsistent in any manner herewith, are hereby repealed.

Section 25. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

CERTIFICATE OF TOWNSHIP SECRETARY

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

1. The foregoing Ordinance authorizing \$2,000,000 aggregate principal amount General Obligation Bonds, Series of 1981 of the Township was duly moved and seconded and adopted by a majority vote of the entire Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on November 10, 1981; that public notice of said meeting was given as required by law; and 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> | <u>Name</u> | <u>Vote</u> |
|-------------------------|-------------|----------------------|-------------|
| Griffith S. Miller, Jr. | Yes | Patrick J. Zollo | Yes |
| Richard H. Magaziner | Yes | Harold C. Leneweaver | Yes |
| Norton A. Freedman | Yes | Harry E. Lenz | Yes |
| Z. Edward Heller | Absent | | |

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

I further certify that such Ordinance has not been altered, amended, modified, suspended or repealed and is still in full force and effect as of the date of the delivery of this Certificate.

WITNESS my hand and the seal of the Township this tenth day of November, 1981.

Harry Waedle

Acting Secretary

(SEAL)

CLOSING CERTIFICATE

I further certify that the foregoing Ordinance has not been altered, amended, modified, suspended or repealed and is still in full force and effect on December , 1981.

Harry Waedle

Acting Secretary

EXHIBIT A

TOWNSHIP OF UPPER DUBLIN
GENERAL OBLIGATION BONDS, SERIES OF 1981

BOND AMORTIZATION SCHEDULE

| Fiscal Year | Principal Amounts | Interest Rates | Interest Payments due | | Principal Repayments | Principal and Interest |
|-------------|-------------------|----------------|-----------------------|----------------|----------------------|------------------------|
| | | | May 1 | November 1 | | |
| 1982 | | | \$ 109,779.79 | \$ 119,038.50 | | \$ 228,818.29 |
| 1983 | \$ 35,000 | 9.000% | 119,036.50 | 119,038.50 | \$ 35,000 | 273,075.00 |
| 1984 | 35,000 | 9.250 | 117,461.50 | 117,463.50 | 35,000 | 269,925.00 |
| 1985 | 45,000 | 9.500 | 115,842.75 | 115,844.75 | 45,000 | 276,687.50 |
| 1986 | 45,000 | 9.750 | 113,705.25 | 113,707.25 | 45,000 | 272,412.50 |
| 1987 | 50,000 | 10.000 | 111,511.50 | 111,513.50 | 50,000 | 273,025.00 |
| 1988 | 55,000 | 10.250 | 109,011.50 | 109,013.50 | 55,000 | 273,025.00 |
| 1989 | 65,000 | 10.500 | 106,192.75 | 106,194.75 | 65,000 | 277,387.50 |
| 1990 | 65,000 | 10.750 | 102,780.25 | 102,782.25 | 65,000 | 270,562.50 |
| 1991 | 75,000 | 11.000 | 99,286.50 | 99,288.50 | 75,000 | 273,575.00 |
| 1992 | 85,000 | 11.250 | 95,161.50 | 95,163.50 | 85,000 | 275,325.00 |
| 1993 | | | 90,380.25 | 90,382.25 | \$ 90,000~ | 270,762.50 |
| 1994 | | | 84,867.75 | 84,869.75 | 105,000~ | 274,737.50 |
| 1995 | | | 78,436.50 | 78,438.50 | 120,000~ | 276,875.00 |
| 1996 | \$ 445,000 | 12.250% | 71,086.50 | 71,088.50 | 130,000 | 272,175.00 |
| 1997 | | | 63,124.00 | 63,126.00 | 155,000~ | 281,250.00 |
| 1998 | | | 53,339.78 | 53,341.47 | 175,000~ | 281,681.25 |
| 1999 | | | 42,293.08 | 42,294.42 | 195,000~ | 279,587.50 |
| 2000 | | | 29,983.90 | 29,984.85 | 225,000~ | 284,968.75 |
| 2001 | 1,000,000 | 12.625 | 15,781.00 | 15,781.50 | 250,000 | 281,562.50 |
| Totals | \$2,000,000 | | \$1,729,062.55 | \$1,738,355.74 | \$2,000,000 | \$5,467,418.29 |

Notes: (1) Interest accrues from November 15, 1981.

(2) Principal amounts are due November 1.

(3) The fiscal year ends December 31.

(4) The symbol "~" indicates the principal amounts which are to be repaid in accordance with the mandatory redemption provisions.

ORDINANCE No. 609

AN ORDINANCE AMENDING ORDINANCE No. 584, BEING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 2, CHAPTER 1, FEES, RATES AND PERMITS, SECTION 2.01 RELATING TO SEWER CONNECTION FEES AND SECTIONS 2.02 (a) and 2.02 (b) RELATING TO SEWER RATES.

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

SECTION 1. Section 2.01 of Chapter 1, FEES, RATES AND PERMITS, shall read as follows:

Sec. 2.01 Sewer Connection Fees

There is hereby imposed upon each owner of property within the Upper Dublin Township Sewer District, as herein above described, which shall connect to the Sewer System after the effective date of this ordinance, a connection charge for each property based upon the following schedule:

- (a) Single Family Dwelling: Three Hundred Dollars (\$300.00) per dwelling.
- (b) Dwelling unit within a multiple dwelling structure.
 - (1) Duplex: Three Hundred Dollars (\$300.00) per dwelling.
 - (2) Semi-detached: Three Hundred Dollars (\$300.00) per dwelling.
 - (3) Three bedroom townhouse, apartment units, or condominium: Three Hundred Dollars (\$300.00) per dwelling unit.
 - (4) Two bedroom townhouse, apartment unit, or condominium: Three Hundred Dollars (\$300.00) per dwelling unit.
 - (5) One bedroom townhouse, apartment unit, or condominium: Two Hundred Dollars (\$200.00) per dwelling unit.
- (c) Dwelling unit within a motel, hotel, or similar structure, Forty Dollars (\$40.00) per unit (with a minimum of Three Hundred Dollars (\$300.00) for any such structure).
- (d) A charge of Three Hundred Dollars (\$300.00) shall be imposed for any public restroom, laundry or similar facility within a multiple dwelling, motel, hotel or similar structure. (A connection charge shall be imposed on any restaurant-kitchen within such structure under the formula given in (e) below.)
- (e) Each nonresidential building, commercial, industrial building or institutional building or a residential building used for commercial purpose, a charge shall be imposed in accordance with the following formula.

$$\frac{\text{Estimated Annual Flow}}{109,500 \text{ gals.}} = \text{EDU} \times \$300 = \text{Connection Fee}$$

Any fractional EDU shall be rounded off to the next higher whole EDU.

(f) For any non-residential building or separate commercial use for which the estimated annual flow shall not be more than 50,000 gallons per year: Two Hundred Dollars (\$200.00).

SECTION 2. Sections 2.02 (a) and 2.02 (b) of Chapter 1, FEES, RATES AND PERMITS, are hereby amended to read as follows:

(a) Single family dwelling, is defined as a residential unit generating up to three hundred (300) gallons of wastewater per day or 27,375 gallons of wastewater per quarter or 109,500 gallons of wastewater per year, for which a rate of One Hundred Forty-five Dollars (\$145.00) shall be assessed.

(b) For non-single family dwelling units, annual water consumption records shall be used to calculate sewer rentals by the following procedure:

$$\frac{\text{Annual Water Usage}}{109,500 \text{ gals.}} = \text{No. of EDUs}$$

$$\text{No. of EDUs} \times \$145.00 = \text{Annual Sewer Rental}$$

SECTION 3. All other provisions of Ordinance No. 584 not specifically amended herein shall remain in full force and effect.

ENACTED AND ORDAINED this 7th day of January, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

x By Patrick J. Gills
President

Attest Harry Ward
Secretary

ORDINANCE NO. 610

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY, PENNSYLVANIA, FIXING THE ASSESSMENT FOR STREET LIGHTING EFFECTIVE AS OF JANUARY 1, 1982, AND THEREAFTER, AND REPEALING ORDINANCE NO. 583, ADOPTED DECEMBER 27, 1979.

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

SECTION 1. That the cost and maintenance of street lighting along any street or highway, or portion thereof, within the Township of Upper Dublin, is hereby distributed according to an assessment on all property benefited by such lighting. This assessment is hereby levied in proportion to the number of feet, or portion thereof, of each such property, which fronts on the lighted street or highway, as follows:

A. Residentially zoned property, with improvements thereon, at twenty-three cents (\$.23) per lineal foot frontage; and

B. Residentially zoned property, without improvements thereon, at eight cents (\$.08) per lineal foot frontage; and

C. Other than residentially zoned property, with improvements thereon, at sixty-five cents (\$.65) per lineal foot; and

D. Other than residentially zoned property, without improvements thereon, at twenty-three cents (\$.23) per lineal foot.

ENACTED AND ORDAINED this *7th.* day of January, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Robert J. Gills* President

Attest: *Harvey Wardle*
Secretary

TAX LEVY ORDINANCE

ORDINANCE NO. 611

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1982 FOR GENERAL PURPOSES.

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

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 1982, as follows:

Tax rate for General Purposes, the sum of..... 28.90 mills
on each dollar of assessed valuation, or the sum of..... 289.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-------------------------------|---|--|
| Tax Rate for General Purposes | 28.90 mills | 289.0 cents |

ENACTED AND ORDAINED this 7th day of January 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Zolls
President

Attest:

Harry Waidle
Secretary

TAX LEVY ORDINANCE

ORDINANCE NO. 612

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1982 FOR DEBT SERVICE.

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

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 1982, as follows:

Tax rate for Debt Service, the sum of. 7.61 mills
on each dollar of assessed valuation, or the sum of. 76.1 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|---------------------------|---|--|
| Tax Rate for Debt Service | 7.61 mills | 76.1 cents |

ENACTED AND ORDAINED this 7th day of January 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Zolla
President

Attest:

Harry Wardle
Secretary

ORDINANCE NO. 613

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR STATED MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, DURING THE YEAR 1982.

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

SECTION 1. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for fiscal year 1982, will be held on the second Tuesday of each month unless the same shall be a legal holiday, in which case on the next regular business day following, at 7:30 p.m., local time.

SECTION 2. All meetings shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 7th day of January, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Zollo
President

Attest: Harry Wardle
Secretary

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1982

ORDINANCE NO. 614

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 THE CURRENT YEAR.

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 1982 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.

GENERAL OPERATING FUNDS
SUMMARY OF ESTIMATED RECEIPTS

| | | |
|--|------------------|--------------------|
| Cash and securities for Appropriation | - 0 - | |
| Receipts from Current Tax Levy | \$3,082,024 | |
| Receipts from Taxes of Prior Years | 51,000 | |
| Other Revenue Receipts | 340,000 | |
| Miscellaneous Non-Revenue Receipts | <u>1,020,702</u> | |
| TOTAL ESTIMATED RECEIPTS AND CASH | | \$4,493,726 |

SUMMARY OF APPROPRIATIONS

| | <u>Operation and</u> <u>Maintenance</u> |
|--|--|
| General Government: | |
| Administration | \$261,200 |
| Treasurer & Tax Collector | 8,495 |
| Municipal Buildings | <u>59,200</u> |
| TOTAL | \$328,895 |
| Protection to Persons and Property: | |
| Police | \$1,115,950 |
| Fire | 23,200 |
| Civil Service | <u>7,500</u> |
| TOTAL | \$1,146,650 |

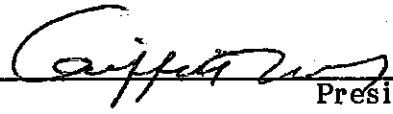
| | | | |
|---|--------------------|----------------|-------------|
| Regulations, Planning & Zoning: | TOTAL | \$87,680 | |
| Health & Sanitation: | | | |
| Health | | \$60,700 | |
| Trash Collection & Disposal | | <u>418,050</u> | |
| | TOTAL | \$478,750 | |
| Highways: | TOTAL | \$502,300 | |
| Library: | TOTAL | \$124,830 | |
| Motor Pool & Electrial Services: | | | |
| Motor Pool | | \$280,589 | |
| Electrical Services | | <u>24,600</u> | |
| | TOTAL | \$305,189 | |
| Parks & Recreation: | TOTAL | \$236,500 | |
| Miscellaneous: | | | |
| Employee Taxes & Benefits | | \$567,000 | |
| Insurance | | 122,505 | |
| Refunds | | <u>250</u> | |
| | TOTAL | \$689,755 | |
| TOTAL FOR OPERATION, MAINTENANCE AND CAPITAL OUTLAY - | | | \$3,900,549 |
| Debt Service: | | | |
| Interest on Temporary Loan | | \$100,177 | |
| Interest on Bonded Debt | | 364,000 | |
| Principal on Bonded Debt | | <u>129,000</u> | |
| | TOTAL DEBT SERVICE | \$593,177 | |
| TOTAL APPROPRIATIONS FROM GENERAL OPERATING FUND - | | | \$4,493,726 |

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.

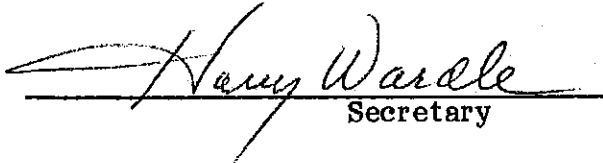
SECTION 3. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

ENACTED AND ORDAINED this 29th day of December 1981.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 
President

Attest:


Secretary

TAX LEVY ORDINANCE

ORDINANCE NO. 615

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1982 FOR PARKS AND RECREATION.

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

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 1982, as follows:

Tax rate for Parks and Recreation, the sum of..... 3.03 mills
on each dollar of assessed valuation, or the sum of..... 30.3 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-----------------------------------|---|--|
| Tax Rate for Parks and Recreation | 3.03 mills | 30.3 cents |

ENACTED AND ORDAINED this 7th day of January 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Zoll President

Attest:

Harry Wardle Secretary

TAX LEVY ORDINANCE

ORDINANCE NO. 616

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1982 FOR FIRE PROTECTION.

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

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 1982, as follows:

Tax rate for Fire Protection, the sum of..... 2.50 mills
on each dollar of assessed valuation, or the sum of..... 25.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|------------------------------|---|--|
| Tax Rate for Fire Protection | 2.50 mills | 25.0 cents |

ENACTED AND ORDAINED this *7th* day of January 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Patent J. J. [Signature]* President

Attest:

Harry Wardle
Secretary

ORDINANCE NO. 617

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 3, BUILDING AND CONSTRUCTION, CHAPTER 1, BUILDING CODE, PROVIDING FOR THE ADOPTION OF BOCA BASIC BUILDING CODE 1981, WITH AMENDMENTS THERETO.

The Commissioners of Upper Dublin Township do enact and ordain as follows:

SECTION 1: Section 1.01 Adoption of BOCA Basic Building Code, shall be amended by the substitution of the words "1981, Eighth Edition" for the words "1978, Seventh Edition", and shall read as follows:

There is hereby adopted by the Township of Upper Dublin for the purpose of prescribing regulations governing the design, construction, alteration, enlargement, equipment, repair, demolition, removal, conversion, use or maintenance of all buildings and structures, certain documents marked and designated as the BOCA Basic Building Code, 1981, Eighth Edition, as published by the Building Officials and Code Administrators International, Inc., and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 1.03 of this ordinance, of which codes not less than three (3) copies have been and now are filed in the Administrative Office of the Township of Upper Dublin, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect the provisions thereof shall be controlling within the limits of the Township of Upper Dublin.

SECTION 2: Sec. 1.03 Amendments to BOCA Basic Building Code shall be amended and changed in the following respects:

ARTICLE 1 - ADMINISTRATION AND ENFORCEMENT

Subsections 109.3 and 109.4 of Section 109.0 are amended to read as follows:

109.3 Organizations: The Board of Commissioners of the Township of Upper Dublin shall appoint the Building Inspector and assistant inspectors as shall be necessary for the administration of the Basic Code.

109.4 Deputy: The Board of Commissioners of the Township of Upper Dublin may designate an employee as a deputy who shall exercise all the powers of the Building Inspector during the temporary absence or disability to the Building Inspector.

Subsections 110.6 of 110.0 are amended to read as follows:

110.6 Rule Making Authority: The Department of Licenses and Inspections shall have the power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations thereof and to designate requirements applicable because of local climatic or other conditions; but no such rules

shall have the effect of waiving working stresses or fire-resistive requirements specifically provided in the Basic Code or of violating accepted engineering practice involving public safety.

Subsection 111.6 of Section 111.0 shall be amended to read as follows:

111.6 Site Plan: There shall also be filed a site plan drawn on an accurate scale of not less than fifty (50) feet to the inch, with all elevations established from Upper Dublin Datum; it shall show the size and location of all the new construction and all existing structures on the site, distances from lot lines and the established street grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the plot plan shall show any construction to be demolished and the location and size of all existing buildings and construction that are to remain on the site.

In the case of a plot plan being prepared for a Zoning Hearing Board hearing, the owner or building, in filing applications for the erection or addition of any building, shall submit four (4) copies of a plot plan to scale, prepared by a Registered Professional Engineer or Land Surveyor, such plan shall show the following:

- (a) Location of property showing nearest intersecting street and distance in feet and decimal parts thereof of property therefrom, together with a North Point.
- (b) Dimensions, bearings, and lot numbers as of plan of record.
- (c) Plot plan shall indicate whether property is marked by stakes, monuments, etc.
- (d) Lot area in square feet to be shown on plot plan.
- (e) Building area in square feet to be shown on plot plan.
- (f) Plot plan shall indicate the location and size of improvements now erected or proposed to be erected.
- (g) Availability of sanitary sewers and/or public water.
- (h) Type of zoning.
- (i) Proper zoning restriction lines to be marked on plan indicating front yard, side yards, and rear yards. On a corner lot the proper front yard setback shall be shown as provided by Zoning Ordinance, also showing the reduced front yard setback on the long side of the lot.
- (j) Streets, rights-of-way, etc., shall be properly marked with dimensions according to plans of record.
- (k) Plot plans shall have indicated thereon the proposed method for discharge of rain waters and surface waters from the premises.

(l) In the case of a plot plan being prepared for Zoning Hearing Board hearing, the square foot area shall be shown on all existing buildings, indicating area on each floor.

(m) In the case of a plot plan prepared for a Zoning Hearing Board hearing, showing a building encroaching in a restricted area, plot plan shall show distance between front, side or rear yard property line and the encroaching building. In addition, all streets or highways, streams, unusual terrain features, gas transmission lines, and building within one hundred (100) feet of property line shall be shown.

(n) Plot plans shall be drawn to scale, dated signed and sealed by the Registered Professional Engineer or Land Surveyor preparing plot plan. Plot plan shall show name of person for whom sale is being prepared. The Registered Professional Engineer or Land Surveyor shall also identify the plot plan by a numerical or alphanumeric system in the lower right hand corner of the drawing.

Section 114.0 and its Subsections shall be amended to read as follows:

SECTION 114.0 FEES

114.3.1 Fees Required: Applicants for permits to be issued under this ordinance shall pay to the Township at the time of application, the fees prescribed in the Building Permit Fee Schedule adopted by the Board of Commissioners and found in Title 2, Chapter 1, FEES, RATES AND PERMITS of Upper Dublin Township Code.

Section 117.0 and its Subsections shall be amended to read as follows:

SECTION 117.0 VIOLATIONS AND PENALTIES AND ABATEMENT

117.4 Violations and Penalties: Any owner, tenant, building contractor, architect, workman or other person who shall erect, alter, reconstruct, repair, equip, or remove any building or structure, without the permit required by this ordinance first having been obtained, or who shall fail to comply with any of the regulations, order or direction of the Building Inspector; or who shall in any way violate any of the provisions of this ordinance, shall be liable on conviction thereof, to a fine or penalty not exceeding Three Hundred Dollars (\$300.00) for each and every offense. And whenever such person shall have been notified by the Building Inspector or by service of summons in a prosecution, or in any other way, that he is committing such violation of this ordinance, each day in which he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

117.5 Abatement: Any building or structure erected, altered reconstructed, repaired, equipped or removed contrary to the provisions of this ordinance is hereby declared to be a public nuisance and shall be abatable as such.

Section 119.0 Certificate of Use and Occupancy and its Subsections shall be amended to read as follows:

119.1 New Buildings: No building except a building accessory to a single family dwelling hereafter erected shall be occupied or used in whole or in part until a certificate of occupancy shall have been issued by the Building Inspector certifying that such building conforms to the provisions of this ordinance.

119.2 Building Hereafter Altered: No building hereafter so enlarged or so altered as to change its classification, and no building hereafter altered for which a certificate of occupancy has not been heretofore issued shall be occupied or used, in whole or in part, until a certificate of occupancy shall have been issued certifying that the work for which the permit was issued, has been completed in accordance with the provisions of this ordinance.

119.3 Existing Buildings: Nothing in this ordinance shall prevent the continuance of the use and occupancy of a lawfully existing building except as may be necessary for the safety of life or property. Upon written request from the owner, there shall be issued a certificate of occupancy for an existing building, other than a single family dwelling or a building accessory thereto, certifying the occupancy or use of such building.

119.4 Change of Occupancy: No change of occupancy or use shall be made in a building hereafter erected or altered that is not consistent with last issued certificate of occupancy for such building, unless a permit is secured. In case of an existing building, no change of occupancy or use that would bring it under some special provision of this shall be made, unless the Building Inspector finds, upon investigation, that such building conforms substantially to the provisions of law with respect to the proposed new occupancy and use, and a certificate of occupancy is issued therefor.

119.5 Temporary Occupancy: Upon written request from the owner, the temporary certificate for part of a building may be issued, provided that such temporary occupancy or use would not jeopardize life or property.

119.6 Contents of Certificate: In addition to the certification as to compliance, with the provisions of this ordinance, the certificate of occupancy shall state the purposes for which the building may be used in its several parts, the maximum permissible live loads on the several floors, the number of individual persons that may be accommodated in the several stories if such number is limited by a provision of law or by the permit, and any special stipulations of the permit.

119.7 Applications: Applications for certificates of occupancy shall be submitted on such forms as the Building Inspector may prescribe. It shall contain such information as may be required by him and shall be verified by affidavit.

119.8 Issuance and Filing: A certificate of occupancy shall be issued within ten (10) days after application therefor if the building at the time of application shall be entitled thereto. A record of all certificates shall be kept in the Township Building and copies shall be furnished, on written request and on the payment of a fee of One Dollar (\$1.00) per copy, to any person having a proprietary interest in the building affected.

Subsections 121.2 of Section 121.0 shall be amended to read as follows:

121.2 Emergency Work: In case there shall be, in the opinion of the Building Inspector, actual and immediate danger of the falling of a building or structure so as to endanger life or property, he shall cause the necessary work to be done to render said building or structure temporarily safe, whether the procedure prescribed in this section has been instituted or not. For this purpose, he may employ such labor and materials as may be necessary. The Township Solicitor shall institute appropriate action against the owner of premises where the unsafe building or structure was located for recovery of costs incurred in the performance of emergency work.

Subsections 121.2 and 121.5 shall be deleted.

Section 123.0 Board Survey shall be deleted in its entirety.

Section 124.0 and its Subsections shall be amended to read as follows:

SECTION 124.0 COMMITTEE ON BUILDING CODE AND APPEALS

124.1 Appeals: An appeal from any decision of the Building Inspector may be taken to the Commissioners. Such appeal shall be made in writing within ten (10) days after such decision has been made, shall be verified by affidavit and filed with the Township Secretary. The appellant or his representatives shall have the right to appear and be heard, if such a right is requested in the written appeal. A prompt decision of such appeal shall be made. In making the decision, the Commissioner may vary or modify any provision of this ordinance where there are practical difficulties in the way of executing the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done. Every action of the Commissioners on such appeals shall be by resolution, copies of which shall be certified to the Building Inspector and the appellant.

124.2 The Commissioners shall appoint a Committee on Building Code, to serve at the will of the Commissioners. It shall be the duty of the Committee on Building Code to review the Building Code and make such recommendation to the Commissioners as the Committee deems necessary.

124.9 Rules:

(a) Rules necessary to define or carry out the intent or purpose of this ordinance, or to set forth conditions under which new materials or methods of construction may be used, may be recommended from time to time by the Building Code Committee to the Commissioners.

(b) Rules adopted as herein provided shall have the same force and effect as the provisions of this ordinance.

(c) Any rule may be amended or repealed by the same procedure provided for the adoption of new rules.

ARTICLE 2 DEFINITIONS

Section 201.0 General Definitions, shall be amended by the addition of the following:

Approved Rating Bureau: Means an insurance inspection bureau, department or organization as listed in Appendix A.

Building Official: Wherever the words "building official", are used in the Building Code, they shall be held to mean the Building Inspector or his assistants.

Department of Public Safety: Wherever the words "Department of Public Safety" are used in the Building Code, they shall be held to mean the Department of Licenses and Inspections of the Township of Upper Dublin.

Fire-resistive Building: Means a building in which the walls are of approved masonry or reinforced concrete and the structural members of which have fire-resistance rating sufficient to withstand the hazard involved in the occupancy but not less than a four hour rating for bearing walls, fire walls, party walls, and girders other than above specified and for beams, floors and roofs; and a two hour rating for five partitions; and in which all floor openings are protected by effective fire-resistance enclosures.

Major Kitchen: Means a kitchen with an area of five hundred (500) square feet or more, in any building except a single family or a two family dwelling.

Municipality: Wherever the word "municipality" is used in the Building Code, it shall be held to mean the Township of Upper Dublin.

Substantially Altered: Means any substantial structural alteration in or addition to the supporting or structural members of a building such as bearing walls, bearing columns, bearing beams, or bearing girders; provided, that a substantial alteration shall not include, inter alia, repairs to roof, walls or interior; exterior or interior painting or redecoration; elimination, moving or replacement of utility lines, gas, water, sewer and electricity; and installation or replacement of kitchen or bathroom equipment. A structural alteration not increasing the square footage of a building more than twenty percent (20%) shall not be considered a substantial alteration.

ARTICLE 3 USE GROUP CLASSIFICATION

Section 308.0 Subsection 308.4 and 308.5 shall be deleted and amended as follows:

SECTION 308.0 USE GROUP R, RESIDENTIAL BUILDINGS

Subsection 308.4 and 308.5 shall be deleted and amended to read as follows:

All Group R.3-R.4 Structures shall be designed in accordance with The One and Two Family Dwelling Code of the 1979 Edition as adopted by Upper Dublin Township. If anything is not covered in this Code, the Boca Basic Building, 1981 will supersede.

ARTICLE 5 GENERAL BUILDING LIMITATIONS

Section 500.0 and its Subsections shall be amended to read as follows:

501.1 Fire Zones: Fire Zones are to be plotted and designated on the Township map as and when established by the Commissioners.

501.2 Location: A building or structure shall be deemed to be within the fire limits if more than one-third of the area of a building or structure is located therein.

501.3 Limitations: Except as hereinafter provided in this section, no building or structure shall be erected or substantially altered within the fire limits, or moved within or into the fire limits, unless it shall be of fire-resistive, or heavy timber, or ordinary masonry construction, with a roof covering of noncombustible or fire-retardant materials.

Section 517.0 Fences shall be added to Article 5, reading as follows:

SECTION 517.0 FENCES

517.1 General: No owner or occupant of premises situated in Upper Dublin Township shall erect a fence, screening, or wall which in the judgment of the Building Inspector, shall be of such construction as to constitute a hazard or danger to persons or property.

517.2 Limitations: No fence or wall, (except a retaining wall or wall of a building permitted under this ordinance) over four (4) feet in height shall be erected in any rear or side yard. Corner property shall be limited to four (4) feet in height on each street front.

517.3 Obstructions to Vision at Intersection: On any lot, no wall, fence, or other structure shall be erected, altered or maintained which shall interfere with a free and unobstructed view down and across lands located at or near the intersection of any two roads or a road and railroad and railway, or at any curve in any road, as may be necessary to assure a full and unobstructed view in all directions at such crossings or curves and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of persons traveling upon such highways.

ARTICLE 6 SPECIAL USE AND OCCUPANCY REQUIREMENTS

The following sections and subsections of Article 6 shall be amended:

Section 623.0 Mobile Dwelling Units shall be deleted only insofar as it conflicts with other ordinances of the Township.

Section 624.0 Motels, shall be amended to read as follows:

SECTION 624.0 MOTELS

624.4 Driveways and Parking Spaces: A vehicular parking space, at least ten (10) feet in width by twenty (20) feet in length shall be provided for each residential unit. In addition to the required parking spaces for vehicular parking in connection with the residential use, a parking space of like size shall be provided for each nonresidential use, conducted on premises, as is required for specific nonresidential use by the Zoning Ordinance of the Township. Access to lanes shall be provided for each row of cars not less than twelve (12) feet in width.

624.6 No structure shall exceed thirty five (35) feet in height.

624.7 Each motel building and accessory structure shall be constructed of noncombustible materials as required for Type 2A Noncombustible Construction. (Section 403.0)

624.8 Each motel building shall be fully equipped with an approved automatic sprinkler system. Automatic sprinkler systems shall be of standard approved types, so installed and maintained as to provide coverage for all portions of the premises.

624.9 Each motel building shall be equipped with an approved automatic fire alarm system. This system shall be connected to an approved Central Station. This fire alarm system shall also have a smoke detector which detects visible or invisible particles of combustion in each sleeping area. This should be a Single Station Alarm Device, not connected to the fire alarm system.

624.10 The walls separating each living unit shall be extended to the roof and be parapeted above the roof so as to prevent an attic common to more than three (3) residential units.

624.11 No exposed storage of waste materials, etc., shall be permitted.

624.12 Electric Illumination: Underground electric light wiring shall be provided on approved standards to furnish adequate illumination of driveways and lanes as required by the Township for street lighting, but in no case shall such illumination be less than one (1) foot candle, and furthermore such illumination shall be shaded as to restrict the light to the motel area and to prevent a nuisance to the area adjacent thereto.

625.13 When deemed necessary by the Fire Marshal of the Township, there shall be installed properly placed fire hydrants, piped to an adequate water supply and equipped in accordance with the requirements of the Township Fire Prevention Code.

625.14 The electric wiring of each building and accessory structures shall be carefully inspected and shall meet the conditions, requirements and procedures of Article 20.

SECTION 629.0 HIGH-RISE BUILDINGS

Subsections 629.3 shall be amended to read as follows:

629.3 All High Rise Buildings over five (5) or more stories of Fifty (50) feet in Upper Dublin Township shall be provided with an approved automatic fire suppression system according to Section 629.3.1.

Subsection 629.3.2 Areas of Refuge (compartmentation) shall be deleted.

SECTION 1123.1 PLYWOOD

Subsection 1123.1 Quality, shall be amended by the addition of the following:

1123.1 All plywood shall be a minimum of one half inch (1/2") used in structures in Upper Dublin Township.

ARTICLE 14 FIRE RESISTIVE CONSTRUCTION REQUIREMENTS

Subsection 1427.1 Existing Roofs, shall be amended by the addition of the following:

1427.2.1 Asphalt Shingle Application: Not more than one (1) overlay of asphalt shingles shall be applied over an existing asphalt shingle roof. No asphalt roofing shall be applied over wood shingles.

1427.2.2 Wood Shake Application: Not more than one (1) overlay of wood shakes shall be applied over an existing asphalt or wood shingle roof. One (1) layer of eighteen inch (18") Type 30 felt shall be interlaced between each layer of shakes.

1427.2.3 Application Over Shakes: New roof covering shall not be applied over an existing shake roof.

1427.2.4 Flashing and Edgings: Rusted or damaged flashing, vent caps and metal edgings shall be replaced with new materials as necessary.

ARTICLE 17 FIRE PROTECTION SYSTEMS

Section 1701.0 shall be amended as follows:

Section 1701.1 shall be amended to read as follows:

1701.1 Approval of Plans: Before any automatic sprinkler equipment is installed or altered in any building, detailed plans thereof shall first be submitted to and approved in writing by an approved rating bureau, and thereafter the said plans shall be submitted to

and approved in writing by the Fire Marshal of Upper Dublin Township. Nothing contained herein shall be construed to prevent the installation of other types of automatic fire protection in writing by an approved rating bureau and the Fire Marshal.

Subsection 1701.4 shall be added to Section 1702.0 reading as follows:

1701.4 Location and Size of Sprinkler Heads, Valves and Pipes, Water Supply: The location and size of sprinkler heads, pipes and other fire extinguishing equipment, appliances and devices shall comply with the standards set forth in the National Fire Protection Association No. 13, 1980 or Boca No. 100. Such equipment shall be connected to an adequate water supply, as determined by an approved rating bureau and the Fire Marshal.

Section 1702.0 shall be amended as follows:

SECTION 1702.0 FIRE SUPPRESSION SYSTEMS

1702.1 Where Required: Automatic sprinkler equipment shall be installed and maintained throughout buildings of the type set forth below hereafter erected, converted or substantially altered.

Subsection 1702.7 Use Group I, shall be amended as follows:

1702.7 Use Group I and R-1 Hospitals and other institutional buildings, school dormitories: In all buildings or structures or portions thereof, Use Group I and Use Group R-1 School dormitory buildings, motels and hotels. Delete Exceptions Number 1 to 5 on page 337.

Subsection 1702.4 Use Group A-3 shall be amended as follows:

1702.4 Use Group A-3: In all buildings or structures or portions thereof of Use Group A-3 when more than ten thousand (10,000) square feet in area. If the building contains a bowling alley, it shall be fully sprinklered.

Add Subsection 1702.20 to 1702.25 as follows:

1702.20 Nonfire-resistive buildings used as places of public assembly, including, inter alia, motion picture theaters and auditoriums used for theatrical operatic or musical performances.

1702.21 Fire-resistive buildings have a floor area of five thousand (5,000) square feet or more, per floor, used in whole or in part for the manufacture, storage or sale of combustible goods, wares or merchandise, including, inter alia, stores, restaurants and supermarkets (all fire resistive buildings over five (5) floors in height, including, inter alia, office buildings, apartments, schools, stores and retirement type homes).

1702.22 Nonfire-resistive buildings having a floor area of five thousand (5,000) square feet or more, per floor, used in whole or in part for manufacture, storage, or sale

of combustible goods, wares or merchandise, including, inter alia, stores, restaurants and supermarkets.

1702.23 Fire resistive buildings having a floor area of five thousand (5,000) square feet or more, per floor, used for the housing of automobiles, not including open deck garages unless the same are two (2) stories in height.

1702.24 Nonfire-resistive buildings having floor area of five thousand (5,000) square feet or more, per floor, used for the housing of automobiles.

1702.25 Automatic sprinkler systems required in parts of certain buildings. Automatic sprinkler equipment shall be installed and maintained in cellars, subcellars, basements, subbasements, storage rooms, major kitchens and chutes of buildings of the types set forth below, hereafter erected or substantially altered.

1702.25.1 Rental Apartment houses and apartment hotels.

1702.25.2 Automatic sprinkler equipment shall be installed and maintained in all cellars and basements of buildings hereafter erected or substantially altered, which cellars and basements have an undivided area of twenty five hundred (2,500) square feet or more and are used for the manufacture, storage or sale of combustible goods, wares or merchandise, or for the housing of automobiles.

1702.26 All Use Group A-4 Structures. Sprinklers shall be installed and maintained throughout this type of buildings, hereafter erected, converted, or substantially altered.

1702.27 Exemptions. Nothing herein contained shall be construed to require the installation of automatic sprinkler equipment in: (I) safe deposit or other vaults, (II) rooms or buildings used for the sale, manufacture or storage of aluminum powder, calcium carbid, calcium phosphide, metallic sodium, potassium, quicklime, magnesium powder, sodium peroxide, or like substances to which the application of water will cause or increase the fire hazard, or (III) any other location where the installation of such equipment may in the opinion of an approved rating bureau and the Fire Marshal increase the hazard to life or property, or for any other reason be impractical due to existing conditions.

Section 1716.0 Automatic Fire Alarm Systems shall be amended as follows:

The following shall be added to Subsection 1716.3.4 Dwelling Units.

1716.3.4.1 The single station units shall be hardwired (110 V. A.C.) in all new construction and may be wired to any circuits not on Ground Fault Circuit interrupter (G.F.C.I.) or circuits subject to loss of power by a wall switch. Battery powered units may be used in existing construction if not being converted, or substantially altered.

ARTICLE 18 PRECAUTIONS DURING BUILDING OPERATIONS

Subsections 1807.2.1 and 1807.2.2 of Subsection 1807.2 shall be amended to read as follows and further Subsection 1807.2.3 shall be added to Subsection 1807.2.

1807.2.1 Deep Excavations: When an excavation extends more than three (3) feet below the curb grade at the common property line, or below the surface of the ground where there is not such curb grade, the person causing such excavation to be made shall, if afforded the necessary consent to enter upon adjoining land, at his own expense preserve and protect from injury every building or structure, the safety of which may be affected by such excavation, and when necessary, shall underpin and support the same by proper foundation, irrespective of the depth to which the foundations of such building or structure may extend. If the necessary consent is not accorded to the person making the excavation, then it shall be the duty of the person refusing such license to preserve and protect such building or structure from injury and when necessary, to underpin and support the same proper foundations, and for that purpose be permitted to enter upon the premises where such excavation is being made.

1807.2.2 When an excavation extends not more than three (3) feet below the curb grade at the common property line, or below the surface of the ground when there is no such curb grade, the owner of a building or structure, the safety of which may be affected by such excavation, shall preserve and protect the same from injury and when necessary, shall underpin and support the same by proper foundations. For such purpose, he shall be permitted, if necessary, to enter upon the premises where such excavation is being made.

1807.2.3 In case there is a party wall along a lot line of the premises where an excavation is being made, the person causing the excavation to be made shall, at his own expense, preserve such party wall in as safe a condition as it was before the excavation was commenced and shall when necessary underpin and support the same by proper foundations.

ARTICLE 19 SIGNS

Article 19 shall be deleted to the extent that it conflicts with the Zoning Ordinance of the Township Title 10.

ARTICLE 22 PLUMBING SYSTEMS

Article 22 shall be deleted to the extent that it conflicts with the Plumbing Code of the Township. (Chapter 4)

APPENDIX A REFERENCED STANDARDS

Shall be adopted as part of Boca 1981 Code and shall be used to help enforce this Code.

NFPA NATIONAL FIRE PROTECTION ASSOCIATION Page 452 and 453

Batterymarch Park
Quincy, Ma. 02269
Tel - 517-328-9290

Change the date of the standards to the following, the ones not on this list are the latest now in use:

12-1980
12-A-1980
12-B-1980
13-1980
14-1980
16-1980
17-1980
30-1980
40E-1980
61-B-1980
65-1980
74-1980
651-1980
1221-1980

Add to the list:

The entire 16 Volumes of the National Fire Codes 1981 Edition which includes 101-1981 Life Safety Code, Published by the NFIPA, shall also be used as Reference Standards.

The "Fire Protection Handbook" Fifteenth Edition, Published by NFIPA shall also be used as a Reference Standard.

ARTICLE 2 - ONE AND TWO FAMILY DWELLING CODE

Sec. 2.01 Adoption of One and Two-Family Dwelling Code

There is hereby adopted by the Township of Upper Dublin for the purpose of regulating the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one and two family dwelling, their appurtenances and accessory structures, certain documents marked and designated as the One and Two Family Dwelling, 1979 Edition, Third Edition as published under the Nationally Recognized Model Codes, may be purchased through Building Officials and Code Administrators International, Inc. 17926 S. Halsted Street., Homewood, Illinois 60430, and the whole thereof, of which code not less than three (3) copies have been and now are filed in the office of the Ssecretary of the Township of Upper Dublin, and the same are hereby adopted and incorporated as fully as if set out at length herein.

Sec. 2.02 Definitions

(a) Wherever the word "municipality" is used in the Code, it shall be held to mean, the Township of Upper Dublin.

(b) Wherever the words "Department of Public Safety" are used in the Building Code, it shall be held to mean the Department of Licenses and Inspections of the Township of Upper Dublin.

Part 1 Administrative, Chapter 1, Section R111 - Inspection shall be amended to read as follows:

Section R111 - Inspection

(a) Foundation and Framing

There are four (4) inspections that must be called for as follows:

1. Footings - Before placement of concrete.
2. Foundation - Before back fill of soil and after foundation coating is applied.
3. Framing - Before any walls are closed. All rough plumbing and rough Electrical has been inspected and approved by Township Plumbing Inspector and Electrical Inspector.
4. Firestopping - After the placement of insulation and firestopping of dropped ceilings.

Part II Building Planning, Chapter 2, Section R-210 - Private Garages shall be amended to read as follows:

Section R-210 - Private Garages

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than one and three quarters inch (1 3/4") and there shall be a minimum of a four inch (4") step up from garage floor into residence.

The garage shall be completely separated from the residence and its attic area by means of one-half inch (1/2") Type X Gypsum board or equivalent applied to the garage side. There shall be NO trap door or folding steps in the garage ceiling.

Garage and carport floor surfaces shall be of approved noncombustible material.

Part III Construction, Chapter 3 Foundations shall be amended by the addition of the following:

Section R-303 Footings

- (a) Shall comply with plans submitted for evaluation.
- (b) Excavations shall have square bottoms and sided and are to be free of loose dirt, water and frost.
- (c) Shall be at least three feet (3') minimum below grade.
- (d) Shall be at least eight inches (8") wider than the foundation wall.
- (e) Shall be poured separate and before foundation walls are formed.
- (f) Shall be at least eight inches (8") in depth.
- (g) All footing shall be keyed.
- (h) All footings shall be formed with wood or steel. Earth forms can be used upon the discretion of the inspector.

Section R-304 - Foundation Walls shall be amended by the deletion of anything in the section that shall conflict with the following:

Section R-304 - Foundation Walls

Concrete Foundation Walls: Minimum thickness is ten inches (10"). The only exception to this rule is a single story, ranch type home of all frame construction. In this type of construction, an eight inch (8") poured wall is allowed provided there is no veneer, for example, brick or stone used as facing for the home.

Forms shall remain in place until concrete is set. However, if temperature is below thirty degrees (30°) (F), forms shall remain in place a minimum of three (3) days.

All honeycombing shall be filled with cement mortar.

One-half inch (1/2") anchor bolts are required eight inches (8") long placed twelve inches (12") from corner and every eight foot (8') intervals.

Exterior walls shall be damped proofed. Damp proofing shall be done in this manner: Snap ties must be knocked off foundations and filled with cement mortar then a Bitumius substances must be applied.

Cement block foundation walls shall be pargeted. Block foundation walls shall be waterproofed and shall be topped with a course of solid block to provide full bearing. A minimum of ten inch (10") block are allowed on one-half inch (1/2") anchor bolts sixteen inches (16") long are required for foundation anchorage twelve inches (12") from corners and every eight feet (8') apart.

Chapter 4 Wall Construction shall be amended to read as follows:

Sections of subsections R-402.1, R-402.2, R-402.3 and R-402.6 shall be deleted if it conflicts with the following:

Section R-402 - Wood

R-402.1 Identification of ALL load-bearing lumber, plywood and particle board shall conform to applicable standards or grading rules and shall be so identified by the grade mark, or certificate of inspection issued by an approved grading or inspection bureau or agency. The grade mark for such load-bearing lumber shall provide adequate information to determine the "F" and "E" Values.

R-402.2 All wood shall be a minimum of Number Two or better. There shall not be any Number Three or Utility Grade lumber used in the Township of Upper Dublin for any construction purposes.

R-402.3

(a) Plates shall be two by six inches (2" x 6") Number Two Grade or better on ALL one and two story homes to provide four inches (4") or more bearing.

(b) Sill seal shall be applied before plates are anchored.

(c) Plates shall be anchored to foundation walls at corners and also at intervals of eight feet (8').

(d) Minimum bolt embedding shall be eight inches (8") in concrete walls and sixteen inches (16") in masonry walls.

(e) Bolts shall be one-half inch (1/2") in diameter.

(f) Cuts or notches in top or bottom of joists and rafters shall not exceed twenty percent (20%) of depth of member.

(g) Studs, joists and rafters shall be spaced sixteen inches (16") on center. Minimum bearing for beams, rafters and joists shall be four inches (4").

(h) Two by three inch (2" x 3") studs are not allowed for any interior nonbearing or bearing partitions in residential and multi-family dwellings.

(i) Collar ties are required at each third rafter.

(j) A two by six inch (2" x 6") wall is required where the main stack is placed.

(k) All gable ends must be sixteen inches (16") on center.

(l) Approved trusses may be allowed on twenty four inch (24") centers provided they meet BOCA's standards.

(m) King and Queen poles are required, King pole vertical of the ridge pole and Queen pole running off the gable and forty five degree (45°) angle.

(n) Ridge pole to be one size bigger than the rafters.

(o) All top plates, jacks trimmers and headers shall be doubled.

(p) Only one-half inch (1/2") exterior plywood, agency approved shall be allowed for roof, sub-floors and exterior corners.

(q) A layer of one-half inch (1/2") flake board may be used as an underlayment where carpet is going to be applied.

(r) A layer of five-eighths inch (5/8") PTS underlayment is required in kitchen, bathrooms and foyers over one-half inch (1/2") CDX agency approved sub-floor.

(s) Three quarter inch (3/4") T & G Plywood can be used as a sub-floor but must have a one-quarter inch (1/4") underlayment applied to accept finish carpet or vinyl flooring.

(t) A layer of fifteen pound (15 lb.) felt paper is required over plywood corners or aspenite prior to the application of masonry.

(u) Trusses that are approved for installation on twenty four inch (24") centers, shall have ply clips applied for proper installation.

(v) Minimum exterior sheathing shall be on one-half inch (1/2") plywood, cellulose or styrene foam.

R-402.6 Firestopping

(a) Firestopping shall be provided in stud walls and partitions at each floor level and between ceilings of the top story and roof space. In full furred spaces of framed walls and studded off spaces of masonry walls at maximum intervals of four feet (4'). At the top and bottom and at openings for pipes, belts, shafting, chutes and conveyors passing through combustible floors or partitions with close-fitting non-combustible caps or metal shutters or other approved noncombustible means and in all other locations that would permit the free travel of flames.

(b) Firestopping of ceiling spaces.

When a ceiling is used to fire protect non-combustible floor and roof assemblies, floor beams and girders need not be individually fire protected except when such members support loads from more than one (1) floor or one (1) floor and roof such fire resistive ceiling shall be continuous. All storage spaces provided in cellars or

basement of multi-family dwellings shall have a one and one-half (1 1/2) hour fire rated ceiling.

Chapter 5 Wall Covering, Section R-502 Interior Covering shall be amended by the addition of the following:

Section R-502 Interior Covering

R-503.5 Gypsum Wallboard

- (a) Minimum thickness one-half inch (1/2").
- (b) Moisture proof gypsum wallboard minimum thickness one-half inch (1/2") to be applied around bathroom tubs, showers and ceilings.

Chapter 12 Combustion Air, Section M-1210 Exhaust and Ventilation System shall be amended by the addition of the following:

Section M-1210 Exhaust and Ventilation System All kitchen exhaust fans and ventilation systems and clothes dryers be vented outside by metal ducting. All required ventilation fans for bathrooms and powder rooms to be vented outside by approved ducting.

Chapter 17 Comfort Cooling, Section M-1707 Condensate shall be amended by the addition of the following:

Section M-1707 Condensate All condensate from the air conditioner unit shall be pumped to the outside by an automatic pump at the unit. It may also be run outside by gravity, grade permitting. The sump pump may be used if piped to the sump pump unit.

Part V Plumbing

The Plumbing Code of Upper Dublin Township shall be the standard for ALL plumbing in one and two family homes in the Township.

This would include Chapter 20 General Plumbing Requirements and Definitions.

Chapter 21 Plumbing Materials page 139

Chapter 22 Plumbing, Drainage and Venting Systems page 143

Chapter 23 Plumbing Fixtures, Traps and Receptors page 149

Chapter 24 Water Supply and Distribution page 155

Chapter 25 Sewers and Private or Individual Sewage Disposal Systems

Part VI Electrical, Section E-2601 shall be amended by the addition of the following:

E-2601 Dwelling units: A minimum of one single station smoke detector shall be installed in each guest room suite or sleeping area in buildings of Use Group R-1 and in dwelling units within building of Use Groups R-2 or R-3. It shall be installed in a manner and location approved by the authority having jurisdiction. When actuated, the detector shall provide an alarm suitable to warn the occupants within the individual unit. In building having basement or cellar in a location approved by the authority having jurisdiction.

E-2601.1 The single station units shall be hardwired (110V.) in all new construction and may be wired to any circuit not on Ground Fault Circuit Interrupter (G.F.C.I.) or circuits subject to loss of power by a wall switch. Battery powered units may be used in existing construction. The standard for the above work shall be N.F.i.P.A. #74-1980 as published by National Fire Protection Association.

Batterymarch Park
Quincy, Ma. 02269
Tel - 517-328-9290

Part VII Chapter 26 Standards

ARTICLE 3 - BOCA BASIC MECHANICAL CODE

Sec. 3.01 Adoption of the BOCA Basic Mechanical Code

There is hereby adopted by the Township of Upper Dublin for the purpose of prescribing regulations governing the design, construction, installation, conversion, repair, use or maintenance of all mechanical systems in all buildings and structures, certain documents marked and designated as the BOCA Basic Mechanical Code, 1981, Fourth Edition, and the whole thereof, of which codes not less than three (3) copies have been and now are filed in the Administrative Offices of the Township of Upper Dublin, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect the provisions thereof shall be controlling within the limits of the Township of Upper Dublin.

APPENDIX A REFERENCE STANDARDS AGENCIES shall be amended to read as follows:

The address of NFIPA to National Fire Protection Association shall be amended to read as follows:

Batterymarch Park
Quincy, Ma. 02269
Tel - 517-328-9290

APPENDIX B ACCEPTED ENGINEERING PRACTICE STANDARDS shall be amended to read as follows:

| | |
|--|-----------------|
| Fire Alarm and Detecting Systems | 1221-1980 |
| Public fire service Communications—NFIPA | NFiPA—71-1980 |
| Maintenance and use of Signaling Systems | NFiPA—72-B-1979 |
| Auxiliary Protective for Fire Alarm | NFiPA—72-A-1979 |
| Local Protective Alarm | NFiPA—72-D-1979 |
| Proprietary Protective Alarm | |
| Fire Prevention | |
| Air Conditioning and Ventilating Systems | NFiPA—90-A-1978 |
| Residence Type | NFiPA—90-B-1980 |
| Aircraft Hangars | NFiPA—409-1979 |
| Fire Doors and Windows | NFiPA—80-1980 |
| Flammable and Combustible Liquids | NFiPA—30-1981 |
| Incinerators and Rubbish Handling | NFiPA—82-1977 |
| Liquefied Petroleum Gases Storage | NFiPA—58-1979 |
| Liquefied Petroleum Storage Utility | |
| Gas Plants | NFiPA—59-1979 |
| Oxygen-Fuel Gas Systems | NFiPA—51-1977 |
| Standard for Parking Structures | NFiPA—88-A-1979 |
| Standard for Repair Garages | NFiPA—88-B-1979 |
| Standard for Installation and use of | |
| Stationary Combustion Engines and | |
| Gas Turbines | NFiPA—37-1979 |
| Fire Protection Systems | |
| Carbon Dioxide Extinguishing Systems | NFiPA—12-1980 |
| Dry Chemical Extinguishing Systems | NFiPA—17-1980 |
| Portable Fire Extinguishers | NFiPA—10-1978 |
| Foam Extinguishing Systems | NFiPA—11-1978 |
| Spray Systems | NFiPA—16-1980 |
| Halon 1301 System | NFiPA—12-A-1980 |
| Halon 1211 System | NFiPA—12-B-1980 |
| Outside Protection | NFiPA—24-1977 |
| Centrifugal Fire Pumps | NFiPA—20-1980 |
| Sprinkler Systems, Installation | NFiPA—13-1980 |
| Maintenance of Sprinkler Systems | NFiPA—13-A-1978 |
| Installation of Stand Pipes and Hose | NFiPA—14-1980 |
| Water Spray Fixed Systems | NFiPA—15-1979 |
| Water Tanks for Private Fire Protection | NFiPA—22-1978 |
| Wetting Agents | NFiPA—18-1979 |

HEATING EQUIPMENT

| | |
|------------------------------------|-----------------|
| Standard for Prevention of Furnace | |
| Explosions in Natural Gas-Fired | |
| Boilers | NFiPA—85-B-1979 |

| | |
|---|-----------------|
| Standard for Prevention of Furnace Explosions in Fuel Oil-Fired Boilers | NFiPA-85-D-1978 |
| Standard for Prevention of Furnace Explosions in Pulverized Coal-Fired | NFiPA-85-E-1980 |
| Standard for the Installation of Oil Burning Equipment | NFiPA-31-1978 |

INCINERATORS

| | |
|--|---------------|
| Standard on Incinerators and Rubbish Handling | NFiPA-82-1977 |
|--|---------------|

PIPING

| | |
|------------------------|---------------|
| National Fuel Gas Code | NFiPA-54-1980 |
|------------------------|---------------|

Any NFIPA Standard not on above list, the date is okay.

The entire 16 Volumes of the National Fire Codes 1981 Edition which includes 101-81 Life Safety Code, Published by NFIPA, shall also be used as Reference Standards.

The "Fire Protection Handbook Fifteenth Edition," Published by N.F.i P.A. shall also be used as a Reference Standard.

ARTICLE 4 - BOCA BASIC ENERGY CONSERVATION CODE

Sec. 4.01 Adoption of the BOCA Energy Conservation Code

There is hereby adopted by the Township of Upper Dublin for the purpose of prescribing regulations governing the design, construction, alteration, enlargement, equipment, repair, demolition, removal, conversion, use of maintenance of buildings and structures, certain documents marked and designated as the BOCA Basic Energy Conservation Code, 1981 Third Edition, and the whole thereof, of which codes not less than three (3) copies have been and now are filed in the Administrative Offices of the Township of Upper Dublin, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect

the provisions thereof shall be controlling within the limits of the Township of Upper Dublin.

ENACTED and ORDAINED this *9th* day of *February* 1982.

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

By: *Robert J. Roll*
President

Attest: *Harry Wardle*
Secretary

ORDINANCE NO. 618

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 5, HEALTH AND SANITATION, BY THE ADDITION OF CHAPTER 10, SEWER CONNECTIONS.

The Commissioners of Upper Dublin Township do enact and ordain as follows:

SECTION 1: Title 5, Health and Sanitation, shall be amended by the addition of Chapter 10, Sewer Connections, and read as follows:

Sec. 1.01 Definitions

- (a) "Authority" means Upper Dublin Township Authority.
- (b) "Sewer System" means and refers to the sewerage collection system and sewage treatment plant acquired, constructed and operated by the Township, and all additions, extensions and improvements thereto.
- (c) "Sanitary Sewage" means and refers to household waste, liquids, human or animal excretion and all substances commonly known as sewage, but shall not include roof or surface waters, exhaust, steam, oils, tar, grease, gasoline, benzine or other combustible gases and liquids and offal, or insoluble solids, industrial waste or substances which would impair, impede, affect, interfere with or endanger the Sewer System or any part thereof in any manner whatsoever, or the functioning of the processes of sewage treatment.
- (d) "Industrial Waste" means and refers to any liquid, gaseous or solid substance resulting from any manufacturing or industrial processes.
- (e) "Occupied Building" means 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.
- (f) "Person" includes natural persons, partnerships, organizations and corporations.
- (g) "Township" means Upper Dublin Township.

Sec. 1.02 Connections Mandated

- (a) Where properties abutting upon the sewer system are assessable for a proportionate share of the cost thereof, all persons owning any occupied building now erected upon premises abutting on the Sewer System shall, at their own expense, make the connection within two (2) months after notice to do so from the Authority.

(b) All persons owning any premises abutting on the Sewer System upon which an occupied building is hereafter erected shall, at the time of the erection of such building and their own expense, make the connection with the Sewer System.

(c) All persons owning any occupied building upon premises which hereafter shall abut on the Sewer System, shall, at their own expense, make the connection with the Sewer System within two (2) months after notice to do so from the Authority.

Sec. 1.03 Unlawful to Erect or Maintain Any Onsite Sewage Disposal

It shall be unlawful for any person owning any occupied building on premises abutting on the Sewer System to erect, construct or use or maintain or cause to be erected, constructed, used or maintained, any privy, cesspool, sinkhold, septic tank or other receptacle on such premises for receiving sewage.

Sec. 1.04 Onsite Sewage Disposal a Public Nuisance Subject to Abatement

Any person who erects, constructs or maintains a privy, cesspool, sinkhole or septic tank or other receptacle for receiving sewage, on any property abutting on the Sewer System in violation of this ordinance, shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance which nuisance the Township is hereby authorized and directed to abate in the manner provided by law.

Sec. 1.05 Connections Must be Made in Compliance With 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 Authority as may be approved from time to time by ordinance of the Township. The following Rules and Regulations are approved for adoption by the Authority; and shall have the force and effect as though promulgated by the Township:

(a) Application for Service Line

Any person owning an occupied building upon premises abutting on the Sewer System desiring the introduction of a service line from the Sewer System to his premises must first make written application on the forms furnished by the Authority. The application must be signed by such person or his duly authorized representative.

No person owning any premises connected with the Sewer System, or tenant of such premises shall permit another person or premises to use or connect with his service line, except upon written permit from the Authority.

(b) Permit for Connection

Before making any connection to the Sewer System, a permit must be obtained from the Authority. A permit authorizing such connection may be granted after proper application therefor has been made to the Authority and upon payment of the connection charge.

(c) Service Connection

No sewer connection or disconnection shall be made, nor any lateral installed, except in the manner and of a type approved by the Authority or its duly authorized representative, who shall have supervision and control over the same. The lateral line shall be constructed at the applicant's expense. After all pipe is laid and before the ditch is closed, all work must be inspected and approved by the representative of the Authority.

(d) Sewage Discharge

No roof, storm, cellar seepage, surface or ground waters, oils, tar, grease, gasoline, combustible gases or liquids, garbage or insoluble solids or any substance which would impair or interfere with the Sewer System, or any part thereof in any manner, or with the function of the processes of sewage treatment, shall be discharged into the Sewer System.

No person shall discharge or cause to be discharged into the Sewer System, any ashes, cinders, sand, glass, straw, mud, hay, shavings, metal, scraps, rags, feathers, plastics, wood, or any other solid or viscous substance capable of causing obstruction to the flow in the Sewer System or the processes of sewage treatment.

All hotels, restaurants, boarding houses and public eating places, before draining into the Sewer System, shall install grease traps on the house drains of such character as may be specified by the Authority.

(e) Inspections

The Authority or its 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 thereof and the plumbing fixtures or any improper connection, installation, maintenance or use. The Authority may make reasonable charges for such inspections to users of the Sewer System.

(f) Release of Liability

Neither the Township nor the Authority shall be liable for any damage or expense resulting from leaks, stoppages or defective plumbing or from any other cause, occurring to any premises or within any house or building; and it is hereby expressly stipulated by all persons making connection with the Sewer System that no claims shall be made against either the Township or the Authority on account of the breaking or stoppage of, or any damage to, any lateral or house sewer line or connection when the cause thereof is found to be in such lateral or house sewer line or connection.

The Township and the Authority shall not be liable for a deficiency or failure when occasioned by an emergency, or required repairs or failure for any cause beyond control.

(g) Vacated Premises

When premises are vacated, the owner or tenant shall give notice thereof to the Authority, and the owner or tenant will be responsible for the sewage charges until such notice is given.

(h) Changing Rules and Regulations

The Authority reserves the right to change or amend, from time to time, these Rules and Regulations in accordance with law, and subject to the approval of the Township through its Board of Township Commissioners.

Sec. 1.06 Penalty

The provisions of this ordinance and the Rules and Regulations set forth in Section 1.05 hereof are declared to be for the health, safety and welfare of the citizens of the Township and any person who shall violate any of such provisions, rules or regulations shall forfeit and pay a fine of not more than Three Hundred Dollars (\$300.00) to Upper Dublin Township, the same to be collected by a summary proceeding before any District Justice in said Township or recovered as debts of like amount are now by law recoverable, and in default of payment of such fine shall be liable to imprisonment of not more than thirty (30) days in the Montgomery County Prison and whenever such person shall have been notified by Upper Dublin Township through its duly constituted representatives, or by service of summons or prosecution, or in any other way that such violation has been committed, each day that such person shall continue in such violation shall constitute a separate offense, punishable by like fine or penalty.

of ENACTED and ORDAINED this 23rd day
of February, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Galls
President

Attest:

Harry Wardle
Secretary

ORDINANCE NO. 619

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 3, BUILDING AND CONSTRUCTION, CHAPTER 4, PLUMBING CODE, PROVIDING FOR THE ADOPTION OF BOCA BASIC PLUMBING CODE 1981, WITH AMENDMENTS THERETO.

The Commissioners of Upper Dublin Township do enact and ordain as follows:

SECTION 1: Section 1.01 BOCA Basic Plumbing Code Adopted, shall be amended by the substitution of the words "Fifth Edition, 1981" for the words "Fourth Edition, 1978", and shall read as follows:

There is hereby adopted by the Township of Upper Dublin for the purpose of prescribing regulations governing the design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies, storm water and sewage disposal in buildings, certain documents marked and designated as the BOCA Basic Plumbing Code, Fifth Edition, 1981, as published by the Building Officials and Code Administration International, Inc., and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 1.03 of this ordinance, of which codes not less than three (3) copies have been and now are filed in the Administrative Offices of the Township of Upper Dublin, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Township of Upper Dublin.

SECTION 2: Section 1.02 Definitions, shall be added to Article 2 Definitions of Plumbing Terms, Section P-201.0.

(a) Wherever the word "municipality" is used in the Plumbing Code, it shall be held to mean the Township of Upper Dublin.

(b) Wherever the words "Administrative Authority" are used, they shall be held to mean "plumbing inspector or his assistants."

SECTION 3: Section 1.03 Amendments to BOCA Basic Plumbing Code shall be amended and changed in the following respects:

ARTICLE 1 ADMINISTRATION AND ENFORCEMENT

Section P-114.2 reading as follows is added.

P-114.2 Plumbing Fee Schedule: Fees shall be charged in accordance with a Plumbing Fee Schedule which shall be adopted by the Board of Commissioners and found in Title 2, Chapter 1, FEES, RATES, AND PERMITS of the Upper Dublin Township Code.

Section P-122.0 Means of Appeal shall be deleted where it conflicts and is amended to read as follows:

P-122.0 Appeals An appeal from any decision of the plumbing inspector may be taken to the Commissioners. Such appeal shall be made in writing within ten (10) days after such decision has been made, shall be verified by affidavit and filed with the Township Secretary. The appellant or his representatives shall have the right to appear and be heard, if such a right is requested in the written appeal. A prompt decision of such appeal shall be made. In making the decision, the Commissioners may vary or modify any provision of this ordinance where there are practical difficulties in the way of executing the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done. Every action of the Commissioners on such appeals shall be by resolution, copies of which shall be certified to the plumbing inspector and the appellant.

Sections P-123.0 to P-123.5 reading as follows, are added:

SECTION P-123.0 LICENSING, REGISTRATION AND BONDING OF PLUMBERS

P-123.1 On and after the passage of this ordinance, it shall be unlawful for any person to carry on or work at the business of plumbing or house drainage in the Township of Upper Dublin until such person registers with and is licensed by the Township of Upper Dublin Department of Licenses and Inspections. Nothing in this ordinance, however, shall be construed to prevent the employment of journeyman plumbers or working of apprentices under the direction and supervision of duly registered and licensed master plumbers.

P-123.2 Registration of Master Plumbers. All master plumbers residing in and/or having a bona fide place of business in the Township of Upper Dublin shall not be required to undergo any examination and they shall be entitled to register for the current year and annually thereafter before the first day of February in each year. P-123.2 Registration and Fees. Any master plumber engaged in the business of plumbing or house drainage in the Township of Upper Dublin shall pay for each initial registration, a fee in accordance with the fee schedule adopted by the Board of Commissioners and set forth in Title 2, Chapter 1, FEES, RATES AND PERMITS, Sec. 3.03 of the Upper Dublin Code.

P-123.3.1 Expiration of Licenses. At the expiration of each calendar year said license shall be null and void. A licensed master plumber or journeyman plumber desiring to continue in or work at the business of plumbing or house drainage for the ensuing year, shall, before the first day of February of each year, surrender the said license for the current year to the Township of Upper Dublin, Department of Licenses and Inspections and re-register his name and business or home address upon such forms as are furnished by the Township of Upper Dublin.

P-123.3.2 Re-registration. For re-registration unless the licensed master plumber shall have failed to make application for re-registration at the specified time, the journeyman plumber shall be re-registered upon surrendering Journeyman Card for the current year and paying a fee in accordance with the fee schedule set forth in Title 2, Chapter 1, FEES, RATES, AND PERMITS, Section 3.03 of the Upper Dublin Code.

P-123.3.3 Registration for Institutions, etc. A person certified as competent by the Administrative Authority of the Township of Upper Dublin, may be registered as a master plumber for the care of, alteration to, or addition to the drainage system of a designated manufacturing or mercantile establishment, institution, hotel, etc., where it is necessary to have continual service of a master plumber, and may receive a license; but, in no case shall said person be permitted to do any plumbing or drainage work in any building or buildings other than that for which he is registered. To obtain a registration other than an institutional registration the person must submit proof that he is no longer employed by said firm, institution or other business establishment and offer evidence of a bona fide place of business.

P-123.3.4 License may be revoked. The license granted under this ordinance may be suspended or revoked by the Township of Upper Dublin, Department of Licenses and Inspections when a registered plumber shall violate any of these rules and regulations or shall refuse or neglect to make the necessary corrections to work not approved by the plumbing inspector or his assistants with a reasonable time after notification thereof, or shall permit the use of his name by a person for the purpose of obtaining a permit or permits to do plumbing or drainge work.

P-123.3.5 No person carrying on the business of plumbing and house drainage shall allow his name to be used by any person directly or indirectly, either to obtain a permit or permits or to do any work under his license.

P-123.4 Place of Business. Every registered master plumber shall have a bona fide place of business and shall display on the front of his place of business a sign "Registered Master Plumber," bearing his name.

P-123.4.1 A bona fide place of business shall be a building or part of a building where a shop is equipped with reasonable amount of stock, tools, and work space or an office where people may call to transact business at least thirty (30) hours per week.

P-123.4.2 Notice of Change in Status. Every registered master plumber shall give immediate notice to the Township of Upper Dublin, Department of Licenses and Inspections of any change of his place of business. Every registered master plumber retiring from business or failing to actively continue engaging in the business of plumbing or house drainage shall surrender his license to the Township of Upper Dublin, Department of Licenses and Inspections.

P-123.5 As a precondition to registraton and licensing, all master plumbers must obtain a plumbing license permit bond in the amount of Twenty Five Hundred Dollars (\$2,500.00) running in favor of Upper Dublin Township, to guarantee compliance with the Plumbing Code.

ARTICLE 4 MATERIALS

The following subsections and Tables of Section P-404.0 Piping System Materials shall be deleted: P-404.1.2, P-404.1.3, P-404.2, P-404.2.1, P-404.2.2, P-404.2.3, and P-404.2.4. Also delete P-404.2.7, P-404.3.1, P-404.3.2, P-404.5.2 and P-404.5.3 as written

in the BOCA Plumbing Code. Parts of Tables P-404.1.2, P-404.1.3, P-402.2.1, P-404.2.2, P-404.2.3, P-403.3.3, P-404.3.4 and P-404.5 as follows:

Table P-404.1.2 Water Service Pipe

Delete:

- Acrylonitrile Butadiene Styrene (ABS) Plastic Pipe
- Brass Pipe
- Chlorinated Polyvinyl Chloride (CPVC) Plastic Pipe
- Polybutylene (PB) Plastic Pipe and Tubing
- Polyethylene (PE) Plastic Pipe
- Polyethylene (PE) Plastic Tubing
- Polyvinyl Chloride (PVC) Plastic Pipe

Table P-404.1.3 Water Distribution Pipe

Delete:

- Brass Pipe
- Chlorinated Polyvinyl Chloride (CPVC) Plastic Pipe and Tubing
- Polybutylene (PB) Plastic Pipe and Tubing

Table P-404.2.1 Above Ground Drainage and Vent Pipe

Delete:

- Acrylonitrile Butadiene Styrene (ABS) Plastic Pipe
- Brass Pipe
- Lead Pipe
- Polyvinyl Chloride (PVC) Plastic Pipe

Table P-404.3.4 Subsoil Drain Pipe

Delete:

- Asbestos Cement Pipe
- Bituminized Fiber Pipe
- Polyethylene (PE) Plastic Pipe
- Polyvinyl Chloride (PVC) Plastic Pipe

Table P-404.5 Pipe Fittings

Delete: Plastic

The following Subsections will be added to Section P-404.0:

P-404.1.2 Water Service Pipe: Water service shall be made of copper tube. Copper tube when used underground shall have a weight not less than copper water tube Type K. All threaded ferrous pipe and fittings shall be galvanized. When used underground in corrosive soil or fill, the piping materials and/or protective coating or covering shall be approved by the Administrative Authority.

P-404.1.3 Water Distribution System Pipe: The water distribution system shall be of copper pipe, copper tube, galvanized open-hearth iron pipe, galvanized steel pipe, or lead pipe. Copper tube used underground shall have a weight of not less than copper water tube Type K and above ground shall have a weight of not less than copper water tube Type L.

P-404.2.1 Above Ground Piping Within Buildings: Soil and waste piping above ground in building shall be copper pipe, copper tube having a weight of not less than that of copper drainage type Type DWV, cast iron pipe, galvanized steel pipe, or lead pipe.

P-404.2.2 Underground Building Drains (sanitary and storm): All underground building drains shall be of cast iron not less than service weight, copper tube having a weight of not less than that of copper water tube Type K, hard temper or Schedule 40 plastic pipe. The plumber official may permit the use of other approved material. Where threaded joints are used underground, they shall be coal tar coated and wrapped when installed, or otherwise protected in an approved manner.

P-404.2.3 Building Sewer: In a Trench Separate from Water Service. If the building sewer is installed in a trench separate from the water service, the sewer pipe shall be of cast iron, concrete, vitrified clay tile, asbestos cement copper tube of a weight not less than that of copper water tube Type K, hard temper. Joints shall be watertight and root-proof.

P-404.2.3.1 Building Sewer: In Trench with Water Service. If the building sewer is installed in the same trench as the water service the sewer pipe material shall be of cast iron or copper tube of a weight not less than that of copper water tube Tube K, hard temper and installed with a ten (10) foot head of water or equivalent and accepted if found to be tight. The conditions of Section P-1602.2.1 shall also be met.

P-404.2.7 Building Storm Sewer: The building storm sewer shall be of cast iron soil pipe, vitrified clay pipe.

P-404.3.1 Above Ground Venting: Vent piping installed above ground shall be of copper pipe, copper tube having a weight of not less than that of copper drainage tube Type DWV, cast iron pipe, galvanized steel pipe.

P-404.3.2 Underground Venting: Underground vent piping shall be of cast iron pipe, copper tube of a weight not less than that of copper water tube Type K, hard temper, or other approved material, properly installed.

P-404.5.2 Inside Conductors: Inside conductors installed above ground level shall be of copper pipe, copper tube of a weight not less than that of copper drainage tube, Tube DWV, cast iron pipe, galvanized steel pipe, or P.V.C. Schedule 40.

P-404.5.3 Subsoil Drains: Subsoil drains shall be of open jointed or horizontally split or perforated clay tile, perforated P.V.C. Drainage.

ARTICLE 8 STORM DRAINS

The following Subsection of Section P-800.0 shall be added as Section P-812.0 Sump Pump Systems for storm water.

P-812.0 SUMP PUMP SYSTEMS FOR STORM WATER FROM INTERIOR OF ALL BUILDINGS

P-812.1 Where Required: In all basements and cellars below grade that cannot be drained by gravity whether they have water in them or not at the time.

P-812.2 Pump: The pump shall be of a capacity and head appropriate to anticipated use requirements and shall meet Standard Pump Manufactures Associates certification standards.

P-812.3 Sump Pit: The sump pit shall not be less than two feet by two feet by three feet (2' x 2' x 3') deep to a bed of loose stone. The pit may be constructed of tile, concrete, steel, plastic or other suitable materials with four (4) inches of stone in the bottom of sump pit. The pit must be approved by the Plumbing Inspector.

P-812.4 Electrical: The electrical service outlet shall meet the requirements of the National Electric Code. It shall be separately fused and grounded and shall be located not less than four (4) feet above floor. Shall not be on a G.F.I. (Ground Fault Interrupter).

P-812.5 Discharge into Sump: Nothing but storm, surface water and condensate from air conditioner may be discharged into the pit.

P-812.6 Discharge from Sump Pit: The discharge pipe size and fittings shall be the same as or larger than pump discharge tapping. When discharging into a storm sewer or 10 feet from the house, a suitable anti-siphon device or free flowig check valve shall be installed. No sump pump may be discharged into the street or over the curb. The runoff must be contained on the property so that it will not run into the street and cause ice to form.

(Note: This was Ordinance No. 480 enacted 10/9/73)

ARTICLE 9 VENTS AND VENTING

The following Subsections of Section P-906.0 Wet Venting are amended as follows:

P-906.2 Double Bathroom Groups Back-to-Back: Bathroom groups back-to-back consisting of two (2) lavatories and two (2) bathtubs or shower stalls, may be installed on the same horizontal branch with no back vent for the bathtubs or shower stalls and for the water closets, provided, the wet vent is not less than four (4) inches in diameter and the length of the fixture drain conforms to Table P-909.1 Maximum Distance of Fixture Trap From Vent.

ARTICLE 12 PLUMBING FIXTURES

Subsection P-1205.2 of Section P-1205.0 shall be amended to read as follows:

P-1205.2 Water Closets for Public Use: Water closet bowls for public use shall be of the elongated type wall hung.

Section P-1213.0 Food Waste Grinder Units shall be amended to read as follows:

P-1213.1 Approval: Domestic food waste grinders shall conform to AAE 1008 listed in Appendix A and shall be batch feed type. All wiring shall be metal clad covered between waste grinders and a switch in-side cabinet.

Add Subsection P-1213.6 and Subsection P-1213.7 as follows:

P-1213.6 Food Waste Grinders Not Permitted: Food waste grinders are not permitted in any sanitary sewer system into which the said sewage from the grinder drains and ultimately flows into the sewage treatment plant of The Delaware Valley Industrial Sewage Co., Inc.

P-1213.7 Permit Required: No person shall install, attach, maintain and use a domestic or commercial food waste grinder within the Township, provided, unless and until a permit shall first have been obtained from the Plumbing Inspector of the Township.

P-1213.7.1 Fee and Rental: The permit for the installation of a food waste grinder must be filed by a licensed master plumber, registered in Upper Dublin Township, accompanied by a permit fee. (See Title 2, Chapter 1, Fees, Rates, and Permits, Section 3.03.) The payment of an annual rental is described in Title 2, Chapter 1 FEES, RATES AND PERMITS, Section 3.03.

The following Subsection of Section P-1214.0 Dishwashing Machines is amended as follows:

P-1214.3 Waste Connection: Dishwashing machines shall discharge separately into a trap. Domestic dishwashing machines may discharge into the tailpiece for the kitchen sink provided there is no food waste grinder on the same trap. The dishwashing machine may not discharge into the connection of a food waste grinder.

The following Subsection of Section P-1215.0 Automatic Clothes Washers shall be added as follows:

P-1215.3 Floor Drains: Every clothes washer to be used above a finished basement or on second floor shall be mounted in a pan, which can be drained to the outside by plastic pipe without a trap. The room may also have a waterproof floor with a floor drain with a trap and must be hooked up to the sanitary system. Any units with laundry equipment above the second floor, shall only be installed with waterproof floor and floor drains.

ARTICLE 15 WATER SUPPLY AND DISTRIBUTION

The following Subsection of Section P-1504.0 Installing the Building Water Distribution System, P-1504.1.5 Riser Valves is amended as follows:

P-1504.1.5 Riser Valves: A valve shall be installed at the foot of each water supply riser. In multi-story buildings, a valve shall be installed at the top of each water supply downfeed pipe from a booster system.

ARTICLE 16 INDIVIDUAL WATER SUPPLY

Subsection P-1604.4 shall be amended to read as follows:

P-1604.4 Depth: Private potable well supplies shall not be developed from a water table located less than forty (40) feet below the ground surface.

Subsection P-1604.5.1 Watertight Casings is amended to read as follows:

P-1604.5.1 Watertight Casings: Each well shall be provided with a watertight casing to a distance of at least forty (40) feet below the ground surface. All casings shall extend at least six (6) inches above the well platform. The casings should, preferably, be sealed at the bottom in an impermeable stratum or extend several feet into the water-bearing stratum.

Subsection P-1604.5.2 is amended to read as follows:

P-1604.5.2 Drilled or Driven Well Casings: Drilled or driven well casings shall be of nineteen pound (19 lb.) steel casing. Where drilled wells extend into a rock formation, the well casing shall extend to and set firmly in the formation. The annular space between the earth and outside of the casing shall be filled with cement grout to a distance of at least five (5) feet below the ground surface. In an instance of casing-to-rock installation, the grout shall extend to the rock surface.

Subsection P-1604.6 is amended to read as follows:

P-1604.6 Cover: Every potable water well shall be equipped with a pitless adapter, and with an overlapping watertight cover at the top of the casing well or pipe sleeve so that contaminated water or other substances cannot enter the well through the annular opening at the top of the well casing, wall or pipe sleeve. Covers shall extend downward at least two (2) inches over the outside of the well casing or wall.

ARTICLE 19 HOLDING TANKS

Article 19 is added to the BOCA Basic Plumbing Code, and shall read as follows:

ARTICLE 19 HOLDING TANKS

P-1900.1 Definitions: Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Article shall be as follows:

(a) Holding Tank means a watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. Holding tanks include, but are not limited to, the following:

(1) Chemical Toilet which is a toilet using chemicals that discharge to a holding tank.

(2) Retention Tank which is holding tank where sewage is conveyed to it by a water carrying system.

(3) Vault Pit Privy which is a holding tank designed to receive sewage where water under pressure is not available.

(b) Improved Property shall mean any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or uses by human beings or animals and from which structure sewage shall or may be discharged.

(c) Owner shall mean any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

(d) Sewage shall mean any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

(e) Township shall mean Upper Dublin Township, Montgomery County, Pennsylvania.

P-1900.2 Rights and Privileges Granted: The Authority is hereby authorized and empowered to undertake with the Township the control of methods of holding tank sewage disposal and the collection and transportation thereof.

P-1900.2 Rules and Regulations: The Authority is hereby authorized and empowered to adopt such rules and regulations concerning holding tanks which it may deem necessary from time to time to effect the purposes herein.

P-1900.4 Rules and Regulations To Be In Conformity With Applicable Law: All such rules and regulations adopted by the Authority shall be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

P-1900.5 Exclusiveness of Rights and Privileges: The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania.

P-1900.6 Duties of Improved Property Owner: The owner of an improved property that utilizes a holding tank shall:

(a) Maintain the holding tank in conformance with this or any ordinance of this Township, the provisions of any applicable law, and the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.

(b) Permit only the Authority or anyone acting under the direction of the Authority to collect, transport, and dispose of the contents therein.

P-1900.7 Violations: Any person who violates any provisions of Section P-1900.6 shall, upon conviction therefor by summary proceedings, be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00) and costs, and in default of said fine and costs to undergo imprisonment in the Montgomery County Prison for a period not in excess of thirty (30) days.

P-1900.8 Abatement of Nuisances: In addition to any other remedies provided in this ordinance, any violation of Section P-1900.6 above shall constitute a nuisance and may be abated by the municipality or the Authority by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

SECTION 4: Section 1.04 Penalty, shall read as follows:

(a) Any person or persons, firm or corporation, who or which shall fail to comply with any of the provisions of this ordinance regarding the procuring of a license or certificate to engage in or work at the business of plumbing, or house or building drainage, shall be liable, upon conviction in a summary proceeding, to a fine of not less than Twenty Five Dollars (\$25.00) for each and every day that he, they or it shall engage in or work at said business without having obtained said certificate.

(b) Any person or persons, firm or corporation, who or which, violates any provision of this ordinance, with regard to the construction, reconstruction, testing or removal of plumbing systems, sanitary facilities, water supply, storm water drainage and sewage disposal in buildings, shall upon conviction therefor in a summary proceeding, be sentenced to pay a fine of not less than Twenty Five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00) and costs, and in default of said fine and costs to undergo imprisonment in Montgomery County Prison for a period not in excess of thirty (30) days.

(c) All fines and penalties shall be paid to the Township of Upper Dublin to apply to the general fund.

of ENACTED and ORDAINED this 23rd day
of February, 1982.

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

By: Patrick J. Zolla
President

Attest:

Harry Wardle
Secretary

ORDINANCE NO. 620

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 4, FIRE PREVENTION, CHAPTER 1, FIRE PREVENTION CODE, PROVIDING FOR THE ADOPTION OF BOCA BASIC FIRE PREVENTION CODE 1981, WITH AMENDMENTS THERETO.

The Commissioners of Upper Dublin Township do enact and ordain as follows:

SECTION 1: Section 1.01 Adoption of Fire Prevention Code, shall be amended by the substitution of the words "1981 Fifth Edition" for the words "1978 Fourth Edition," and shall read as follows:

There is hereby adopted by the Township of Upper Dublin for the purpose of prescribing regulation governing conditions hazardous to life and property from fire or explosion that certain code known as the BOCA Basic Fire Prevention Code, 1981 Fifth Edition, as published by the Building Officials Conference of American save and except such portions as are hereafter deleted, modified or amended, of which code not less than three (3) copies have been and how are on file in the Administrative Offices of the Township of Upper Dublin at 801 Loch Alsh Avenue, Fort Washington, Pennsylvania and the same are hereby adopted and incorporated as fully as if set out at length herein and from the date on which this ordinance shall take effect the provisions thereof shall be controlling within the limits of the Township of Upper Dublin, Montgomery County, Pennsylvania.

SECTION 2: Section 1.02 Definitions, shall read as follows:

Whenever any of the following words are used in this ordinance and in the Fire Prevention Code, or any part thereof, they shall have the respective meanings, as follows:

- (a) "Municipality" - Township of Upper Dublin, Montgomery County, Pennsylvania.
- (b) "Township" - Township of Upper Dublin, Montgomery County, Pennsylvania.
- (c) "Commissioners" - Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania.
- (d) "Corporation Counsel" - Solicitor of the Township.
- (e) "Fire Board" - Board established by the Township of Upper Dublin (Ordinance No. 120, adopted October 11, 1956, and amendments thereto).
- (f) "Bureau of Fire Prevention" - Fire Board and/or Fire Marshal.
- (g) "Fire Official" - Fire Marshal.

(h) "Fire Marshal" - The Fire Marshal of Upper Dublin Township, the appointee of Township as per Ordinance No. 120, aforesaid.

SECTION 3: Section 1.03 Enforcement, shall read as follows:

(a) The Fire Prevention Code shall be enforced by the Fire Marshal.

(b) The Marshal may detail such inspectors as shall from time to time be necessary. The Fire Marshal shall recommend to the Commissioners of Upper Dublin Township the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and non-members of the Fire Department.

(c) A report of the Fire Marshal shall be made annually and transmitted to the Secretary of the Township; it shall contain all proceedings under this Code, with such statistics as the Fire Marshal may wish to include therein; the Fire Marshal shall also recommend any amendment to the Code which, in his judgment shall be desirable.

SECTION 4: Section 1.04 Amendments to BOCA Basic Fire Prevention Code shall be amended and changed in the following respects:

ARTICLE 2

Add the following to Section F-201.0:

Bulk Plant: shall mean that portion of a property where flammable or combustible liquids are received by tank vessel, pipe lines, tank car, or tank vehicle, and are stored or blended for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, or container.

ARTICLE 3

Add the following sections to Article 3:

F-301.7: All permitted fires shall be kindled or maintained between sunrise and sunset, except by a special permit for burning after sunset issued by the Fire Marshal.

F-301.8: The burning of leaves on Saturday between sunrise and sunset and on Sunday from twelve noon to sunset shall be permitted at private homes only, provided, however, that because of unusual drought conditions the burning of leaves may be banned throughout the Township by the Fire Marshal.

F-307.2.1 Outside Cooking: No charcoal or propane fired cooking equipment shall be used on patio or patio balcony at any multi-family dwelling in Upper Dublin Township. The cooking equipment shall not be stored within any units or on patio or patio balcony of any multi-family dwellings within Upper Dublin Township. The charcoal or propane fired cooking units may be used at least fifteen (15) feet from any building and on the ground with permission of the owner.

F-307.2.2 Unvented Fuel Burning Heaters: The use of unvented fuel burning space (room) heaters shall be prohibited in all multi-family units in Upper Dublin Township.

SECTION F-308.0 CHIMNEYS AND HEATING APPLIANCES

Section F-308.2 Unsafe Heating Appliances shall be amended to read as follows:

F-308.2 Unsafe Heating Appliances: The Fire Official or his designated representative shall order the sealing (preventing the use of) any existing stove, oven, furnace, incinerator, boiler or chimneys and vents or any other heat producing device or appliance found to be defective or in violation of code requirements for existing appliances after given ten (10) days notice to this effect to any person, owner, firm agent or operator in charge of same. However, the Fire Official may seal any device or appliance without notice when inspection shows the existence of an immediate fire hazard or if they have had chimney or vent fire, or when imperiling human life. The sealed defective appliance shall remain withdrawn from service until all necessary repairs or alterations have been made. This work must be certified by a contractor or engineer.

SECTION F-311.0 FIRE LANES AND PARKING

F-311.3 Parking Prohibited: It shall be unlawful to park any vehicle within a "NO PARKING" area adjacent to a commercial, institutional, or any building to which the public is invited. It is the intent that there should be, at all times, space available to permit proper egress by occupants from the building and adequate space for Fire Equipment.

F-311.4 No Parking Zones: Each "NO PARKING" area shall be determined and decreed by the Fire Marshal. His direction and approval shall be indicated on a plan, furnished by owner, in triplicate, but prepared and certified by a duly licensed civil or landscape engineer.

F-311.5 Marking for No Parking Zones: Each "NO PARKING" area shall be indicated by surface painted lines or approved strips, and a sufficient number of "No Parking by Order of Fire Marshal" signs. The number, size, type and construction of each sign shall be determined by the Fire Marshal and provided by the owner of lot at the owner's expense. The Fire Marshal shall be empowered to require the lot owner to replace any sign and/or require a restoration thereof, so as to permit a clear and legible reading of the words thereon.

F-311.6 Temporary Regulations: The Fire Marshal is hereby given authority to adopt and enforce temporary parking regulations to cover emergencies or special condition in any public or private street, lane, alley or shopping center if he shall determine that the parking of motor vehicles is liable to interfere with the operations of the Fire Department. He shall post signs on such street, lane, alley, or shopping center reading "NO PARKING Temporary Fire Regulation by Order of Fire Marshal of the Township of Upper Dublin".

F-311.7 Violations: Any person parking a motor vehicle or other vehicle in disregard of any sign erected by the Fire Marshal, as provided herein, shall be guilty of a violation of this ordinance and subject to the fines and penalties as provided by the State Motor Vehicle Code #81-H.B.-1817, Section 3353-Section A 3ii.

ARTICLE 4

Add the following section to Article 4:

F-408.4 Fire Alarm Systems, Systems Required in Certain Buildings: Automatic central station fire alarm systems approved by the Fire Marshal shall be installed in all existing school dormitories, homes for children, sanitariums, nursing homes, convalescent homes, and homes for the aged having over five (5) guests, housing bed or ambulatory patients.

F-408.5 Minimum Requirements: The following minimum requirements for an approved fire alarm system are hereby established but additional requirements may be imposed by either the Fire Marshal or Building Official when more stringent regulations are deemed necessary:

(a) All exposed wiring must be installed in approved metallic raceway or armored cable (BX). The source of current for fire alarm systems shall be taken from the service side of the main switch and shall terminate in fused safety switch prominently stenciled "FIRE ALARM". The fused switch shall be located within three (3) feet of the main switch.

(b) Automatic fire detecting equipment shall be installed at the top of the basement or cellar stairway and throughout all parts of the basement or cellar. Combination "Rate of Rise and Fixed Temperature" detectors shall be used and shall be installed on the ceiling. A sufficient number of sounding devices approved by the Fire Marshal shall be installed on each floor of the building and be so arranged that they may be heard in all parts of the building above all other normal sounds.

(c) One "Hammerless Break-Glass Station" shall be installed on the first floor of the building within ten (10) feet of the primary exit. A spare glass and a key for the same shall be kept at the Fire Alarm Control box.

(d) An inspection certificate from an approved rating bureau showing that the installation has been inspected and approved shall be supplied to the Fire Marshal by the company which installed the approved fire alarm system.

F-408.6 After-Ring Fire Alarm: All coded fire alarm systems required by the Department of Labor and Industry of the Commonwealth except "Pre-signal" systems shall be provided with a relay that will sound all alarm devices automatically and continuously after the code cycle is completed and until the system is turned off manually at the main control panel.

**SECTION F-409.0 REGULATIONS APPLYING TO ALL FIRE HYDRANTS
WITHIN TOWNSHIP OF UPPER DUBLIN**

F-409.1 Fire Hydrants Required: Fire hydrants connected to sufficient water supply for fire-fighting purposes shall be provided in new real estate subdivisions, on new streets, in office centers, shopping centers, educational institutions, apartment complexes and similar occupancies at the direction of the Fire Marshal, who shall consult with an approved rating bureau and the Township Engineer before directing such installations.

F-409.2 Specification: The following specifications shall apply to all fire hydrants installed or replaced after the effective date of this ordinance, which are on public water systems. The following specifications shall also apply to private fire hydrants which are on private property but are served by a public water system.

F-409.2.1: All fire hydrants shall adhere to specifications shown on document known as "Hydrant Hose Connection Standard, dated July 23, 1975, Drawing No. S-5, Construction Standards, Upper Dublin Township" on file with the Fire Marshal in the Township Building, and as revised from time to time by the Fire Marshal.

F-409.2.2: Fire Department Siamese Connections on all existing buildings or structures shall be provided with three (3) inch National Standard Fire Hose Thread (3-6 N H) female connection on Siamese with caps or plugs and chains.

F-409.2.4: All hose cabinets shall be provided with one and one-half (1 1/2) inch male National Standard Fire Hose Thread (1.5 -9N H) and single jacketed rubber lines hose.

F-409.2.5: All private yard hydrants which are on a private water system or are metered from a public water system shall be of the Yard Hydrant Type with two (2) two and one-half (2 1/2) inch gated valves with National Standard two and one-half (2 1/2) inch thread caps. No pumper connection will be permitted. All presently installed private yard hydrants which do not comply with these specifications shall be made to comply with the above type valves.

F-409.3 Conduct Prohibited: It shall be unlawful for any person to draw water from a fire hydrant for any purpose except official use by employees of the Township, other than to extinguish a fire, or to willfully permit water from a fire hydrant to be wasted, or damage or break a fire hydrant, or to hinder or obstruct any fireman or any vehicle of the Fire Department from passing along the streets to or from a fire, or from conducting firefighting operations at a fire.

ARTICLE 29

Add the following subsection to Section F-2900.2:

F-2900.2.1: No permits shall be issued for Bulk Plants in Upper Dublin Township.

ARTICLE 31

Add the following subsection to Section F-3100.2:

F-3100.2.1: Bulk Plants for the storage of Liquefied Petroleum Gases are not permitted in the Township of Upper Dublin.

Add the following subsections to Section F-3104.0:

F-3104.5: Used as fuel for space heaters for drying and winter protection during construction work - Only Interstate Commerce Commissioners shipping cylinders not exceeding one hundred (100) pounds capacity shall be used as containers for liquefied petroleum gas. In addition, the valve on the cylinders shall be protected when in storage or transportation by a protective cap or other device approved by the Fire Marshal in order to give adequate protection against valve damages.

Each cylinder in use shall be adequately supported in an upright position. Where the space heater and cylinder are located on the same floor, not more than one cylinder shall be used for each four hundred (400) square feet of floor space to be heated. For concrete protection only, where cylinders are placed on the floor below where heaters are in use, not more than one (1) heater shall be used for each two hundred (200) square feet of floor space to be heated. Under certain climatic conditions, additional heaters may be used when approved by the Fire Marshal.

Each heater shall have installed thereon a one hundred percent (100%) shut-off safety valve.

Only two (2) braid neoprene hose shall be used for connecting the supply cylinder to the heater. Such hose shall be fitted at each end with threaded hose unions and the hose pressure test of two hundred fifty (250) pounds per square inch. The length of the hose shall not exceed twenty (20) feet and shall be protected from damage.

Heaters shall be placed at least six (6) feet from any cylinders or any combustible materials in any horizontal direction and at least ten (10) feet from any tarpulin cover. They shall not be placed on unprotected wood flooring nor used in any unventilated areas.

No excess storage of liquefied petroleum gas is permitted in the same area where heaters are being used. Excess cylinders shall be stored in a separate storage structure satisfactory to the Fire Marshal. Such structure shall be kept securely locked when not in actual use, and shall be provided with fire extinguishers in accordance with National Fire Protection Association Standard No. 10. All cylinders empty or full shall be treated alike and handled in the same manner.

Signs shall be installed at the storage areas reading "Keep Open Flames and Fires Away," and "No Smoking in This Area," and in other locations as directed by the Fire Marshal.

Oxygen cylinders shall not be stored in the same storage area with liquefied petroleum gas cylinders.

All cylinders shall be stored and used in an upright position.

Not more than three hundred (300) pounds of liquefied petroleum gas shall be connected to one manifold inside a building. If more than one manifold is required they shall be separated by fifty (50) feet.

Suitable means for fire extinguishment shall be provided on each floor where the heaters are used. At least three-fourths (3/4) inch hose with running water to reach all points, or six (6) water pails (protected from freezing) for each five thousand (5,000) square feet, or approved type nonfreezing fire extinguishing equipment, shall be provided.

F-3104.6: Used for temporary space heating in Field Offices, Shanties, Trailers or similar enclosures in connection with construction work, and temporary tents. - Trailers in use shall be adequately supported and braces in an upright position, outside of the structure wherein the liquefied petroleum gas is being used.

Cylinders shall be adequately protected from extreme weather conditions, mechanical injury, or adjacent sources of heat, and also by a permanent protective cap, or other device approved by the Fire Marshal, in order to give adequate protection against valve damage.

Cylinders shall be of a type complying with Interstate Commerce Commission Specification for the storage of liquefied petroleum gases, and of a container capacity not to exceed one hundred (100) pounds.

Only two (2) braid neoprene hose shall be used for connecting the supply cylinder to the heater. Such hose shall be fitted at each end with threaded hose union and the hose with fitting shall withstand a prepressure test of two hundred fifty (250) pounds per square inch. The length of the hose shall not exceed twenty (20) feet and shall be protected from damage.

Low pressure regulators shall be a type approved by the Underwriters' Laboratory of the American Gas Association.

Where field office trailers are constructed with the heating equipment as an integral part including copper tubing, protruding from the trailer with a threaded fitting in accordance with the requirements of Subsection F-2210.10 paragraph 4.

No excess storage of liquefied petroleum gas will be permitted in the same area where heaters are being used. Excess cylinders shall be stored in a separate storage structure satisfactory to the Fire Marshal. Such structure shall be kept securely locked when not in actual use and in accordance with National Fire Protection Association Standard No. 10. All cylinders, empty or full, shall be treated alike and handled in same manner.

Signs shall be installed at the storage areas reading "Keep Open Flames and Fires Away," and "No Smoking in This Area," and in other locations as directed by the Fire Marshal.

Oxygen cylinders shall not be stored in the same storage area with liquefied petroleum gas cylinders.

The method of manifolding two (2) cylinders with high pressure copper tubing (short lengths) factory-coupled to the automatic gas regulator is acceptable to the Fire Marshal.

Fire extinguishers shall be installed in accordance with National Fire Protection Association Standard No. 10.

F-3104.7: Used as a Fuel for Heating Tar Kettles - Only Interstate Commerce Commissioners shipping cylinders not exceeding one hundred (100) pounds capacity shall be used as containers for the liquefied petroleum gas.

The connecting of liquefied petroleum gas cylinders to tar kettle units shall be conducted outdoors.

Liquefied petroleum gas cylinders in use shall be adequately supported in an upright position and safeguarded against damage or heat.

No excess cylinders shall be stored on the job site without permission of the Fire Marshal.

Each portable tar kettle unit shall be provided with an extinguisher of the Carbon Dioxide or Dry Chemical type containing at least four (4) pounds of extinguishing agent.

It shall be unlawful for any person to operate, maintain or use a kindled tar kettle:

(a) In any building or on roofs of any structure unless the roof is of noncombustible construction;

(b) Within fifteen (15) feet of a fire hydrant;

(c) On or within two (2) feet of the surface of any asphalt pavement except for the purpose of repairing, removing or constructing the same; and

(d) Without a pressure regulator and excess flow check valve approved by the Underwriters' Laboratories, and also provided with a shut-off valve at the cylinder.

APPENDIX A AMENDMENTS, REFERENCED STANDARDS shall be amended to read as follows:

NFiPA National Fire Protection Association

Batterymarch Park
Quincy, MA 02269
Tel - 517-328-9290

Change the date of the Standard to the following:

Standard reference number

12-80
12a-80
12b-80
13-80
14-80
16-80
17-80
20-80
30-81
40e-80
54-80
56a-78
61b-80
65-80
96-80
211-80
231c-80
231d-80
407-80
490-80
651-80
801-80

The entire 16 volumes of the National Fire Codes 1981 which includes 101-81 Life Safety Code, Published by NFiPA, shall also be used as Referenced Standards. Fire Protection Handbook Fifteenth Edition, Published by NFiPA shall also be used as a Reference Standard.

SECTION 5: Section 1.05 Modifications shall be amended to read as follows:

The Fire Marshal shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out strict letter of the Code, provided that the Fire Marshal use the Referenced Standards listed in APPENDIX "A" as amended under Sec. 1.04 Amendments, provided that the spirit of the Code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Fire Marshal thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

SECTION 6: Section 1.06 Appeals shall read as follows:

Whenever the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Marshal to the Commissioners of Upper Dublin Township within thirty (30) days from the date of the decision.

SECTION 7: Section 1.07 New Materials, Processes or Occupancies Which May Require Permits shall read as follows:

The Fire Board shall act as a committee to determine and recommend to the Board of Commissioners, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said Code. The Fire Marshal shall post such list in a conspicuous place in the Township Building, and distribute copies thereof to interested persons.

of ENACTED and ORDAINED this 23rd day
of February, 1982.

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

By: Patrick J. Jolly
President

Attest:

HARRY WARDLE
Secretary

ORDINANCE NO. 621

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 5, HEALTH AND SANITATION, CHAPTER 1, PROPERTY MAINTENANCE CODE, PROVIDING FOR THE ADOPTION OF BOCA BASIC PROPERTY MAINTENANCE CODE 1981, WITH AMENDMENTS THERETO.

The Commissioners of Upper Dublin Township do enact and ordain as follows:

SECTION 1: Section 1.01 Adoption of Basic Property Maintenance Code, shall be amended by the substitution of the words "1981, Second Edition" for the words "1978, First Edition," and shall read as follows:

There is hereby adopted by the Township of Upper Dublin for the purpose of establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance; for cooking equipment in all dwellings and multi-family dwellings now in existence, certain documents marked and designated as the BOCA Basic Property Maintenance Code, 1981, Second Edition, as published by the Building Officials and Code Administration International, Inc., and the whole thereof, which codes not less than three (3) copies have been and now are filed in the Administrative Offices of the Township of Upper Dublin and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Township of Upper Dublin.

SECTION 2: Section 1.02 Definitions, Article 2 Definitions Section PM-201.0 shall read as follows:

(a) Wherever the word "Municipality" is used in the Property Maintenance Code, it shall be held to mean the Township of Upper Dublin.

(b) Wherever the words "Building Official" are used in the Property Maintenance Code, they shall be held to mean the Township of Upper Dublin.

(c) Wherever the words "Administrative Authority" are used in the Property Maintenance Code, they shall be held to mean Building Inspector or his assistants.

SECTION 3: Section 1.02 Amendments to BOCA Basic Property Maintenance Code shall be amended and changed in the following respects:

ARTICLE 1 ADMINISTRATION AND ENFORCEMENT

Section PM-110.0 is deleted in its entirety and the following section shall be substituted:

SECTION PM-110.0 APPEALS

PM-110.0 Appeals: An appeal from any decision of the Building Official may be taken to the Commissioners of Upper Dublin Township. Such appeal shall be made in writing within ten (10) days after such decision has been made, shall be verified by affidavit and filed with the Township Secretary. The appellant or his representative shall have the right to appear and be heard, if such a right is requested in the written appeal. A prompt decision of such appeal shall be made. In making the decision, the Commissioners may vary or modify any provision of this ordinance where there are practical difficulties in the way of executing the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done. Every action of the Commissioners on such appeals shall be by resolution, copies of which shall be certified to the Building Official and the appellant.

ARTICLE 7 FIRE SAFETY REQUIREMENTS

Section PM-700.0 is amended by adding Section PM-704.6 to read as follows:

PM-704.6 Smoke Detectors: Each dwelling unit shall be provided with a single station smoke detector installed in each guest room or sleeping area in buildings of one and two family and guest rooms of motels and hotels. When actuated, the detector shall provide an alarm suitable to warn the occupants within the individual unit. In buildings having basement or cellars in a location approved by the authority having jurisdiction.

The single station units shall be hardwired (110 V. AC) in all new construction and may be wired to any circuit not on a Ground Fault Circuit Interrupter (GFI) or circuits subject to loss of power by a wall switch. Battery powered units may be used in existing construction. The Standard for the above work shall be N.F.I.P.A. #74-1980 for the installation, maintenance, and use of Household Fire Warning Equipment, as published by The National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

PM-704.7 Outside Cooking: No charcoal or propane fired cooking equipment shall be used on patio or patio balcony at any rental unit in Upper Dublin Township. The cooking equipment shall not be stored within any units or on patio or patio balcony of any multi-family dwellings within Upper Dublin Township. The charcoal or propane fired cooking units may be used at least fifteen (15) feet from any building and on the ground with permission of owner of the property.

PM-704.8: The use of unvented fuel-burning space (room) heaters shall be prohibited in all rental units in Upper Dublin Township.

SECTION 4: Section 1.04 Permit Required shall be amended to read as follows:

No person shall lease or rent any dwelling, dwelling unit or rooming unit, motel unit or hotel unit, in Upper Dublin Township without first making application to and obtaining from the Board of Commissioners a permit (Housing License) to rent or lease such dwelling unit or rooming unit.

This Housing License shall be issued after an inspection by the Township and meets the Standards of the BOCA Basic Property Maintenance Code/1981 and any other Standards of the Township that would apply.

Starting in 1982, the Housing License will be for a two (2) year period and the Township will inspect all the rental units on the south side of Susquehanna Avenue, and all the rental units on the north side of Susquehanna Avenue will be inspected in 1983. This will mean the Township will only inspect one-half (1/2) of the Township every year.

Exceptions: The large rental units over ten (10) units will file an application for a permit every two (2) years, but the Township will make their inspections of all empty units every month. The owners of the large rental units shall notify the Building Inspector by letter of the vacant units so that they can be inspected before re-renting. Motels and hotels will be inspected on the regular inspections and the units will be spot checked.

SECTION 5: Section 1.05 Permit Application, shall read as follows:

Such application shall set forth the name of the applicant together with the address of the dwelling, the dwelling unit (or units) or the rooming unit (or units) which are or will be offered for rent, and such other information as may be required by the Board of Commissioners; such application to constitute an agreement between the applicant and the Board of Commissioners for the faithful compliance by the applicant and all agents, servants, employees or representatives of the applicant with all ordinances of Upper Dublin Township and all rules and regulations of the Board of Commissioners now in effect or hereafter adopted relating to the basic equipment, physical condition, maintenance and occupancy of dwellings and dwelling units, motel and hotel units.

SECTION 6: Section 1.06 Fees, shall read as follows:

(a) A permit fee shall be paid by the applicant at or before the issuance of the permit in accordance with the permit fee schedule adopted in Title 2, Chapter 1, FEES, RATES AND PERMITS.

(b) Owner or Agent. A license will not be issued or renewed for any person who does not either reside or have an office in this Township unless he shall designate in writing an agent in this Township for the receipt of any notice of a violation or violations of the provisions of this Code.

SECTION 7: Section 1.07 Adoption of Rules and Regulations, shall read as follows:

The Board of Commissioners is authorized to make and adopt such procedural rules it may deem necessary for the proper enforcement of this ordinance provided that such procedural rules and regulations shall have the same force and effect as the provisions of this ordinance and the penalty for violation thereof shall be the same as the penalty for violation of the provisions of this ordinance.

SECTION 8: Section 1.08 Abatement of Violations, shall read as follows:

If a violation has not been corrected with the time designated for such compliance and the Board of Commissioners finds that the continuation of such violation constitutes a public nuisance or hazard, it may order the correction of such violation, using Township funds or Township personnel to accomplish such corrections, and may charge the cost thereof to the violator. It may collect such cost by lien and/or otherwise as may be authorized by the laws of this State.

SECTION 9: Section 1.09 Penalty, shall read as follows:

Any person who violates any provision of this Code, or any provision of any rule or regulation adopted by the Board of Commissioners pursuant to authority granted by this Code, or fails to correct in a reasonable time the defects for which the dwelling or dwellings have been cited, shall upon conviction before a District Judge of competent jurisdiction, pay a penalty of not less than Twenty Five Dollars (\$25.00) or more than Thirty Dollars (\$30.00) and in default of payment of such fine be imprisoned for not less than one (1) day or more than thirty (30) days; and each day's failure to comply with any such provision shall constitute a separate violation. All prosecutions for violations of this ordinance shall be by summary proceedings brought in the name and for the use of the Township of Upper Dublin before the District Justice of the Township. All fines and penalties shall be paid to the Treasurer of the Township of Upper Dublin to apply to general funds.

of ENACTED and ORDAINED this 23rd day
of February, 1982.

UPPER DUBLIN TOWNSHIP
BOARD OF COMMISSIONERS

By: Patricia J. Zolla
President

Attest:

Harry Wardle
Secretary

ORDINANCE No. 622

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP BY DESIGNATING THE TRACT DESCRIBED HEREIN FROM A-RESIDENTIAL DISTRICT TO B-RESIDENTIAL DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from A-Residential District to B-Residential District:

ALL THAT CERTAIN plot or tract of land with the buildings and improvements thereon erected and with the quarry thereon located, Situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, described in accordance with a lot location plan of property of Frank A. Peirce made by C. Raymond Weir, Registered Professional Engineer, Ambler, PA, on January 23, 1960, and thereon designated as Plot "B", more particularly described as follows, to wit:

BEGINNING at a point in the center line of Highland Avenue (50 feet wide) at a point of intersection of the center line of Highland Avenue with the center line of Farm Lane (as laid out 40 feet wide); thence extending along the said center line of Farm Lane, North 34 degrees, 29 minutes East 628.13 feet to a point in the center line of Farm Lane, a corner of this and other lands of the grantor herein designated on said Plan "A"; thence extending along Plot "A" the four following courses and distances, viz: (1) South 55 degrees 31 minutes East 168.47 feet to a point; (2) South 34 degrees 29 minutes West 108.00 feet to a point; (3) South 55 degrees 31 minutes East 356.72 feet to a point; and (4) South 19 degrees 45 minutes West 369.47 feet to the center line of Highland Avenue, aforesaid; and thence extending along the center line of Highland Avenue, North 70 degrees 15 minutes West 640.19 feet to the point and place of beginning.

CONTAINING 6.86 acres of land more or less.

ENACTED AND ORDAINED this 13th day of April, A.D. 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Gelle
President

Attest Harry Wardle
Secretary

ORDINANCE No. 623

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP BY DESIGNATING THE TRACT DESCRIBED HEREIN FROM A-RESIDENTIAL DISTRICT TO RE-RECREATIONAL DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from A-Residential District to RE-Recreational District:

ALL THAT CERTAIN lot or piece of land known as "Burn Brae Golf Course" with the buildings thereon erected SITUATE in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point, said point being the intersection of the centerline of Susquehanna Road (60 feet wide) with the centerline of Twining Road (33 feet wide), THENCE partly along the said centerline of Susquehanna Road (60 feet wide) and partly through the bed of said road where it widens to an irregular width, North Forty-four degrees Thirteen minutes West ($N 44^{\circ} 13' W$) Eight Hundred Twenty-eight and Eighty-four One Hundredths feet (828.84') to a point, THENCE leaving the bed of Susquehanna Road North Forty-five degrees Forty-seven minutes East ($N 45^{\circ} 47' E$) One Thousand Twenty-three and Thirty-eight One Hundredths feet (1023.38') to a stone, THENCE North Forty-four degrees Fifty-eight minutes West ($N 44^{\circ} 58' W$) Four Hundred Seventy-five and Sixty-five One Hundredths feet (475.65') to a stone located on the Southeasterly Right-of-Way line of the Pennsylvania Railroad Company Trenton Cut-off Branch, THENCE along the aforementioned Right-of-Way line the six (6) following courses and distances: (1) Northeasterly on the arc of a circle, curving to the left, having a radius of Eight Thousand Six Hundred Fifty-four and Forty-one Hundredths feet (8654.40') the arc distance of Nine Hundred Thirty-nine and Sixty-four One Hundredths feet (939.64') to an iron pipe; (2) South Forty-five degrees Forty-one minutes East ($S 45^{\circ} 41' E$) Twenty-one and Eighteen One Hundredths feet (21.18') to an iron pipe; (3) Northeasterly on the arc of a circle, curving to the left, having a radius of Eight Thousand Six Hundred Seventy-four and Forty-two One Hundredths feet (8674.42') the arc distance of Seven Hundred Nineteen and Twenty-two One Hundredths feet (719.22') to an iron pipe; (4) South Thirty-three degrees Seven minutes East ($S 33^{\circ} 07' E$) One and No One Hundredths feet (1.00') to an iron pipe; (5) North Fifty-seven degrees Thirty-two minutes Thirty seconds East ($N 57^{\circ} 32' 30'' E$) One Thousand Six Hundred One and Thirty-eight One Hundredths feet (1601.38') to a stone; (6) North Fifty-eight degrees Thirty-two minutes Thirty seconds East ($N 58^{\circ} 32' 30'' E$) Two Hundred Seventy-six and Nineteen One Hundredths feet (276.19') to a

point, THENCE leaving said Right-of-way line South Seventeen degrees Thirty-four minutes Eleven seconds East (S 17° 34' 11" E) Two Hundred Fifty-two and Twenty-four One Hundredths feet (252.24') to a point, THENCE South Forty-five degrees Twenty-seven minutes and Thirty seconds East (S 45° 27' 30" E) Three Hundred Fifty and No One Hundredths feet (350.00') to a point on the centerline of Twining Road (33 feet wide), THENCE along the centerline of Twining Road South Forty-six degrees Fifteen minutes Thirty seconds West (S 46° 15' 30" W) One Hundred Fifty and Seven One Hundredths feet (150.07') to a point, THENCE leaving the centerline of Twining Road South Forty-five degrees Twelve minutes East (S 45° 12' E) Six Hundred Twenty-seven and Fifty One Hundredths feet (627.50') to a stone, THENCE South Fifty-eight degrees Twenty-four minutes Thirty seconds West (S 58° 24' 30" W) Six Hundred Forty-three and Twenty-eight One Hundredths feet (643.28') to a stone, THENCE South Fifty-eight degrees Nineteen minutes Thirty seconds West (S 58° 19' 30" W) One Thousand Two Hundred Thirty-four and Ninety-six One Hundredths feet (1234.96') to a stone, THENCE North Forty-five degrees Thirty-seven minutes West (N 45° 37' W) Three Hundred Fifty-five and Forty-three One Hundredths feet (355.43') to a point on the centerline of Twining Road (33 feet wide), THENCE along the centerline of Twining Road the two (2) following courses and distances: (1) South Fifty-six degrees Twenty-one minutes West (S 56° 21' W) Eight Hundred Ninety and Thirty-one One Hundredths feet (890.31') to an angle point on the centerline of Twining Road; (2) South Forty-one degrees Thirty-two minutes West (S 41° 32' W) One Thousand Four Hundred Sixty-seven and Thirty-two One Hundredths feet (1467.32') to the first mentioned point and place of beginning.

CONTAINING One Hundred Three and Five Hundred Sixty-three One Thousandths acres more or less (103.563 ±).

ENACTED AND ORDAINED this 13th day of April A.D. 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia J. Zollo
President

Attest Harry Wurdle
Secretary

ORDINANCE No. 624

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 2, ANIMALS, ARTICLE 1, TO PROHIBIT RACCOONS FROM THE LIST OF PERMITTED ANIMALS WITH LICENSE IN THE TOWNSHIP.

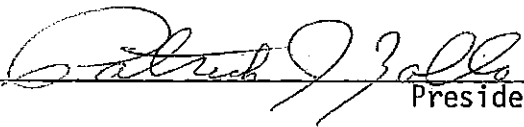
The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1. Section 1.04 Permitted Animals with License shall be amended by the deletion of "Raccoons: (Procyon)" from the list of permitted animals.

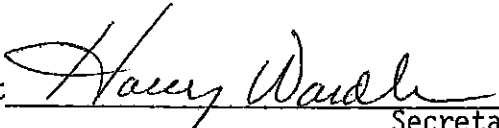
SECTION 2. Section 1.05 Restricted Animals shall be amended by the addition of "Raccoons: (Procyon)" to the list of restricted animals.

ENACTED AND ORDAINED this 13th day of April, A.D. 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By  President

Attest


Secretary

ORDINANCE No. 625

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 2, CHAPTER 4, TO INCREASE THE NUMBER OF RESIDENTS ON THE ADVISORY COMMITTEE FROM SEVEN TO NINE.

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

SECTION 1: That Title 2, Chapter 4, Planning Agency, Section 1.02, Advisory Committee, shall be amended by increasing the number of residents serving on the Advisory Committee from seven (7) to nine (9), and shall read as follows:

The Board of Township Commissioners may appoint an advisory committee of nine (9) residents of the Township. Such advisory committee shall serve at the will of the Board of Commissioners. The Board of Township Commissioners may, at their discretion, from time to time, submit to the advisory committee any questions or proposal relating to any of the matters or things concerned with township planning, zoning, etc. for study, review and recommendation to the Board of Commissioners.

ENACTED AND ORDAINED this *13th* day of *April* A.D. 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Robert J. Felle* President

Attest *Harry Wards* Secretary

ORDINANCE NO. 626

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, TO ADD A NEW CHAPTER 10, AMUSEMENT GAMES.

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

SECTION 1: Purpose. The provisions of this Ordinance are designed to promote and protect the health, safety, morals and general welfare of the residents of the Township of Upper Dublin by regulating the installation and operation of amusement games within the Township.

SECTION 2: Definition. Unless otherwise expressly stated, for the purpose of this Ordinance, an "Amusement Game" means any automatic, mechanical, electric or electronic machine or device used or designed to be operated as a game, or for entertainment or amusement, by the insertion of a coin, token, money or other article, or by the payment of money to have it activated. This definition shall not include the following:

1. jukebox
2. rides
3. bowling alleys
4. merchandise machines
5. photographic machines
6. any game or device maintained within a residence for the sole use of the occupants thereof and their guests.

SECTION 3: License Required. No person, firm, association, corporation or other entity shall place, possess, keep, maintain, exhibit, use or operate, or permit to be placed, possessed, kept, maintained, exhibited, used or operated, any amusement game in or upon any building, premises, store or other public or quasi-public place, in their possession or under their control, within the Township of Upper Dublin, without first obtaining a license therefor.

SECTION 4: Application for Amusement Game License.

A. Application for an Amusement Game License shall be made to the Township Manager, or his authorized representative, on forms to be prescribed by him which shall set forth, among other information deemed to be required and prescribed by the Manager, the following:

1. The name and address of the applicant, if individuals, or if a partnership, association, or other entity, the names, residences, and occupations of each member of the partnership, association, or other entity, and if a corporation, the address

of its registered office and principal place of business, the names and addresses of its officers and directors.

2. Any prior criminal record of the applicant or of anyone associated with the applicant as a partner, associate, agent or employee, or as an officer or director of a corporation.

3. The manufacturer, name, dimensions, serial number and a general description, including a statement of ownership, of the amusement game.

4. The address of the place where the amusement game is to be placed, possessed, kept, maintained, exhibited, used or operated.

5. A floor plan of the building, premises, store or other public or quasi-public place shall be provided showing the proposed placement of the amusement game on the applicant's premises, in form and detail designated by the Manager.

6. Authorization for the Fire Marshall, or other duly authorized Township official to inspect the building, premises, store or other public or quasi-public place for which the application is sought.

7. Compliance with all Township zoning requirements.

B. Upon receipt of a properly completed and filed Application, the Township Manager shall transmit same to the appropriate Township officials, including, but not limited to, the Chief of Police, Building and Zoning Officer, Fire Marshall, as the Manager deems appropriate in order to verify the accuracy of the information submitted on the Application, compliance with all local ordinances, state and federal laws, and suitability of the applicant and the premises for an Amusement Game License.

C. Any applicant whose Application for an Amusement Game License has been denied by the Township Manager shall have the right to have the denial reviewed by the Board of Commissioners upon filing a written notice of appeal within thirty (30) days after notice of denial.

SECTION 5: Issuance of Amusement Game License; Fee; Display.

A. Upon approval of an Application, and payment of the proper fee, the Township Manager shall issue a license to the applicant for the location and placement of an amusement game.

B. The fee for each license shall be Two Hundred (\$200.00) Dollars per amusement game upon applicant's premises. Said license shall be issued for the calendar year commencing January 1 and expiring December 31. Said license shall be renewed annually on or before December 31 by the filing of a written renewal application, accompanied by the license fee for each renewal. The license fee for any license issued in any calendar year after July 1 shall be one-half (1/2) of the annual license fee.

C. The fee fixed herein may be modified from time to time by Resolution of the Board of Commissioners.

D. The license shall be displayed in a manner approved by the Township Manager.

SECTION 6: Transferability of License.

A. License may be transferred to another amusement game by the license holder within the calendar year of issuance upon obtaining a Transfer License from the Township and paying the sum of One (\$1.00) Dollar therefor.

B. The transfer license shall be affixed to the amusement game and displayed in accordance with Section 5(D) of this Ordinance.

SECTION 7: Number of Games. The number of amusement games permitted in any one building, premises, store or other public or quasi-public place shall be limited to three (3) unless a special exception has been granted by the Zoning Hearing Board in conformance with the provisions of the Upper Dublin Township Zoning Code.

SECTION 8: Physical Area and Location Requirements for Amusement Games.

A. There shall be not less than thirty (30) square feet of usable floor space on the premises for each amusement game.

B. The holder of the license may locate the amusement games on the premises as he wishes, subject to the approval of the Township Manager and Fire Marshall to insure safe and adequate ingress and egress.

SECTION 9: Location of Licensed Premises.

A. An Amusement Game License may be issued for a building, premises, store or other public or quasi-public place located within the following zoning districts only:

1. "CR" Commercial - Retail District
2. "SC" Shopping Center District

SECTION 10: Prohibited Locations. No amusement game shall be licensed, placed, possessed, kept, maintained, exhibited, used or operated in any location, the entrance or exit to which is within six hundred (600) feet of any entrance to or exit from any school, park, playground or church, or within three hundred (300) feet of any residential zoning district.

SECTION 11: Operation of Amusement Games.

A. The owner of any amusement game within the Township of Upper Dublin shall comply with all provisions of law, ordinance, rule or regulation applicable thereto and relating to the conduct of the business in connection with which the game is used and the use and maintenance of the premises where it is located.

B. The owner of the game shall maintain good order on the premises at all times. The lack of good order on the premises shall include, but not be limited to, the following:

1. Excessive noise, fighting and rowdy behavior.
2. Possession or consumption of alcoholic beverages, except upon premises licensed for on-premises consumption thereof.
3. Gambling.
4. The use of marijuana or any controlled substance possession of which is prohibited by law.

C. Amusement games may be in operation between the hours of 10:00 a.m. and 12:00 midnight only, subject to the following:

1. Games shall not be operated by school age children during school hours when schools are open.
2. Games shall not be operated after 10:00 p.m. on Sundays through Thursdays by any person under the age of eighteen (18) years when schools are open the following day.
3. Games shall at no time be operated after 10:00 p.m. by any person under the age of sixteen (16) years unless accompanied by and under the supervision of a parent or guardian.
4. The aforesaid time limitations on operation shall not apply to premises licensed for on-premises consumption of alcoholic beverages provided persons under the legal drinking age are prohibited from operating amusement games on the premises at all times.

D. The owner or occupant of any premises where amusement games are located shall maintain adequate supervision of the premises at all times when the games are in operation. No amusement game shall be available for use or operation, unless it is under the control of and supervision by, one or more persons over the age of eighteen (18) years who shall insure that it is operated in compliance with this Ordinance.

E. Any premises where amusement games are located shall maintain a minimum light level of not less than ten (10) foot candles.

F. The interior portion of the premises, where the amusement games are located, shall, except as hereafter provided, be visible to the public from the exterior of the premises.

This provision shall not apply to premises with less than three (3) amusement games, or to premises licensed for on-premises consumption of alcoholic beverages.

G. Any premises where amusement games are located which school age children patronize, shall provide and maintain bicycle racks or other adequate provision for parking of bicycles.

SECTION 12: License Termination, Suspension or Revocation.

A. Any license issued pursuant to the provisions of this Ordinance shall terminate upon any of the following occurrences:

1. Discontinuance of the license holder's business.
2. Removal of permitted amusement games from the business premises.
3. Transfer or sale of the business to another individual, partnership, corporation or other entity.

B. All licenses issued pursuant to the provisions of this Ordinance are subject to suspension or revocation by the Township Manager upon any of the following conditions:

1. Willful misrepresentation made by the license holder or his agent in applying for the license.
2. Conviction of the license holder for any felony or misdemeanor involving force, violence, moral turpitude or involving any violation of this Ordinance or other provisions of the Upper Dublin Township Code, or other state or federal laws pertaining to business operation.
3. The existence of a nuisance to the general public, to persons residing in the vicinity or businesses located in the vicinity resulting from loitering by persons on or near the premises in which the license holder's amusement games are located or any loud or unreasonable noise caused by the said amusement games or persons playing the said amusement games.
4. The violation of Section 11 of this Ordinance.

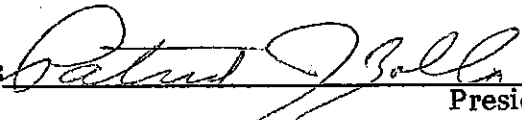
C. Prior to any action suspending or revoking any license, the Township Manager shall give the license holder written notice of such action, affording an opportunity to the license holder to correct any such deficiencies forming the basis for the suspension or revocation.

SECTION 13: Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Township of Upper Dublin that this Ordinance would have been adopted had such unconstitutional, illegal or invalid clause, section or part thereof not been included herein.

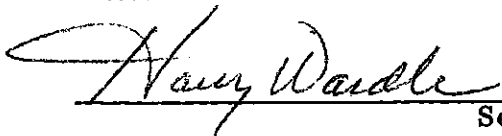
SECTION 14: Violations and Penalties. Any person, firm, association, corporation or other entity who shall violate any of the provisions of this Ordinance shall, upon conviction, be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars nor more than Three Hundred (\$300.00) Dollars, and costs of prosecution for each violation, or in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days for each violation.

ORDAINED AND ENACTED this 13th day of July ,
1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 
President

Attest:


Secretary

ORDINANCE NO. 627

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 9, VEHICLES AND TRAFFIC, TO PROHIBIT THE USE OF CERTAIN TOWNSHIP STREETS BY TRUCKS OR COMMERCIAL VEHICLES.

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

SECTION 1: That Article 2, Traffic Regulations, shall be amended by the addition of the following section:

"Section 2.06. Truck Traffic Prohibited.

(a) It shall be unlawful for the onwer of operator of any truck, commercial vehicle, tractor trailer or tractor-trailer combination, in excess of one ton capacity, to operate such vehicle on the following Township streets:

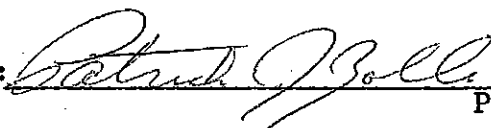
Dale Road
Ayr Lane
Twining Road
North Hills Avenue
Montgomery Avenue
Washington Lane
Camphill Road
Highland Avenue - from Fort Washington Avenue
to Camphill Road
Meetinghouse Road - from Limekiln Pike to
Butler Avenue

except for the purpose of making local deliveries.

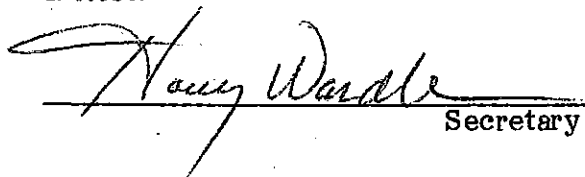
"(b) Any person violating any of the provisions of this Ordinance shall, upon summary conviction before a District Justice, be sentenced by pay a fine of not less than Fifty Dollars (\$50.00) and not more than Three Hundred Dollars (\$300.00) and costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for not more than five (5) days."

ENACTED AND ORDAINED this 13th day of July, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 
President

Attest:


Secretary

ORDINANCE NO. 628

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, CHAPTER 1, ZONING, TO PROVIDE FOR AMUSEMENT GAMES.

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

SECTION 1: That Article 2, Definitions, Section 2.00, Interpretations, shall be amended by the addition of Subsection AW, as follows:

"AW. Amusement Games. Unless otherwise expressly stated, for the purpose of this Ordinance, an "Amusement Game" means any automatic, mechanical, electric or electronic machine or device used or designed to be operated as a game, or for entertainment or amusement, by the insertion of a coin, token, money or other article, or by the payment of money to have it activated. This definition shall not include the following:

1. jukebox
2. rides
3. bowling alleys
4. merchandise machines
5. photographic machines
6. any game or device maintained within a residence for the sole use of the occupants thereof and their guests."

SECTION 2: That Article 10, "CR" COMMERCIAL-RETAIL DISTRICT, Section 10.01, Subsection 7, shall be amended by the addition of the following:

"(a) Amusement games, provided no more than three (3) per establishment.

(b) Amusement games, in excess of three (3), when allowed as a special exception by the Zoning Hearing Board in accordance with Ordinance No. 626 (Amusement Games)."

SECTION 3: That Article 11, "SC" SHOPPING CENTER DISTRICT, Section

11.01 Use Regulation, Subsection E, shall be amended by the addition of the following:

"(a) Amusement games, provided no more than three (3) per establishment.

(b) Amusement games, in excess of three (3), when allowed as a special exception by the Zoning Hearing Board in accordance with Ordinance No. 626 (Amusement Games)."

ORDAINED AND ENACTED this 12th day of October, 1982

1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Golla
President

Attest:

Harry Weidb
Secretary

5-10 11/17/82
TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania

ORDINANCE NO. 629

original
in bond
book

AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE TOWNSHIP BY THE ISSUANCE OF \$2,260,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES OF 1982, FOR THE PURPOSE OF REFUNDING THE TOWNSHIP'S OUTSTANDING GENERAL OBLIGATIONS BONDS, SERIES OF 1981, AND PAYING THE COSTS OF THE FINANCING; AUTHORIZING THE PREPARATION OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF BONDS AND COUPONS; SETTING FORTH THE STATED PRINCIPAL MATURITY DATES AND AMOUNTS, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS, PROVISIONS FOR REDEMPTION AND OTHER DETAILS OF THE BONDS; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SAID BONDS; APPOINTING A PAYING AGENT, SINKING FUND DEPOSITARY AND BOND REGISTRAR; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township of Upper Dublin has heretofore issued \$2,000,000 principal amount of its General Obligation Bonds, Series of 1981 (the "1981 Bonds") for the purpose of financing various capital improvement projects identified in Section 1 of Township Ordinance No. 608 (the "Projects") and is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, approved July 12, 1972, Act No. 185 as reenacted and amended by Act 52 of 1978 approved April 28, 1978 (the "Act") to incur indebtedness and to issue bonds for the purpose of refunding its outstanding indebtedness; and

WHEREAS, the Township proposes to issue its General Obligation Refunding Bonds, Series of 1982 (the "Bonds") for the purpose of refunding the 1981 Bonds to reduce the total debt service over the life of the issues and has received a proposal for the purchase of the Bonds.

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. Approval of Refunding Program - Authorization of Indebtedness and Issuance of Bonds. This Township shall incur indebtedness, pursuant to the Act in the amount of \$2,260,000 for the purpose of refunding the 1981 Bonds and paying the costs and expenses of the issuance of the Bonds and the payment and redemp-

tion of the 1981 Bonds. This Township shall issue, pursuant to this Ordinance \$2,260,000 aggregate principal amount of its General Obligation Refunding Bonds, Series of 1982, to finance the indebtedness authorized hereunder. It is hereby determined and stated that the purpose and result of refunding the 1981 Bonds is to reduce the total debt service over the life of the issues as shown in the Schedule of Annual Debt Service Savings attached hereto and made a part hereof.

Section 2. Type of Indebtedness. The indebtedness authorized by this Ordinance is nonelectoral debt.

Section 3. Execution of Debt Statement, Bonds and Other Documents. The President or Vice President of the Board of Commissioners, the Township Secretary or Treasurer and their successors are hereby authorized and directed to file the debt statement required by Section 410 of the Act, to prepare, certify and 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. The said officers 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 Article II of the Act in order to qualify all or any portion of the existing indebtedness of the Township and of the above authorized indebtedness as subsidized debt or as self-liquidating debt.

Section 4. Type of Bonds. The Bonds when issued will be general obligation bonds.

Section 5. Covenant to Pay Debt Service - Pledge of Taxing Power. The Township hereby covenants with the holders from time to time of the Bonds that the Township (i) shall include in its budget for each year commencing with the fiscal year ending December 31, 1983 the amount of the debt service on the Bonds which will be payable in each such fiscal year so long as any of the Bonds shall remain outstanding, (ii) shall appropriate from its general revenues such amounts to the payment of such debt service, and (iii) shall duly and punctually pay or cause to be paid from its sinking fund or any other of its revenues or funds the principal of and interest on the Bonds at the dates and places and in the manner stated in the Bonds and coupons appertaining thereto 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 herein shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenant are those set forth in Exhibit A 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 6. Form of Bonds. The Bonds shall be substantially in the following form with appropriate omissions, insertions and variations:

(Form of Bond)

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN

(Montgomery County)

GENERAL OBLIGATION REFUNDING BOND, SERIES OF 1982

KNOW ALL MEN BY THESE PRESENTS, that the Township of Upper Dublin, Montgomery County, Pennsylvania (the Township), a political subdivision of the Commonwealth of Pennsylvania, for value received, hereby acknowledges itself to be indebted and promises to pay, upon surrender hereof, to the bearer or, if this bond is registered as hereinafter provided, to the registered owner hereof, on the first day of November 19 , unless sooner called for redemption and payment of the redemption price made or provided for, the principal sum of FIVE THOUSAND DOLLARS (\$5,000) and to pay interest thereon from December 15, 1982 at the annual rate of percent (%), payable initially on May 1, 1983 and semi-annually thereafter on May 1 and November 1 of each year, but only upon presentation and surrender of the interest coupons hereto attached as they severally become due, until the Township's obligation with respect to the payment of the principal sum shall be discharged. The principal of and interest on this Bond shall be payable in lawful money of the United States of America at the principal corporate trust office of Continental Bank in Norristown, Pennsylvania (the Paying Agent).

This Bond is one of a duly authorized issue of General Obligation Refunding Bonds, Series of 1982 (the Bonds), of the Township in the aggregate principal amount of \$2,260,000 in the denomination of \$5,000 each, numbered V1 to V452, inclusive, 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, Act 185 of 1972 approved July 12, 1972, as amended and reenacted by Act 52 of 1978 approved April 28, 1978 (the Act), pursuant to an ordinance of the Township duly enacted by the Board of Commissioners of the Township on November 23, 1982 (the Ordinance). The Bonds are issued for the purpose of refunding the Township's outstanding General Obligation Bonds, Series of 1981.

The Act provides that this Bond, its transfer and the income therefrom, including any profits made on the sale thereof, shall at all times be free from taxation for state and local purposes within the Commonwealth of Pennsylvania, but this exemption shall not extend to gift, estate, succession or inheritance taxes or to any other taxes not levied directly on the Bonds, the transfer thereof, the income therefrom or the realization of profits on the sale thereof.

The Bonds are subject to redemption prior to maturity at the option of the Township as a whole on November 1, 198_ or any date thereafter, or in part from time to time on November 1, 198_ or any interest payment date thereafter in inverse order of maturity and within a maturity by lot, at a redemption price of 100% of principal amount together with interest accrued to the date fixed for redemption.

The Bonds stated to mature on November 1, 2001 (the Term Bonds) are also subject to redemption prior to maturity by the Township by lot from moneys to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from moneys deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said moneys as permitted by law) on November 1 of the years and in the annual principal amounts as set forth in the following schedule:

Mandatory Redemption Schedule

| <u>Principal Amount of Term Bonds to be Redeemed or Purchased</u> | <u>Redemption Date (November 1)</u> |
|---|---|
| \$175,000 | 1997 |
| 190,000 | 1998 |
| 210,000 | 1999 |
| 235,000 | 2000 |

Each such redemption shall be made upon not less than thirty (30) days prior notice given by publication once a week for two (2) successive weeks in a newspaper of general circulation in Montgomery County, Pennsylvania, as provided in the Ordinance. Such notice having been published and amounts sufficient for redemption having been deposited with the Paying Agent, the Bonds so called for redemption shall become due and payable on the date fixed for redemption and interest thereafter shall cease to accrue

thereon, whether such Bonds shall be presented for payment or not, and coupons representing interest thereafter to accrue shall be void and of no effect.

This Bond shall pass by delivery or it may be registered as to principal only at the principal corporate trust office of the Paying Agent by endorsement upon the back hereof by the Paying Agent, after which no transfer shall be made except by the registered holder or holders in person or his or their attorney duly authorized in writing, provided, however, that this Bond may be transferred to bearer at the option of the holder or holders for the time being, but no such registration as to principal shall affect the negotiability of the coupons hereto attached, which shall continue to be transferable by delivery merely.

The Township and the Paying Agent may treat the bearer of this Bond if it shall not at the time be registered as to principal, the registered owner of this Bond if it shall at the time be so registered, and the bearer of any coupon appertaining hereto, whether or not this Bond shall be so registered, as the absolute owner of this Bond or of such coupons, as the case may be, for all purposes, and neither the Township nor the Paying Agent shall be affected by any notice to the contrary.

The Township, pursuant to recommendations made by the Committee on Uniform Security Identification Procedures, has caused CUSIP numbers to be printed on the Bonds and has directed the Paying Agent to use such numbers in notices of redemption and other notices, if any, as a convenience to bondholders. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice and reliance may be placed only on the identification numbers prefixed "V" printed hereon.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any member, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or 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 and the coupons appertaining hereto.

It is hereby certified that the approval of the Department of Community Affairs 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 with the Paying Agent 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.

Neither this Bond nor any coupon for interest hereon shall be entitled to any benefit under the Ordinance nor be valid nor become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent, by execution of the certificate endorsed hereon.

IN WITNESS WHEREOF, the Township of Upper Dublin, Montgomery County, Pennsylvania, has caused this Bond to be signed in its name by the facsimile signature of the President of its Board of Commissioners and a facsimile of its common or corporate seal to be hereto affixed and duly attested by the facsimile signature of the Township Secretary and the coupons for interest hereto attached to be authenticated by the facsimile signature of the Township Treasurer, all as of the fifteenth day of December, 1982.

TOWNSHIP OF UPPER DUBLIN

(FACSIMILE SEAL)

Attest:

By: (Facsimile Signature)
President of Board of
Commissioners

(Facsimile Signature)
Secretary

(Form of Coupon)

On the _____ day of _____, 19____, unless the Bond hereinafter mentioned shall have been duly called for previous redemption and payment of the redemption price made or provided for, the Township of Upper Dublin will pay to the bearer upon surrender hereof at the principal corporate trust office of Continental Bank, Norristown, Pennsylvania, the amount shown hereon in lawful money of the United States of America, being interest then due upon its General Obligation Refunding Bond, Series of 1982, dated as of December 15, 1982 and numbered V _____.

TOWNSHIP OF UPPER DUBLIN

By _____ (Facsimile Signature)
Treasurer

(Form of Authentication Certificate)

Authentication Certificate

This Bond is one of the Township of Upper Dublin General Obligation Refunding Bonds, Series of 1982, described in the within mentioned Ordinance.

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

CONTINENTAL BANK, PAYING AGENT

By _____
Authorized Officer

Section 7. Terms of Bonds. The Bonds shall be issued in coupon form, in the denomination of \$5,000 each, registrable as to principal only, shall be numbered V1 to V452, inclusive, shall be dated as of December 15, 1982, shall bear interest from such date payable initially on May 1, 1983 (five months) and semi-annually thereafter on May 1 and November 1 of each year, until maturity or the date fixed for redemption, at the rates per annum and shall be stated to mature on November 1 in the years and in the amounts all as set forth in Exhibit A attached hereto and made a part hereof.

11/17/04
R075-10

The principal of and interest on the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of Continental, Norristown, Pennsylvania, which is hereby appointed paying agent for the Bonds and sinking fund depository and is hereinafter called the "Paying Agent".

The Bonds shall be subject to redemption at the option of the Township as a whole on November 1, 1986 or any date thereafter, or in part from time to time on November 1, 1986 or any interest payment date thereafter in inverse order of maturity and within a maturity by lot, at a redemption price of 100% of principal amount together with interest accrued to the date fixed for redemption.

In addition, the Bonds maturing November 1, 2001 (the Term Bonds) shall be subject to redemption prior to maturity by lot from moneys to be deposited in the Sinking Fund at a redemption price of 100% of principal amount. The Township covenants that it will or will cause the Paying Agent to select by lot, give notice of redemption and redeem Term Bonds at said redemption price on November 1 of the years and in the annual principal amounts (to the extent not purchased as hereinafter permitted) set forth in the Mandatory Redemption Schedule in the Form of Bond contained in Section 6 hereof. The Township reserves the right to purchase at any time in the eleven month period ending October 1 of each year in which Term Bonds are required to be redeemed pursuant to the foregoing covenant, such Term Bonds as may be then tendered for purchase and the principal amount of Term Bonds required to be redeemed on November 1 of such year shall be reduced by the principal amount of Term Bonds so purchased.

Each such redemption shall be upon not less than thirty (30) days prior notice given by publication, once a week for two (2) successive weeks, in a newspaper of general circulation in Montgomery County, Pennsylvania. Prior to any such redemption, the Township shall use its best efforts to give notice, by mail, to the holders of any Bonds registered as to principal at their respective addresses as they appear on the bond registry books of the Paying Agent, and to the holders of any coupon Bonds who have filed their names and addresses with the Paying Agent for the purpose of receiving such notices, and shall also give notice to two of the principal investment services then maintaining lists of called bonds. Notice by publication having been duly given, any failure to give the other notices hereinabove provided for, or any defect in the giving thereof, shall not affect the validity of the proceedings for redemption. Notice by publication having been given and funds sufficient for redemption having been deposited with the Paying Agent, the Bonds so called for redemption shall become due and payable on the date fixed for redemption and

interest thereafter shall cease to accrue thereon, whether such Bonds shall be presented for payment or not, and coupons representing interest thereafter to accrue shall be void and of no effect.

Section 8. Private Negotiated Sale of Bonds. After due consideration, the Board of Commissioners hereby finds and determines on the basis of all available information, including the recommendation of its financial advisor, Public Financial Management, Inc. of Philadelphia, Pennsylvania, that a private negotiated sale of the Bonds is in the best financial interest of the Township. The Bonds shall be sold as hereinafter set forth in Section 13.

Section 9. 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) 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 the semiannual dates listed on Exhibit A the amounts shown for each such date on Exhibit A or such greater or lesser amount as at the time shall be sufficient to pay the principal of and interest on the Bonds becoming due on such payment date.

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

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

All moneys deposited in the Sinking Fund for the payment of Bonds or coupons which have not been claimed by the holders or owners thereof after two years from the date when payment is due, except where such moneys are held for the payment of outstanding

checks, drafts or other instruments of the Paying Agent, shall be returned to the Township. Nothing contained herein shall relieve the Township of its liability to the holders of unrepresented Bonds or coupons.

Section 10. No Taxes Assumed. The Township shall not assume the payment of any tax or taxes in consideration of the purchase of the Bonds.

Section 11. Bond Insurance. Upon request of the underwriters named in the Bond Purchase Proposal hereinafter mentioned and subject to the approval of the Township's Financial Advisor, the proper 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 party. If any such policy is obtained, 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 insurance policy is on file with the Paying Agent.

Section 12. Contract with Paying Agent. The proper Township officers are hereby authorized to contract with the Paying Agent in connection with the performance of duties as paying agent and sinking fund depository on unusual and customary terms, including an agreement on the part of the Paying Agent to observe and comply with the provisions of this Ordinance and of the Act.

Section 13. Award and Sale of Bonds. The Bonds are hereby awarded and sold at private sale by negotiation to Dolphin & Bradbury and Butcher & Singer Inc. at a price of \$2,214,800 plus accrued interest from December 15, 1982 to the date of delivery and in accordance with the other terms and conditions set forth on the Bond Purchase Proposal of said firms which proposal is hereby approved and accepted. Copies of said proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting. The proper officers of this Township are hereby authorized and directed to endorse the acceptance of this Township on said proposal and to deliver executed copies thereof to Dolphin & Bradbury and Butcher & Singer Inc.

Section 14. Execution and Authentication of Bonds. As provided in Section 3, the Bonds shall be executed by the President or Vice President of the Board of Commissioners and the Township Secretary or Treasurer and each such execution shall be by facsimile signature. The coupons appertaining to the Bonds shall be authenticated by the facsimile signature of the Township Treasurer. The Bonds shall be authenticated by the manual signature of the Paying Agent, which shall also certify that the approving

opinion of Bond Counsel which shall be printed on the reverse of each Bond, is an accurate reproduction of the approving opinion delivered at the Closing.

Section 15. Redemption of 1981 Bonds-Pledge and Escrow Agreement. The Township hereby calls for redemption on November 1, 1986 all of the 1981 Bonds which will then remain outstanding. In order to provide for the redemption of such 1981 Bonds and for the payment of the principal of and interest on the 1981 Bonds on each payment date from May 1, 1983 to and including November 1, 1986, the Township shall enter into a Pledge and Escrow Agreement to be dated as of December 1, 1982 (the "Pledge Agreement") with The Philadelphia National Bank in its capacity as paying agent for the 1981 Bonds (the "1981 Paying Agent"). The Pledge Agreement shall provide for (a) the Township to deposit in escrow with the 1981 Paying Agent the amount necessary, together with interest earned on the investment thereof, to pay all principal and interest due on the 1981 Bonds on each May 1 and November 1 to and including November 1, 1986 and to redeem on November 1, 1986 all 1981 Bonds which mature after that date, (b) the investment of the amount so deposited in accordance with the applicable regulations under Section 103(c) of the Internal Revenue Code, (c) the irrevocable pledge of all funds held by the 1981 Paying Agent under the Pledge Agreement to the payment of the 1981 Bonds, and (d) the publication of notice of redemption of the 1981 Bonds in accordance with the terms thereof.

The President or Vice President of the Board of Commissioners and the Township Secretary or Treasurer are hereby authorized to execute and deliver the Pledge Agreement on behalf of the Township and to take such other action as may be necessary or desirable to effect the payment and redemption of the 1981 Bonds and the deposit and investment of funds pledged for such purpose.

Section 16. Application of Proceeds of the Bonds-Fees and Expenses. Upon delivery of the Bonds, the amount required to pay and redeem the 1981 Bonds and to pay all expenses of the redemption and retirement of the 1981 Bonds shall be paid over to the 1981 Paying Agent to be held and invested in accordance with the terms of the Pledge Agreement. The balance of the proceeds of the Bonds shall be applied to pay the costs and expenses of issuing the Bonds and carrying out the refunding program, including the fees and expenses of the Solicitor, Bond Counsel, Paying Agent, Financial Advisor and Accountants of the Township, printing costs, bond rating fees and miscellaneous expenses, and the proper officers of the Township are hereby authorized to pay such costs and expenses from the proceeds of the Bonds upon presentation of proper invoices therefor. Any proceeds of the Bonds which are not required for the foregoing purposes shall be applied toward the costs of the Projects originally financed by the 1981 Bonds and described in Ordinance No. 608 of the Township.

Section 17. Authorization of 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 insofar as the same relate to the Bonds, in the name and on behalf of the Township.

Section 18. Act Applicable to Bonds. This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be issued subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply and be deemed incorporated herein by reference whether or not explicitly stated herein.

Section 19. No Arbitrage Covenant. The Township covenants with the holders or registered owners of the Bonds that no part of the proceeds of the Bonds shall at any time be used directly or indirectly to acquire securities or obligations the acquisition of which would cause the bonds to be "arbitrage bonds" as defined in Section 103(c) of the Internal Revenue Code of 1954 of the United States of America, as amended, and the regulations promulgated thereunder.

Section 20. Official Statement. The Official Statement dated November 23, 1982 prepared in respect of the Bonds is hereby approved and authorized and the Township consents to and ratifies the use of said Official Statement by the Bond purchasers in connection with the public offering and sale of the Bonds. A copy of said Official Statement shall be attached to this Ordinance and lodged with the official minutes of this meeting.

Section 21. Contract with Bondholders. This Ordinance constitutes a contract with the holders or registered owners of the Bonds from time to time outstanding hereunder and shall be enforceable in accordance with the laws of the Commonwealth of Pennsylvania.

Section 22. Severability. In case any one or more of the provisions contained in this Ordinance or in any Bond or coupon 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 or coupons, and this Ordinance or said Bonds or coupons shall be construed and enforced as if such invalid, illegal or unenforceable provision had never been contained therein. The titles of the sections of this Ordinance are included for convenience only and shall not affect the meaning or construction of any provision hereof.

Section 23. Repealer. All Ordinances and parts of Ordinances heretofore adopted, to the extent that the same are inconsistent in any manner herewith, are hereby repealed.

Section 24. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

CERTIFICATE OF TOWNSHIP SECRETARY

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

1. The foregoing Ordinance authorizing the issuance of General Obligation Refunding Bonds, Series of 1982, of the Township was duly moved and seconded and adopted by a majority vote of the entire Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on November 23, 1982; that public notice of said meeting was given as required by law; and 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> | <u>Name</u> | <u>Vote</u> |
|--------------------|-------------|-------------------|-------------|
| Patrick J. Zollo | AYE | Judy Herold | AYE |
| Harry E. Lenz | AYE | Harold Leneweaver | AYE |
| Norton A. Freedman | AYE | Richard R. Rulon | AYE |
| Z. Edward Heller | ABSENT | | |

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

I further certify that such Ordinance has not been altered, amended, modified, suspended or repealed and is still in full force and effect as of the date of the delivery of this Certificate.

WITNESS my hand and the seal of the Township this 23rd day of November, 1982.

Harry Wardle
Secretary

(SEAL)

CLOSING CERTIFICATE

I further certify that the foregoing Ordinance has not been altered, amended, modified, suspended or repealed and is still in full force and effect on December , 1982.

Harry Wardle
Secretary

ORDINANCE NO. 630

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 6, PARKS AND RECREATION, CHAPTER 1, PARK AND RECREATION ADVISORY BOARD, REGARDING UNEXCUSED ABSENCES OF BOARD MEMBERS.

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

SECTION 1: Section 1.04, Powers and Duties, shall be amended by the addition of the following Subsection C:

"C. The Board shall meet from time to time as required to carry out its functions. Such meetings shall be at the call of the Chairman with notice to all members. It shall be the duty of each member to attend such meetings unless prevented by sickness or other reasonable excuse. The members of the Board shall be subject to termination as a member of the Board by reason of the absence without reasonable excuse for two (2) consecutive meetings.

ENACTED AND ORDAINED this 14th day of December, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patricia J. Ball
President

Attest: Harry Waudle
Secretary

ORDINANCE NO. 631

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, BEING ORDINANCE NO. 140, ENACTED AUGUST 20, 1956, TO RESTRICT THE PARKING OF TRUCKS IN RESIDENTIAL DISTRICTS.

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

SECTION 1: That Article V, Section 503 be amended to read as follows:

"Section 503. Parking Restrictions

It shall be unlawful for the owner or operator of any truck, tractor-trailer, construction equipment, or commercial vehicle having a gross weight of 9000 pounds or more, to park such vehicle at any time on any residential street or property within a residential zone in the Township of Upper Dublin, except when making deliveries or improvements to the property on such street. Only one such vehicle with a lesser gross weight than 9000 pounds may be parked or stored in residential zones at any time.

No repairs or body and fender work may be done within the limits of any street in a residential zone except for those designated as emergency repairs."

1982. ENACTED AND ORDAINED this 14th day of December,

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patricia J. Jell
President

Attest: Hany Waddle
Secretary

ORDINANCE NO. 632

AN ORDINANCE TO AMEND ORDINANCE NO. 620 OF THE UPPER DUBLIN TOWNSHIP CODE, TITLE 4, FIRE PREVENTION, CHAPTER 1, BOCA BASIC BUILDING CODE OF 1981, PROVIDING FOR PENALTIES.

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

SECTION 1: That Section 1.08, Penalties, shall be added and read as follows:

"Section 1.08 Penalties"

(a) Any persons who shall violate any of the provisions of the Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Fire Board or by a court of competent jurisdiction within the time fixed herein, shall suffer for each and every such violation and noncompliance, be guilty of a summary offense, punishable by a fine of not more than Three Hundred Dollars (\$300.00) or in default of imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

(b) Violations for parking within a "No Parking" area shall be punishable by paying the "Official Notice" Upper Dublin Police Department Ticket within 72 hours. If this ticket is not paid, the violation shall be punishable under the Pennsylvania State Motor Vehicle Code, Section 3353-Section A-3ii."

ENACTED AND ORDAINED this 14th day of December, 1982.

Board of Commissioners
Upper Dublin Township

By: Patricia J. Zella
President

Attest: Harry Wardle
Secretary

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1983

ORDINANCE NO. 633

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 THE CURRENT YEAR.

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 1983 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.

GENERAL OPERATING FUNDS
SUMMARY OF ESTIMATED RECEIPTS

| | |
|---------------------------------------|------------------|
| Cash and securities for Appropriation | \$1,039,560 |
| Receipts from Current Tax Levy | 3,424,148 |
| Receipts from Taxes of Prior Years | 52,000 |
| Other Revenue Receipts | 262,858 |
| Miscellaneous Non-Revenue Receipts | <u>1,142,604</u> |
| TOTAL ESTIMATED RECEIPTS AND CASH | \$5,921,170 |

SUMMARY OF APPROPRIATIONS

| | <u>Operation and</u> <u>Maintenance</u> |
|---------------------------|--|
| General Government: | |
| Administration | \$409,525 |
| Treasurer & Tax Collector | 11,896 |
| Municipal Buildings | <u>150,598</u> |
| TOTAL | \$572,019 |

| | | |
|---|--------------------|------------------|
| Protection to Persons and Property: | | |
| Police | | \$1,527,582 |
| Fire | | 25,221 |
| Civil Service | | 4,000 |
| Ambulance Services | | <u>4,000</u> |
| | TOTAL | \$1,560,803 |
| Regulations, Planning & Zoning: | TOTAL | \$109,242 |
| Health & Sanitation: | | |
| Health | | \$ 30,326 |
| Trash Collection & Disposal | | <u>526,689</u> |
| | TOTAL | \$557,015 |
| Highways: | TOTAL | \$620,536 |
| Library: | TOTAL | \$151,438 |
| Motor Pool & Electrical Services: | | |
| Motor Pool | TOTAL | \$287,966 |
| Parks & Recreation: | TOTAL | \$279,145 |
| Miscellaneous: | | |
| Insurance | | \$195,000 |
| Refunds | | <u>300</u> |
| | TOTAL | \$195,300 |
| TOTAL FOR OPERATION, MAINTENANCE AND CAPITAL OUTLAY - | | \$4,333,464 |
| Debt Service: | | |
| Interest on Temporary Loan | | \$ 95,000 |
| Interest on Bonded Debt | | 313,706 |
| Principal on Bonded Debt | | 179,000 |
| Principal on Tax Anticipation Note | | <u>1,000,000</u> |
| | TOTAL DEBT SERVICE | \$1,587,706 |
| TOTAL APPROPRIATIONS FROM GENERAL OPERATING FUND - | | \$5,921,170 |

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.

ENACTED AND ORDAINED this *22nd* day of December, 1982.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Robert J. Zella* President

Attest:

Henry Waidle
Secretary

ORDINANCE NO. 634

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY, PENNSYLVANIA, FIXING THE ASSESSMENT FOR STREET LIGHTING EFFECTIVE AS OF JANUARY 1, 1983, AND THEREAFTER, AND REPEALING ORDINANCE NO. 610, ADOPTED *JANUARY 7*, 1982.

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

SECTION 1: That the cost and maintenance of street lighting along any street or highway, or portion thereof, within the Township of Upper Dublin, is hereby distributed according to an assessment on all property benefited by such lighting. This assessment is hereby levied in proportion to the number of feet, or portion thereof, of each such property, which fronts on the lighted street or highway, as follows:

A. Residentially zoned property, with improvements thereon, at Twenty-Three Cents (\$.23) per lineal foot frontage; and

B. Residentially zoned property, without improvements thereon, at Eight Cents (\$.08) per lineal foot frontage; and

C. Other than residentially zoned property, with improvements thereon, at Sixty-Five Cents (\$.65) per lineal foot; and

D. Other than residentially zoned property, without improvements thereon, at Twenty-Three Cents (\$.23) per lineal foot.

ENACTED AND ORDAINED this *11th* day of January, 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Patrick J. Gello*
President

Attest:

Nancy Ward
Secretary

ORDINANCE NO. 635

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1983 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 1983 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 1983 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 1983 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 1983 FOR FIRE HYDRANTS, AND ESTABLISHING DISCOUNTS AND PENALTY THEREFOR.

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

SECTION 1: Tax Rates for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1983, as follows:

Tax rate for General Purposes, the sum of 29.31 mills
on each dollar of assessed valuation, or the sum of 293.1 cents
on each one hundred hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-------------------------------|---|--|
| Tax Rate for General Purposes | 29.31 mills | 293.1 cents |

SECTION 2: Tax Rate for Debt Service

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1983, as follows:

Tax rate for Debt Service, the sum of 6.23 mills
on each dollar of assessed valuation, or the sum of 62.3 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|---------------------------|---|--|
| Tax Rate for Debt Service | 6.23 mills | 62.3 cents |

SECTION 3: Tax Rate for Fire Protection

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1983, as follows:

Tax rate for Fire Protection, the sum of..... 2.50 mills
on each dollar of assessed valuation, or the sum of..... 25.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|------------------------------|---|--|
| Tax Rate for Fire Protection | 2.50 mills | 25.0 cents |

SECTION 4: Tax Rate for Parks and Recreation

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1983, as follows:

Tax rate for Parks and Recreation, the sum of 3.00 mills
on each dollar of assessed valuation, or the sum of..... 30.0 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-----------------------------------|---|--|
| Tax Rate for Parks and Recreation | 3.00 mills | 30.0 cents |

SECTION 5: Assessment for Fire Hydrants

That the cost and maintenance of fire hydrants for fire protection, with the Fire and Water District of Upper Dublin Township, established by Ordinance No. 543, is hereby distributed by a special tax for the fiscal year 1983, as follows:

Special tax for fire hydrants, the sum of..... .5 mills
on each dollar of assessed valuation, or the sum of..... 5 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|--|---|--|
| Special Tax for Fire Hydrants and Water Tax for Fire Hydrants | .5 mills | 5 cents |

SECTION 5: Discounts and Penalty

All taxpayers shall be entitled to a discount of two per centum (2%) from the amount of tax levied upon property, upon making payment of the amount of such tax within two (2) months of the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes charged against them within four (4) months 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.

ENACTED AND ORDAINED this *11* day of *JANUARY* , 198*3* .

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Patrick J. Kelly*
President

Attest:

Harry Waack
Secretary

ORDINANCE No. 637

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR STATED MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, DURING THE YEAR 1983.

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

SECTION 1. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for fiscal year 1983 will be held on the second Tuesday of each month unless the same shall be a legal holiday, in which case on the next regular business day following, at 7:30 p.m., local time.

SECTION 2. All meetings shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 8th day of February 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Zolla
President

Attest Harry Wardle
Secretary

ORDINANCE NO. 638

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR THE LAYING OUT, CONDEMNATION OF RIGHTS OF WAY, AND CONSTRUCTION OF SANITARY SEWER FACILITIES IN KIRKS LANE AND HARRIS ROAD, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, PROVIDING FOR THE PAYMENT OF COSTS OF CONSTRUCTION BY THE BENEFIT METHOD, AUTHORIZING THE PAYMENT OF AMOUNTS ASSESSED IN INSTALLMENTS, AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, in accordance with Section 2401 of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to ordain the installation of facilities for the disposal of sanitary sewerage, and

WHEREAS, it is deemed to be in the best interests of the residents of Kirks Lane and Harris Road and the health and welfare of the community to arrange for such facilities to be installed.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, ENACT AND ORDAIN that:

SECTION 1: A system of sanitary sewers shall be constructed in the beds of Kirks Lane and Harris Road, the effluent carried through line to be constructed across certain private properties to a pumping station on Dreshertown Road North of Limekiln Pike known as the Dreshertown Pumping Station and then to be delivered for treatment to the Abington Treatment Plant on Fitzwatertown Road.

SECTION 2: The location and construction shall be in accordance with a plan prepared by the Township, dated December, 1982, latest revision January 12, 1983, shown as "Kirks Lane - Harris Road Sanitary Sewer Project," (the "Plan"), which is incorporated herein by reference, and the ordinance of the Township.

SECTION 3: The Township Engineer is hereby authorized to draw up specification for said construction and the proper officials of the Township are hereby authorized to advertise in accordance with the provisions of the First Class Township Code for bids for the construction of such sanitary sewers in accordance with the plans and specifications.

SECTION 4: The condemnation for the purpose of such sanitary sewers of permanent rights-of-way of twenty (20) feet in width and of temporary construction rights-of-way of forty (40) feet in width, as shown by the aforesaid Plan, by the filing of Declarations of Taking, pursuant to the Act of June 22, 1964, P.L. 84, as amended, 26 P.S. § 1-101 et seq., the "Eminent Domain Code", is hereby authorized.

SECTION 5:

The costs of construction of the sewer system heretofore described shall be assessed upon the several properties benefited, improved and accommodated by the said sewer system to the extent of the benefit conferred upon such properties. The amount of the charge on each property shall be ascertained as provided in the Act of June 24, 1931,

P.L. 1206, § 2409 as amended, 53 P.S. § 57409. The proper offices of the Township are hereby authorized and directed to execute the required petition to the Court of Common Pleas of Montgomery County, Pennsylvania, for the appointment of viewers to assess benefits as provided by law.

SECTION 6: Upon confirmation of the report of the viewers, the Township Secretary shall make out bills for the amounts charged against each property which shall be forthwith sent to all the owners of each property.

SECTION 7: If any assessment shall remain unpaid at the expiration of the thirty (30) days of the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from thirty (30) days after the completion of the improvement, 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, and shall collect the same together with interest and costs in accordance with 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 8: Any owner of property assessed shall have the option of paying the same in five (5) equal annual installments, bearing interest at the rate of six percent (6%), provided First, the first installment be paid within thirty (30) days of the receipt of bill for said assessment and each annual installment, with interest at the expiration of each annual period succeeding date of the assessment. Second, that notice of intention to exercise such option given on a blank to be prepared by the Secretary of the Township, containing such stipulations as the Board shall require, to be filed at the time of paying the first installment, and Third, that a lien shall be duly filed for the amount of the remaining installments of the assessments, which lien shall not be prosecuted so long as the installments are duly paid. Upon default in the payment of a current installment, the entire unpaid balance, plus a penalty of five percent (5%) of the unpaid balance, interest at six percent (6%) of the unpaid balance, interest at six percent (6%), and costs shall become immediately payable and collectable.

SECTION 9: If anyone, who has not elected to pay by installments, shall fail to pay his or her assessment for thirty (30) days after the assessment shall have been levied and served, then there shall be imposed the penalty of five percent (5%) for failure to pay within that time. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

ENACTED AND ORDAINED this 15th day of March, A.D. 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Patrick J. Kelly*
President

Attest: *Harry Wardle*
Secretary

ORDINANCE NO. 639

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, TO AUTHORIZE THE USE OF ELECTRIC SPEED TRAFFIC DEVICES AND TO AUTHORIZE OTHER REQUIRED ACTION.

WHEREAS, Upper Dublin Township is a First Class Township in Montgomery County, Pennsylvania; and

WHEREAS, the Board of Commissioners of Upper Dublin Township has deemed it in the best interests of the citizens of the Township to adopt a Speed Timing Devices Ordinance, approving and authorizing the use by Peace Officers of mechanical and electrical speed timing devices in order to promote traffic safety and to protect, preserve and promote the health, safety and well-being of the citizens of Upper Dublin Township; and

WHEREAS, Chapter 61 of the Vehicle Code, 75 Pa. C.S.A. 6101 et. seq., provides that a municipality must adopt and authorize the use of speed timing devices which are used to enforce the speed restrictions authorized under Subchapter F of Chapter 33 of the Vehicle Code, 75 Pa. C.S.A. 3361 et. seq.

NOW, THEREFORE, the Board of Commissioners does hereby Enact and Ordain the following:

SECTION 1. CITATION. This Ordinance shall be known and may be cited as the Speed Timed Devices Ordinance of Upper Dublin Township.

SECTION 2. DEFINITION. The words and phrases used in this Ordinance shall have the meaning respectively ascribed to them in Act 81 (Vehicle Code), Chapter 1, Section 102. Definitions of the Vehicle Code of the Commonwealth of Pennsylvania as supplemented and amended.

SECTION 3. The Board of Commissioners hereby declares that it has approved the use of speed timing devices to aid in the enforcement of Upper Dublin Township's speed restrictions.

SECTION 4. The types of speed timing devices which can be used shall be either mechanical or electrical timing devices which are approved by the department, as provided in 75 Pa. C.S.A. 3368 (The Vehicle Code). For example and not by way of limitation, the Board of Commissioners specifically authorizes the use of the "Vascar Plus" unit, or "Excessive Speed Preventor" (ESP) or equivalent equipment, provided it is approved by Pennsylvania Department of Transportation. The above speed timing devices were approved under the provisions of 75 Pa. C.S.A. 3368(d) by the department on May 17, 1981, and May 19, 1979, respectively.

SECTION 5. The Peace Officers of Upper Dublin Township are authorized and directed to use the approved speed timing devices to aid in the enforcement of the Township's speed restrictions.

ENACTED and ORDAINED this 12th day of APRIL, 1983.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

Attest: Nancy Waddle
Secretary

By: Henry P. King
VICE President

ORDINANCE NO. 640

AN ORDINANCE AMENDING TITLE 5, CHAPTER 8, WEEDS, OF THE UPPER DUBLIN CODE.

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

SECTION 1: Section 1.02(A) shall be amended to read as follows:

A. Permit the lot to become overgrown with grass, weeds or noxious plants exceeding the height of twelve (12) inches. Those lots exceeding one/acre in size may be permitted to remain in their natural state except for a depth of twenty-five (25) feet around the perimeter thereof.

SECTION 2: Section 1.05 shall be amended to read as follows:

The Township will provide one (1) notice, by Certified 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 3: Section 1.06 shall be amended to read as follows:

In the event the owner or occupant shall refuse or neglect to abate such nuisance within the time set forth in Section 1.05 above, the Township may cause such grass, weeds or noxious plants to be cut or removed and bill the owner for the cost thereof at the rate established by Township Resolution.

SECTION 4: Section 1.07 shall be amended to read as follows:

In the event of a refusal or failure to pay said bill within thirty (30) days of said billing the Township may file a municipal claim for such costs and expenses, together with penalty of ten percent (10%) in the manner provided for by law for the collection of municipal claims.

SECTION 5: Section 1.08 shall be amended to read as follows:

Any person who shall violate this Ordinance shall, upon conviction before any District Magistrate, be sentenced to pay a fine not exceeding Three Hundred Dollars (\$300.00) and costs of prosecution for each and every offense, and in default of payment shall be committed to prison for a term not exceeding ten (10) days. Each day's continuance of the offense shall constitute a new offense.

1983.

ORDAINED AND ENACTED this 14th day of June

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Robert J. Goll President

Attest:

Harry Waidle
Secretary

ORDINANCE NO. 641

AN ORDINANCE AMENDING ORDINANCE NO. 617 OF THE UPPER DUBLIN TOWNSHIP CODE, TITLE 3, BUILDING AND CONSTRUCTION, RELATING TO AMENDMENTS AND CORRECTIONS OF THE BOCA BASIC BUILDING CODE.

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

SECTION 1: Section 1.03, Amendments, is further amended as follows:

A. Section 112.0 Permits, Subparagraph 112.5, shall read as follows:

"112.5- The Township Building Inspector shall stamp or endorse in writing, two (2) sets of plans marked "Approved", one (1) set shall be retained by him and the other set shall be kept at the building site, open to inspection of the Building Official, the Building Inspector or other Township Officials.

The Township shall ascertain that the applicant has complied with all requirements of the Zoning Ordinance and the Subdivision Regulations and other applicable local and state regulations prior to his approval of plans. Plans requiring Pennsylvania Department of Labor and Industry approval shall be approved by that agency prior to being approved by the Township.

Permits are required when:

- Change of use or occupancy is involved.
- Construction of a new building.
- Structural changes in existing buildings.
- Alterations and/or additions involving a cost of Two Hundred Fifty Dollars (\$250.00) or more.
- Plumbing fixtures are installed or replaced.
- Roofing - new and replacement.
- Fences.
- Tool sheds and/or lawn sheds.
- Installation of aluminum siding or replacement thereof."

B. Section 517.0 Fences, Subparagraph 517.2, shall be deleted and the following substituted therefor:

"517.2 Limitations: No fence or wall (except a retaining wall or a wall of a building permitted under this ordinance) over four (4) feet in height shall be erected in any front yard nor over six (6) feet in height in any rear or side yard. Corner property and property with a street front in the rear yard shall be limited to four (4) feet in height on each street front. All street fronts shall be limited to four (4) feet."

C. Section 1702.0 Fire Suppression Systems.

therefor: 1. Section 1702.20 shall be deleted and the following substituted

"1702.20 Nonfire-resistive buildings over three thousand (3000) square feet in area per floor shall be fully sprinklered when constructed or substantially altered."

therefor: 2. Section 1702.21 shall be deleted and the following substituted

"1702.21 Fire-resistive buildings which have a floor area of five thousand (5000) square feet or more per floor shall be sprinklered when constructed or substantially altered. All fire resistive buildings over five (5) floors in height shall be fully sprinklered."

3. Section 1701.22 shall be deleted.

4. Section 1701.23 shall be deleted.

5. Section 1701.24 shall be deleted.

accordingly. 6. Sections 1701.25 to Section 1702.27 shall be renumbered

ENACTED AND ORDAINED this 14th day of June, 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Galls
President

Attest: Hany Waddle
Secretary

ORDINANCE NO. 642

AN ORDINANCE TO AMEND TITLE 3, BUILDING AND CONSTRUCTION, CHAPTER 1, BUILDING CODE, OF THE UPPER DUBLIN CODE BY AMENDING THE BOCA BASIC BUILDING CODE, 1981 EDITION, ARTICLE 20, ELECTRICAL WIRING AND EQUIPMENT, AND TO PROVIDE FOR PERMITS AND FEES.

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

SECTION 1: Article 20, Electric Wiring and Equipment of the BOCA Basic Building Code, 1981 Edition, shall be amended by adding the following sections and subsections:

Section 2002.0 - Inspection and Tests - is hereby amended by adding the following subsections:

Section 2002.4 - Permit Requirements - Permits are required for all 208 volt circuits nominal and up.

(A) Permits are not required where the estimated cost is under Fifty Dollars (\$50.00).

(B) All services, new construction and work including alarm systems, communication systems, and other low voltage systems in excess of Fifty Dollars (\$50.00), shall be inspected by an agency approved by the Township of Upper Dublin.

Section 2002.5 - Minimum Requirements

(A) Electrical service installations for a single family dwelling and each sub-service to individual apartments in multi-family dwellings shall be of a minimum capacity of one hundred (100) amperes, three (3) wire.

(B) Whenever alterations in electrical wiring require a permit, the physical conditions and the capacity of the existing electric service shall be reviewed and, when required, shall be upgraded in accordance with the requirements of this ordinance, but in no event shall the replacement be smaller than one hundred (100) amperes, three (3) wire, single phase service for a residence or a commercial building.

(C) Each new or replacement metered service rated at six hundred (600) volts or less and four hundred (400) amperes or less, shall be provided with a main disconnect.

(D) Each new or replacement metered service rated six hundred (600) volts or less and over four hundred (400) amperes, shall be provided with disconnects in conformity with the National Electric Code.

(E) Each primary service shall be provided with a single disconnecting device which will simultaneously open all ungrounded conductors.

(F) Each family dwelling shall have a minimum of twelve (12) full size single pole branch circuit spaces in new or replacement service.

(G) One-2 wire with ground one hundred twenty-five (125) volts twenty (20) ampere branch circuit shall be provided for laundry receptable outlet in new or replacement service.

(H) Two-2 wire with ground one hundred twenty-five (125) volts twenty (20) ampere receptacle circuits shall be installed in the kitchen in new or replacement service. Inaccessible receptacles such as refrigerators or "dedicated receptacles" do not satisfy the requirements of this section.

(I) All floor receptacles shall be moved to the wall or baseboard in new or replacement service, unless it is an approved raised type and installed in an approved manner.

(J) Basement wiring shall be updated to conform to minimum standards as prescribed by this ordinance if, in the opinion of the Electrical Inspector, an unsafe condition exists. This includes removing "knob and tube" wiring located in the basement through or below the joists, if tapped or spliced. All other wiring shall be corrected to meet wiring specifications contained in the N.E.C.

(K) When a review of service protective equipment and circuits reveal overloading of circuits, hazardous conditions or inadequate protection, the protective equipment shall be added and the circuiting split to accept the existing and the new electrical loads.

(L) A single outlet receptacle is required for a dedicated circuit.

Section 2002.5.1 - Multiple-Occupancy Buildings

(A) Article 230-72(d) of the National Electrical Code is hereby amended to read as follows:

(1) In a multiple-occupancy building each occupant shall have access to his disconnecting means. A multiple-occupancy building having individual occupancy above the second floor shall have service equipment grouped in a common accessible location.

(2) The disconnecting means shall comply with Section 2002.5, Subparagraphs (A) through (K).

(3) Multiple-occupancy buildings that do not have individual occupancy above the second floor shall be permitted to have service conductors run to each occupancy in accordance with Section 230-2, Exception No. 3, of the National Electrical Code.

(4) All other services are to be installed at a central location and be accessible to all tenants.

Section 2002.6 - Outdoor Installation - All guy wires, light streamers and other current carrying metal parts shall be insulated from all poles and supports with approved insulators, and shall not be lower than eight (8) feet from the ground. The N.E.C. will govern all circumstances not specifically included herein.

(A) Outdoor Devices - All public amusement devices shall be underwriters approved, wiring to be a minimum size No. 12, three (3) wires, twist lock receptacle one of which must be connected to an approved ground and all flexible cords shall be three (3) conductors, not less than No. 14 guage wire.

Section 2002.7 - Temporary Electrical Service - The switch box shall be attached to a wooden pole 4 x 4 x 16 or larger. Pole shall be no less than two (2) feet into solid ground and shall be braced with three (3) braces in tripod fashion, braces to be 2 x 4 stock.

Section 2002.7.1 - is hereby added, as follows:

Section 2002.7.1 - Service During Construction - GFI Protection - a ground-fault circuit interruptor may be required on all electrical service installed during construction, at the discretion of the Upper Dublin Township Electrical Inspector.

Section 2002.8 - Switch Box - Switch box shall be an approved metal type. Cover to box shall be locked in the "off" position when not in use. The approved metal switch may be enclosed in a wooden box and this box locked, installation to be weather proofed construction. If receptacles are used in the pole in the temporary circuit, they shall be placed five (5) feet above ground level.

Section 2002.9 - Grounding - Permanent service - only copper wire of proper size is to be used where water service is available within seventy-five (75) feet of the electrical service, a continuous copper wire shall be installed and connected on the street side of main shut-off valve, and the water meter shall be bonded. In areas where no underground metallic pipe is used, such as wells and cisterns, the provisions of the N.E.C., Article 250, shall apply. A ground rod must be driven and must comply to the requirements of the N.E.C., 1981 Edition.

Section 2002.10 - Temporary Service - An eight (8) foot galvanized steel rod or other approved grounding electrode shall be used for grounding.

Section 2002.11 - Temporary Use - Delete in its entirety. Section 2002.7 will govern.

(A) Electricity from adjacent residences and for establishments not associated with the construction project, shall not be used as a source of temporary power.

(B) Temporary power lines shall not be allowed to lie on the ground.

Section 2002.12 - Aluminum Conductors - No aluminum conductors allowed after the service.

Section 2004.1.1 - Occupancy Permit - No occupancy permit shall be granted prior to a final approval from an electrical inspections agency approved by the Township.

Section 2005.4 - Correction of Violation - Upon a citation of a violation of this ordinance, the owner or occupant shall bring such violation into compliance within the period of forty-eight (48) hours, unless such time is extended by the Code Enforcement Officer for cause shown.

Section 2006.0 - Heating/Electrical

Section 2006.1 - General

(A) Size of the conductor shall not be less than No. 14 wire connecting the burner safety switch to the main panel. Breaker or "s" type fuse shall be used.

(B) An additional burner shut-off switch (oil or gas) shall be located in the stairway 5'6" above the first floor level to the basement except if a gas burner is a self-energizing unit and it shall be connected to the fixed burner switch at the main service panel.

(C) Gas or oil burner shut-off shall be clearly marked with a differentiating color. Top of stair switch shall be mounted in a proper box and corresponding cover and shall have a guard so that the switch cannot be inadvertently turned off.

(D) Exposed electrical conductors that are run from cellar or basement ceiling to heating unit shall be enclosed in electrical metallic tubing (E.M.T.). All other wiring in close proximity to unit shall be protected from physical damage when necessary.

(E) Fire Safety - During installation, repair and servicing, a fire-extinguisher shall be available at all times.

(F) Valves - Readily accessible shut-off valves shall be installed in the oil supply lines close to gravity tank enclosures. Each tank shall be equipped with a fusible valve (firematic) in burner supply line at the burner.

SECTION 2: Subsection 680-25(d)(1) of the National Electrical Code, 1981 Edition, adopted by reference by the BOCA Basic Building Code, shall be amended to read as follows:

680-25(d)(1) - Any wiring within fifteen (15) feet of a swimming pool shall be GFCI protected and placed in rigid conduit, intermediate metallic conduit, or rigid non-metallic conduit as provided in Subsection 680-25(b)(1).

SECTION 3: Title 2, Chapter 1, Article 3 of the Upper Dublin Code, Fees, Rates and Permits shall be amended to add to Section 3.01 subsection J. reading as follows:

J. Electrical Wiring and Equipment Permit

(a) For the first One Thousand Dollars (\$1,000.00) or fraction thereof of the estimated cost, a fee of Twenty Dollars (\$20.00).

(b) For each additional One Thousand Dollars (\$1,000.00) or fraction thereof of the estimated cost in excess of One Thousand Dollars, an additional fee of Fifteen Dollars (\$15.00).

ORDAINED AND ENACTED this *14th* day of *June*, 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Patricia J. Zolla*
President

Attest:

Harry Wardle
Secretary

ORDINANCE No. 643

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 1, ALARM DEVICES, SECTION 1.12, PENALTIES FOR VIOLATION.

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

SECTION 1. Title 7, Chapter 1, Section 1.12, Penalties for Violation, shall be amended by the addition of the words "or equipment malfunction" to the first paragraph, and the addition of a second and third paragraph, so that this Section shall read as follows:

"Any person found guilty of misuse, continual accidental activation or equipment malfunction, or false activation of an automatic protection device shall be liable for a fine of not less than Twenty-five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00) plus cost of prosecution for each and every activation, to be collectible before any District Justice as like fines or penalties are now by law collectible.

"Provided: During a period of thirty (30) days after installation of a new alarm system the owner thereof shall be permitted five (5) false activations without penalty. Further, after said period an additional three (3) false activations shall be permitted, recognizing the possibility of human error and other unforeseen circumstances.

"Thereafter, it shall be the duty of the police officer to report to the Chief of Police all violations and to deliver to the owner of the house involved a notice thereof. The notice shall contain instructions that if the owner will report to the Chief of Police and pay the sum of Twenty-five Dollars (\$25.00) within forty-eight (48) hours after the time of notice, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section. In the event of a second similar offense, the violator shall be given the same option upon the payment of Fifty Dollars (\$50.00) and the third violation upon the payment of One Hundred Dollars (\$100.00). Thereafter, subsequent violations shall be prosecuted in accordance with the first sentence herein."

ENACTED AND ORDAINED this 12th day of July 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia G. Galle President

Attest

Morton J. Fre
asst Secretary

ORDINANCE NO. 644

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, TO ADD A NEW ZONING CLASSIFICATION, MIXED RESIDENTIAL DISTRICT (MRD).

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN that Title 10 of the Upper Dublin Township Code shall be amended by the addition of a new zoning classification, Mixed Residential District (MRD), as follows:

MIXED RESIDENTIAL DISTRICT (MRD)

SECTION I DECLARATION OF LEGISLATIVE INTENT

A. To provide for the orderly development of the Township consistent with the intent of the Township's Comprehensive Plan.

B. To provide for consideration of an appropriate safeguarding of abutting land and neighborhoods.

C. To provide for a variety of dwelling types in order to create an opportunity for people of varying income with varying age and family characteristics to have decent, affordable housing.

D. To provide for open space areas in close proximity to the majority of dwelling units.

E. To provide for the protection of existing natural features and amenities.

SECTION II DEFINITIONS

A. Single Family Detached Zero Lot Line Dwelling - A one-family detached dwelling on a separate lot with open space setbacks on three sides and with a court. This dwelling may be located on a side line, and may also be known as a zero lot line dwelling.

B. Attached Patio Dwelling - A one-family attached dwelling on a separate lot with open space setbacks on at least two sides. The dwelling is attached to another one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.

C. Multi-Plex Dwelling - One dwelling in a structure containing up to six such dwellings in which each unit has individual access to the outside and in which no unit is on top of another unit.

D. Minor Residential Street - A street that serves a limited number of residential dwellings, and connects into a residential street.

E. Minor Collector Street - A street which collects traffic from minor residential and residential streets and connects with Secondary or Primary Streets.

SECTION III USE REGULATIONS

A. A building or a group of buildings may be erected or used and a lot may be used or occupied for any of the following purposes and no others:

1. Single-Family Detached Dwelling
2. Single-Family Detached Zero Lot Line Dwelling
3. Attached Patio Dwelling
4. Townhouse Structure
5. Twin Dwelling
6. Multi-Plex Dwellings
7. Open Space or recreational areas
8. Accessory uses on the same lot with and customarily incidental to the above permitted uses.

SECTION IV AREA REGULATIONS

A. The tract of land must contain a minimum area of 75 acres.

B. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owner or owners of the entire tract, and it shall be agreed that the tract will be developed under single direction and in general accordance with an overall approved plan.

SECTION V DEVELOPMENT REGULATIONS

A. Density. The maximum permitted density in the MRD shall be 2.75 dwelling units per acre (excluding the rights-of-way of existing public roads).

B. Mixing Requirements. For any MRD, a minimum of 35% shall be constructed as single family detached, and single family patio dwellings. At least 40% of the 35% shall be single family detached with the remaining units patio dwelling. At least two additional housing types must be included in the MRD. No one of which shall be more than 40% of the total number of units

C. Impervious Coverage. Impervious coverage for the entire MRD shall not exceed 35%.

D. Single Family Detached Dwellings

1. Lot Area- A minimum lot area of not less than 15,000 square feet (SF) shall be provided.
2. Lot Width- A lot width of not less than eighty (80) feet shall be required at the building setback line.

3. Front Yard- A front yard of not less than thirty-five (35) feet in depth shall be required from the right-of-way line.
4. Side Yard- Two side yards, together having an aggregate width not less than twenty-five (25) feet, but neither having a width less than ten (10) feet, shall be required.
5. Rear Yard- A rear yard of not less in depth than thirty (30) feet shall be required.

E. Single Family Patio Dwellings

1. Lot Area- A minimum lot area of not less than 7,000 SF shall be provided with an average lot are of not less than 9,000 SF being provided.
2. Lot Width- A lot width of not less than sixty (60) feet shall be required at the building setback line.
3. Front Yard Requirements- A front yard of not less than thirty (30) feet in depth shall be required from the right-of-way line.
4. Side Yard- One side yard of not less than fifteen feet (15) shall be required.
5. Rear Yard- A rear yard of not less in depth than twenty-five (25) feet shall be required.
6. When the wall of a dwelling is constructed on the side line of a lot, the deed to the adjacent lot shall reserve an easement to permit the maintenance and reconstruction of the said dwelling.

F. Attached Patio Dwellings and Townhouse Structures

1. Lot Area- A minimum lot area of not less than 2,500 SF shall be provided, with an average lot area of not less than 3,000 SF being provided.
2. Lot Width- A lot width of not less than twenty (20) feet shall be required at the building setback line.
3. Front Yard- A front yard of not less than twenty (20) feet in depth shall be required from the street right-of-way line.
4. Side Yard (end of row)- One (1) side yard at each end of the row, not less than fifteen (15) feet in width, shall be required.
5. Rear Yard- A rear yard of not less in depth than twenty-five

(25) feet shall be required.

G. Twin Dwellings

1. Lot Area- A minimum lot area of not less than 6,000 SF shall be provided per dwelling unit
2. Lot Width- A lot width of not less than forty (40) feet shall be required at the building setback line.
3. Front Yard- A front yard of not less than twenty (20) feet in depth shall be required from the right-of-way line.
4. Side Yard- One (1) side yard, not less than fifteen (15) feet in width, shall be required.
5. Rear Yard- A rear yard of not less in depth than twenty-five (25) feet shall be required.

H. Multi Plex Dwellings

1. Density- The net density of any multi-plex area shall not exceed eight (8) dwelling units per acre. (The net density shall be calculated on an area which included the multi-plex building, parking and adjacent open space intended for the residents along with all required multi-plex yard spaces established by setback requirements. The area shall specifically exclude all lot areas devoted to uses other than multi-plex dwellings).
2. Building Length- The total length of any multi-plex dwelling shall not exceed one hundred and forty (140) feet in any one direction.
3. Distance Between Buildings- The distance between multi-plex buildings shall not be less than twenty (20) feet, end to end or fifty (50) feet side by side, and shall comply with BOCA Code Fire Resistance ratings.
4. Building Setbacks
 - a. Setback from Property Lines. A setback from the tract property lines of not less than three hundred (300) feet shall be required except where one of the major frontages is primarily along a Primary or Secondary Street.
 - b. Setback- Inter-development. A setback from the lot lines of adjacent residential lots of not less than fifty (50) feet in depth shall be required.
 - c. Setback from Streets. A setback from the right-of-way of

public streets of not less than forty (40) feet in depth, and from streets of not less than twenty (20) feet in depth shall be required.

I. All dwellings shall have access to a public street.

J. The proposed development shall be served by both centralized sewer and water facilities deemed acceptable by the Board of Commissioners.

SECTION VI SPECIAL DEVELOPMENT REGULATIONS

A. Buffer Requirements. A landscaped planting area of not less than 15 feet in depth shall be provided along any perimeter property line (other than in a street) where the tract abuts existing residential, commercial, institutional, and industrial uses. The landscaping shall be permanent and designed for screening from view residential, commercial, institutional, and industrial uses which are adjoining to the MRD. The buffer strip shall not be included in the lots adjacent thereto, but shall be owned and maintained in accordance with the requirements set forth in Section VII.

Planting Requirements are not required where vegetation exists or will be preserved, or where the units in the MRD District will be of the same dwelling unit type, and approximately the same density of the dwelling units adjacent to the MRD District.

All landscaping requirements contained in the Upper Dublin Land Development and Subdivision Ordinance shall be applicable to any MRD unless restrictive, in which case the provisions of this ordinance shall control.

B. Height Regulations. No building and/or structure shall exceed a height of thirty-five (35) feet.

C. Varied Setbacks. To encourage design variety, no more than four dwellings units in a row may utilize minimum setbacks, and five (5) feet shall be the minimum offset.

D. Corner Lot Provisions. In the case of a corner lot, all front yard requirements shall be observed along both street frontages.

E. Accessory Use Provisions. Accessory use structures may only be erected within the rear and side yard areas of single family detached dwellings, and single family patio dwellings, provided that the accessory structure is not located within four (4) feet of the rear and/or side property lines.

F. Streets. All streets shall be public streets, and as such, shall be constructed to Township standards regarding paving thickness and materials. The following right-of-way and paving width standards for an MRD shall apply:

| <u>Classification:</u> | <u>Row</u> | <u>Cartway</u> |
|--------------------------|------------|----------------|
| Minor Residential Street | 40' | 25' |

G. Not less than two (2) off-street parking spaces shall be required for each dwelling unit. Garage spaces shall not be counted toward the parking requirement.

H. Only single family detached or single family detached patio homes or accessory uses customarily incidental to such uses may be erected within 200 feet of the boundary lines of the property where such boundary lines are contiguous to lands which are located in any Residential District on the Township Zoning map, provided, however, that only single family detached dwellings may be constructed on lots abutting residential districts.

SECTION VII REQUIREMENTS FOR OPEN SPACE

A. Characteristics of Required Open Space. Open space created shall have the following minimal requirements:

1. The land area to be set aside for permanent preservation as open space shall be so located and so shaped as to be suitable for the purposes intended. Consideration shall be given to contiguous portions of existing and potential open space lands in adjacent tracts.
2. A minimum of twenty-five percent (25%) of the gross tract acreage exclusive of existing street rights-of-way shall be set aside as open space lands

B. Maintenance of Required Open Space. The following requirements shall govern the maintenance of the required open space:

1. The open space land to be set aside or reserved for park, woodlands, conservation, playground, active recreational use or other open space purposes, such as the preservation of natural features, must first be offered for dedication to the Township, or may be reserved for private use if Township Officials decline to accept the offer of dedication, in which case satisfactory arrangements shall be made, acceptable to the Township, for the maintenance of all such area.
2. Necessary covenants, easements and/or restrictions must be established to provide for public utilities, drainage, trails for hiking or bicycling, or any other permitted use designated for the benefit of owners or occupiers of the development if the open space is to be privately owned.
3. If a development includes a proposal to dedicate to the Township, land for park and/or open space use, under provisions of this section, the total land area to be dedicated shall be

delineated on the subdivision plan with a note stipulating that the legal means of conveyance shall be by dedication.

4. If the open space land is to be retained by the property owners, The Township will require the property owners to provide for and establish a homeowner's association, other organization or funded community trust for the ownership and maintenance of the open space by sale or otherwise, except to an organization conceived and established to own and maintain the open space, or by dedication to, and acceptance by, the Township.

SECTION VIII DEVELOPMENT IMPACT STUDY

In order to assist the Board of Commissioners in evaluating the development, the following plans and documentation shall be provided:

- A. A plan showing the site, its acreage, proposed uses and existing surrounding sites.
- B. The approximate proposed residential density of the development and the approximate mix of the various dwelling types.
- C. The location, size, accessibility and proposed use of open space, manner of ownership and maintenance.
- D. A Traffic Impact Analysis showing the impact of the development on the local streets, illustrating all existing and proposed streets.
- E. Conceptual plans of proposed water, sanitary sewers and stormwater management systems.
- F. A fiscal impact analysis showing the effect of the development on the Township and School District.

ENACTED AND ORDAINED this 12th day of July, 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Gill
President

Attest Harry Waack
Secretary

ORDINANCE No. 645

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED TRACT FROM "A" RESIDENTIAL DISTRICT TO MIXED RESIDENTIAL DISTRICT (MRD).

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from "A" Residential District to Mixed Residential District (MRD):

ALL THAT CERTAIN lot or piece of ground Situate in Upper Dublin Township, Montgomery County, Pennsylvania, described in accordance with a certain Lot Location Plan prepared for Mrs. Florence M. Donahue by C. Raymond Weir Assoc. Inc., Civil Engineers & Surveyors, Ambler, Pennsylvania, dated March 13, 1969, last revised June 23, 1969, and recorded in the Office for the Recording of Deeds in and for Montgomery County, Pennsylvania in Plan Book C-9, Page 24, as follows, to wit:

BEGINNING at a point on the centerline of Welsh Road, which point and place of beginning is located South 49 degrees 26 minutes 15 seconds East, 263.68 feet from the point of intersection of the centerline of Welsh Road with the centerline of Purdie Lane; thence from said point or place of beginning along the centerline of Welsh Road, South 49 degrees 45 minutes East, 375 feet to a point on the centerline of Welsh Road, a corner of Parcel "A" on said Plan; thence leaving the centerline of Welsh Road and along Parcel "A" on said Plan, South 40 degrees 15 minutes West, 320 feet to a point, a corner of Parcel "A" on said Plan; thence continuing along Parcel "A" on said Plan, South 49 degrees 45 minutes East, 315 feet to a point, a corner of Parcel "A" on said Plan; thence continuing along Parcel "A" on said Plan, North 40 degrees 15 minutes East, 320 feet to a point on the centerline of Welsh Road, a corner of Parcel "A" on said Plan; thence along the centerline of Welsh Road, South 49 degrees 45 minutes East, 1042.50 feet to a point on the centerline of Welsh Road, a corner of land now or formerly of Joseph D. Heard and Frances W. Heard; thence along said land, South 40 degrees 15 minutes West, 2331.45 feet to a point, a corner of Lot 19 within Dublin Downs Extension; thence extending along various lots within Dublin Downs Extension, and along the end of Whitehouse Road and the end of Dublin Road, North 49 degrees 45 minutes West, 1696.20 feet to a point, a corner of Lot 53 within Dublin Downs Extension; thence along various lots within Dublin Downs, and along the end of Bell Lane and the end of Dawn Drive, North 39 degrees 45 minutes East, 2331.45 feet to a point in the centerline of Welsh Road, being the first mentioned point and place of beginning.

BEING Parcel "B" on said Plan.

CONTAINING in area 89.436 acres, more or less.

BEING Parcel No. 54-00-16681-00-5.

ENACTED AND ORDAINED this 12th day of July 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia Gill President

Attest

Ann Waddle
Secretary

ORDINANCE No. 646

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 11, REGULATING AMUSEMENT GAMES.

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

SECTION 1: That Section 1.06, Transferability of License, shall be amended by the addition of Subsection (c), to read as follows:

"(c) A license may be transferred to a purchaser of the business where the amusement game is located for the balance of the unexpired license term."

SECTION 2: That Section 1.10, Prohibited Locations, be amended to read as follows:

"SECTION 1.10: Prohibited Locations. No amusement game shall be licensed, placed, possessed, kept, maintained, exhibited, used or operated in any location, the entrance or exit to which is within six hundred (600) feet of any entrance to or exit from any school, park, playground or church."

SECTION 3: That Section 1.12, License Termination, Suspension or Revocation, shall be amended by the deletion of Subsection (a)(3).

SECTION 4: That Section 1.14, Violations and Penalties, shall be amended to read as follows:

"(a) Any person, firm, association, corporation or other entity who shall violate any of the provisions of Section 1.11, "Operation of Amusement Games", of this Ordinance shall be notified of such violation and given an opportunity to correct same within ten (10) days.

(b) Any person, firm, association, corporation or other entity who, after receiving notice as hereinbefore provided, continues to be in violation of any of the provisions of this Ordinance shall, upon summary conviction before a District Justice, be sentenced to pay a fine of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00), and costs of prosecution for each violation, or in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days for each violation."

ENACTED AND ORDAINED this 1st day of October 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patrick J. Ball* President

Attest

Harry Waidle
Secretary

ORDINANCE No. 647

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ARTICLE 12, RESPECTING PARKING IN FRONT YARDS OF LIMITED INDUSTRIAL DISTRICTS.

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

SECTION 1: That Article 12, Section 12.14, Paragraph D, 6, which reads:

"Parking. Parking may be permitted within side or rear yards only when the side or rear yards abut a district zoned other than residential, provided, however, no parking shall be permitted within twenty-five (25) feet of a property line."

shall be deleted and substituted therefor the following:

"Parking. No parking shall be permitted within the first one hundred (100) feet from the right of way line of a street if the yard is opposite from a residentially zoned district and fifty (50) feet if on the opposite side of a street from districts zoned commercial or industrial. No parking shall be within the first twenty-five (25) feet of a side or rear yard from a property line and fifty (50) feet if the side or rear yard is adjacent to a residentially zoned district."

ENACTED AND ORDAINED this 1st day of October 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Galle President

Attest Hany Wadde Secretary

ORDINANCE No. 647A

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED TRACTS OF APPROXIMATELY .47 ACRES OF LAND AT THE INTERSECTION OF PENNSYLVANIA AVENUE AND SUMMIT AVENUE FROM "A" RESIDENTIAL TO "CR" COMMERCIAL RETAIL, CLASS L, DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

Section 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tracts from "A" RESIDENTIAL to "CR" COMMERCIAL RETAIL, CLASS L, DISTRICT:

Premises "A"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, SITUATE in the Village of Fort Washington, Upper Dublin Township, County of Montgomery and State of Pennsylvania, bounded and described according to a survey and plan thereof made for Enos C. Rich by James Cresson, Civil Engineer of Norristown, PA.

BEGINNING at a point in the center line of Summit Avenue at the distance of seventy-three and five tenths feet Northeasterly from the intersection of the center line of Summit Avenue and the center line of Township Line Road dividing the Township of Upper Dublin and Whitemarsh Township, thence South forty-five degrees thirty-one minutes East one hundred thirty-five and fifty-two one-hundredths feet to a sixteen feet wide driveway thence along same, North forty-five degrees sixteen minutes East forty-five feet to a stake; thence North forty-five degrees thirty-one minutes West one hundred thirty-five and eighty-six one-hundredths feet to the center line of Summit Avenue, aforesaid; thence along same South forty-four degrees fifty minutes West forty-five feet to the place of beginning.

TOGETHER with right of way over a certain sixteen feet wide driveway leading to Township Line Road, in common with other owners of land abutting thereon, as shown on aforesaid plan, for use as a passageway, and driveway for vehicles.

BEING Parcel Number 54-00-14470-00-2 as set forth in the Montgomery County Board of Assesstments Appeals.

UNDER AND SUBJECT TO Agreement of Record.

Premises "B"

ALL THAT CERTAIN lot or piece of ground, SITUATE in Upper Dublin Township, Montgomery County, described according to a survey and plan thereof made by James Cresson, Civil Engineer, Norristown, Pennsylvania, on October 6, 1925, as follows, to wit:

BEGINNING at a point formed by the intersection of the middle line of Township Line Road (40 feet wide) and the middle line of Summit Avenue (50 feet wide) thence along the middle line of Summit Avenue North forty-four degrees fifty minutes East seventy-three and five tenths feet to a point in line of other lands of the grantees herein, thence along the same South forty-five degrees thirty-one minutes East one hundred thirty-five and fifty-two one-hundredths feet to a point in a certain sixteen feet wide right-of-way as laid out for a driveway for the use of the occupiers and owners of the adjoining lands formerly owned by the Grantors herein, thence along the same North forty-five degrees sixteen minutes East one hundred ninety feet to a point an iron pin, thence North forty-four degrees fifty minutes East thirty-three feet to a point a stake, thence South forty-five degrees thirty-one minutes East fifty-three feet to a point a stake, thence South forty-four degrees fifty minutes West twelve and seventy-five one-hundredths feet to a stake, thence North forty-five degrees forty minutes West twelve and seventy-five one-hundredths feet to a stone, thence South forty-five degrees sixteen minutes West two hundred eighty-three feet to a point in the middle line of Township Line Road, thence along the same North forty-five degrees forty-four minutes West one hundred seventy-five and six one-hundredths feet to the first mentioned point and place of beginning.

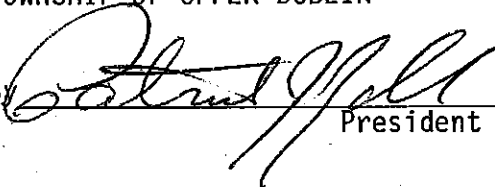
BEING Parcel Number 54-00-14467-00-5 as set forth in the Montgomery County Board of Assessments Appeals.

UNDER AND SUBJECT TO Agreement of Record.

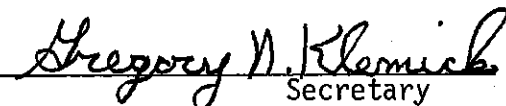
ENACTED AND ORDAINED this 9th day of November, A.D. 1983.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By


President

Attest


Secretary

ORDINANCE No. 648

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 9, LAND DEVELOPMENT AND SUBDIVISION CODE, ARTICLE 6, PLAN SUBMISSION REQUIREMENTS AND PROCESSING PROCEDURES.

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

SECTION 1: That Title 9, Article 6, Plan Submission Requirements and Processing Procedures, be deleted in its entirety and the following substituted therefor:

Section 6.00 Applicability

The procedures set forth in this Article shall be followed by all applicants proposing to subdivide or develop land in Upper Dublin Township.

Section 6.01 Required Plans for Approval

Applicants shall be required to submit the following plans:

1. Tentative Sketch (Optional)

Applicants are encouraged to submit a tentative sketch for informal discussion with Township, County, and State Agencies. A tentative sketch for a land development or a subdivision shall not be considered a formal application; however, when submitted it should be as described in Section 6.02.

2. Preliminary Plan (Required)

A preliminary plan as described in Section 6.03 is required for all subdivisions and land development proposed within the Township.

3. Minor Subdivision Plan (Required)

A minor subdivision plan as described in Section 6.04 is required for all applicable subdivisions. A determination will be made by Township Officials, consisting of the Township Manager, Engineer and Solicitor and the Chairman of the Township PER Committee (Planning, Environment, and Recreation) as to when a minor subdivision plan should be required in accordance with the criteria for a minor subdivision.

4. Final Plan (Required)

A final plan is required for all subdivisions and land developments proposed within the Township.

(a) A final plan shall consist of two parts:

1. Improvement Construction Plan as described in Section 6.05, 1 herein.
2. Record Plan as described in Section 6.05, 2 herein.

(b) A plan showing all information required for a final plan, which has been submitted as a preliminary plan and for which no changes have been required by the Township, may be approved as a final plan.

Section 6.02 Tentative Sketch Requirements

Applicants desiring to submit a tentative sketch shall show the following information:

1. Name of subdivision or land development.
2. Name and address of owner, engineer, and/or surveyor.
3. Tract boundary and location by deed plotting.

4. North Point and scale, if any.
5. Location of tract to surrounding tracts and to at least two existing streets. The surrounding tracts shall be shown along with the current property owners names.
6. Existing tract features; such as, woodlands, watercourses, flood plains, steep slopes/ buildings, and parking areas with access from public road.
(over 15%)
7. Proposed features; such as lots, roads, buildings, parking areas, access from public road, and landscape areas.
8. Zoning District and area regulations for the tract and surrounding properties.

Section 6.03 Preliminary Plan Requirements

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

1. Drafting Standards

- (a) The scale of the plan shall not be smaller than one hundred (100) feet to the inch, and shall be accurate to within one part in 300.
- (b) Dimensions shall be in feet or meters and decimals and bearings in degrees, minutes, and seconds.
- (c) The plan shall show the courses and distances of the boundary line survey of the entire tract being subdivided.
- (d) The sheet or sheets shall be one of the following sizes: 15"x18", 18"x30", 24"x36", or 30"x42". If more than one sheet is necessary, each sheet shall be the same size and consecutively numbered to show its relation to the total number of sheets comprising the plan, (i.e.) Sheet No. 1 of 5.
- (e) Where there are two (2) or more sheets, a key map shall be provided sufficient to show their relationship.

- (f) The plan shall be clear and legible, and shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.

2. Location and Identification

Each plan shall provide:

- (a) A title consisting of the name and address of the subdivider, developer, or builder and the person who developed the plan. A Registered Professional Surveyor must certify the tract boundary survey and a Registered Professional Engineer must certify the proposed improvements with their names and addresses included on the plan.
- (b) The name of the subdivision, its location by identification of significant bounding roads, the names of adjacent property owners, and the name of the municipality.
- (c) The date of preparation of the plan, the scale and north point.
- (d) The entire tract boundary with bearings and distances.
- (e) A key map relating the subdivision to at least three (3) existing intersections of Township roads, at a scale not less than eight hundred (800) feet to the inch.
- (f) The zoning district and area regulations from the Township Zoning Code for the tract being subdivided or developed and on adjoining tracts. Any deed restrictions, variances or special exceptions being sought or granted shall be shown or noted on the plan.

3. Existing Features

- (a) All typographic and physical features surrounding the tract being subdivided which impacts it shall be shown:
1. The location, name, width (cartway and right-of-way) radii, and surface conditions of existing roads and alleys.

2. The location of watercourses, floodprone areas, stormdrains and drainage flows.
3. The location, size, and ownership of utility lines above and below ground not limited to water, sanitary sewers, gas mains, fire hydrants, electric transmission, and pipelines.
4. Any significant man-made or natural feature which impacts the tract to be subdivided.

(b) Within and abutting the tract being subdivided, the plan shall show:

1. The location, name of roads including the width (cartway and right-of-way), dimensions, centerline courses, distances, curve data, curb lines, curb line radii at intersections, and street location tie-ins by courses and distances to the nearest intersection.
2. The location of watercourses, flood prone areas, stormdrains, and drainage flows.
3. The location, size, and ownership of utility lines including width of easements or right-of-way above or below the ground not limited to water, sanitary sewers, gas mains, electric transmission and pipelines.
4. Man-made or natural features not limited to steep slopes (over 15%), soil types, deed restrictions having a significant impact on the tract being subdivided.

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

1. Contours at vertical interval of two (2) feet in sufficient detail to show the course, structure, and capacity of all drainage facilities including the method of drainage of adjacent tracts. If the distance between contour lines exceeds one hundred (100) feet horizontally, a lesser contour interval will be required as determined by the Township Engineer. Benchmarks to which

contour elevations refer shall be noted on the plan and shall be U.S. Coast and Geodetic Survey datum.

2. The location, with measured distances from roads and property lines, and the character of existing buildings and man-made structures on or in the ground.
 3. The location, specie, and size of trees standing alone four (4) or more inches in caliber, and the outer limit of tree masses and other natural features.
 4. Location of existing monuments with references to them.
4. 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.
- (a) The layout of all streets, alleys and walkways, including names and widths of cartways and rights-of-way, and streets shown on the Township's Ultimate Right-of-Way Map which map impact the tract being subdivided.
 - (b) The layout, dimensions, and net area of all lots including consecutive lot and house numbers. House numbers shall be assigned by the Township.
 - (c) Any land to be dedicated for public or common use.
 - (d) Tentative grades of proposed streets to existing streets to a point four hundred (400) feet beyond the boundaries of the tract being subdivided.
 - (e) Location and size of sanitary sewers, storm drains, culverts, water-courses, on-site sewage facilities, if applicable, water mains, fire hydrants, special structures, and all appurtenances.

- (f) All building setback lines on each lot with distances from the street right-of-way. Lots to be used for other than residences.
- (g) Disposition of all buildings and structures indicating retention or demolition. The character and use of buildings and structures to be retained shall be noted on the plan.
- (h) The purpose, location, width and boundaries by dimensions of all rights-of-way and/or easements to be created for all surface and underground drainage, utilities, or other pertinent reasons.
- (i) Typical cross-sections and centerline profile for each new or widened street cartway, as well as, the profile for sanitary sewers, and storm drains, including manholes, inlets and catchbasins.
- (j) Soil erosion and sediment control facilities during and after construction and surface water management facilities including the layout of water detention structures, bridges and culverts.
- (k) All landscaping facilities for screening, buffering, conservation, shade, and aesthetics. Facilities may include trees, shrubs, fences and/or earthwork.
- (l) Subdivision characteristics shall be noted on the plan indicating:
 - (a) the number of acres being subdivided.
 - (b) the number of lots created.
 - (c) the number, type and character of buildings
 - (d) the linear feet of new road and widened road
 - (e) minimum, maximum and average lot size.

5. Certificates

Upon approval, the preliminary plan must show:

- (a) The signature of the subdivider, developer, or building certifying his adoption of the plan and any changes.

(b) The signature of the Township Secretary and Township Engineer certifying that the Township Commissioners have approved the plan and any changes.

(c) The words "Preliminary Plan - Not to be Recorded" shall be added to the plan.

Section 6.04 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:

1. Criteria for Minor Subdivisions

A subdivision of a tract that:

- (a) Contains less than five (5) lots
- (b) Has not been a part of a subdivision submitted within the past five (5) years.
- (c) Presently fronts on a physically improved street that is legally open to the public.
- (d) Will not involve or require the construction of any new street, the extension of municipal services or the creation of any other public improvement.
- (e) Requires a Variance from the Township Zoning Code for no more than one of the proposed lots on which new construction will occur or may occur in the future.
- (f) Is in general conformance with the Township Comprehensive Plan and other plans.
- (g) No steep slopes (over 15%), floodplain areas, or drainage courses exist or are needed on the tract being subdivided.

2. Drafting Standards

The drafting standards in Section 6.02 shall apply for minor subdivisions.

3. Location and Identification

The location and identification requirements in Section 6.03 shall apply for minor subdivisions.

4. Existing Features

(a) Within one hundred (100) feet of any part of the tract being subdivided the plan shall show:

1. The location, name, width (cartway and right-of-way) radii and surface conditions of existing roads and alleys.
2. The location, size, and ownership of sanitary sewers, water and gas mains, storm drains, fire hydrants, pipelines, and electric transmission lines.
3. Any significant man-made or natural feature which impacts the tract being subdivided.

(b) Within and abutting the tract being subdivided, the plan shall show:

1. The location, size, and ownership of utilities including width of easements or rights-of-way above or below ground.
2. The location, with measured distances from roads and property lines, and the character of existing buildings and man-made structures on or in the ground.
3. The location, species, and size of trees standing alone four (4) inches in caliber, and the outer limits of tree masses.
4. Location of existing monuments with reference to them.

5. Proposed Features (Lots)

- (a) The layout, dimensions, and net area of all lots including consecutive lot or house numbers. House numbers shall be assigned by the Township.
- (b) Location and size of sanitary sewers, storm drains, water mains, fire hydrants, or on-site sewage facilities, if applicable.

- (c) All building setback lines on each lot with distances from the street right-of-way. Lots to be used for other than residences.
- (d) Disposition of all buildings and structures indicating retention or demolition. The character and use of buildings and structures to be retained shall be noted on the plan.
- (e) All landscaping facilities for screening, buffering, conservation, shade, and esthetics. Facilities may include trees, shrubs, fences and/or earthwork.
- (f) Subdivision characteristics shall be noted on the plan indicating
 - 1. the number of acres being subdivided
 - 2. the number, type, character of buildings
 - 3. minimum, maximum and average lot size.

6. Certificates

Upon approval, the final plan, the Record Plan shall show:

- (a) The signature of the Registered Professional Surveyor certifying that the plan represents a survey made by him, the monuments shown exist as located, and the dimensions and geodetic details are correct.
- (b) The signature of the subdivider, developer, or building certifying his adoption of the plan and any changes.
- (c) The signature of the Township Secretary certifying that the Board of Commissioners have approved the minor subdivision plan and any changes.

Section 6.05 Final Plan

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

- 1. The final plan shall be submitted as soon as practical after the required improvements have been installed or are guaranteed in accordance with Act 247, as amended.

2. Improvement Construction Plan

(a) Drafting Standards. The same standards shall apply for the improvement construction plan as for the preliminary plan, except that the horizontal scale of the plan and profile shall not be smaller than fifty (50) feet to the inch and the vertical scale shall be two (2), four(4), five(5) or ten (10) feet to the inch, whichever is more appropriate.

(b) Information to be Shown. The plan shall contain all the information and details, both on and off-site, to provide working plans for the construction of the proposed streets, and widening of existing streets, sanitary and storm sewers, utilities, erosion and sediment control, landscaping, including all appurtenances, as shown on the approved preliminary plan. The information shall include but not be limited to:

(1) Horizontal Plan. The horizontal plan shall show details of the horizontal layout as follows:

- (a) Information shown on the approved preliminary plan.
- (b) The beginning and end of proposed immediate construction.
- (c) Stations corresponding to those shown on the profile.
- (d) The curb elevation at tangent points or horizontal curves at road or alley intersections and at the projected intersections of the curb lines.
- (e) The location and size of sanitary sewers and lateral connections with distances between manholes, water, gas, electric, and other utility pipes or conduits and of storm drains, inlets, and manholes.
- (f) The location, type, and size of curbs and all paving widths.
- (g) The location and specie of all shade trees and the location and type of fire hydrants and street lights.

(2) Profiles

The profile plan shall show vertical details of the horizontal plan as follows:

- (a) Profiles and elevations of the ground along the centerline of proposed roads.
- (b) Profiles of sanitary sewers with profiles over the sewer of the present and finished ground surface showing manhole locations beginning with the lowest manhole.
- (c) Profiles of storm drains showing manhole and/or inlet locations and swales.
- (d) Profiles of water mains

(3) Cross-Section

The cross-section shall comply with the Township's standards and specifications as minimum requirements. It shall show a typical cross-section across the road with details of grading and construction as follows:

- (a) The ultimate right-of-way width and location and width of the cartway.
- (b) The type, depth and crown of paving.
- (c) The type and size of curb.
- (d) When sidewalks are required, grading of the sidewalks area should be carried to the full width of the ultimate right-of-way and slopes of cut or fill extended beyond the ultimate right-of-way.
- (e) When required, the location, width, type, and depth of sidewalks.
- (f) The typical location, size, and depths of sewers and utilities.

Additional Information

Additional information shall be submitted with the final plan as follows:

- (a) All required local, state, and federal permits shall be submitted. These permits may include: Upper Dublin Township, Montgomery County, PennDOT and Pa. Department of Environmental Resources (DER) permits. DER permits may be required for drainage, stream alteration, dams, erosion and sedimentation control, air pollution, or sanitary sewer facilities.
- (b) All engineering calculations which support the proposed improvements; such as, drainage, sanitary facility design, or structural calculations.
- (c) A statement shall be required on the Final Plan as follows:
"The Approved Improvement Construction Plan, a copy of which may be inspected at the Office of the Township Public Works Director, has been made a part of the Approved Final Plan."

3. Record Plan

(a) Drafting Standards

The same standards shall be required for a record plan as for the preliminary plan, and in addition for recording purposes, the plans shall be placed on sheets sizes 15"x18", 18"x30, and 24"x36". All lettering and lines shall be drawn so as to still be legible should the plan be reduced to half size.

(b) Existing Features

Within the boundary of the land being subdivided or developed, existing features shall be shown as follows:

- (1) Location, name, widths, and surface conditions of existing streets and alleys including the right-of-way lines, easements, and curb lines.
- (2) Location and size of existing sanitary sewers, storm drains, water mains, watercourses, and drainage flows.
- (3) Location and character of existing buildings and other significant features noted on the plan to remain or to be removed.
- (4) Outer limits of tree masses.

(c) Information to be Shown

The plan, which shall include all portions of an approved preliminary plan, shall show:

- (1) A title, as required for a preliminary plan.
- (2) Evidence should be provided that the plans are in conformance with the zoning code and other applicable Township ordinances and regulations. In any instance where such plans do not conform, evidence shall be presented that an exception or variance has been officially authorized.
- (3) The names of abutting owners; names, locations, widths and other dimensions of all roads, including tie-ins, alleys and easements, including centerline courses, distances and curve data; descriptive data of right-of-way lines and easement lines so that a single deed may be drawn to the appropriate authority for the dedication of roads by the subdivider, development or builder.
- (4) The layout and dimensions, with bearings and distances, of lots including consecutive numbering of lots and house numbers, building setback lines with distances from the ultimate right-of-way lines, the total area, net area, number of lots, area of each lot and minimum lot size.

- (5) The typical cross-sections for each proposed road indicating location, width, type, thickness and crown of paving; type and size of curbs; location, width, type and thickness of sidewalks.
- (6) The location of curb lines, with radii at intersections; the location and width of sidewalks and cross-walks.
- (7) The location and size of storm drains, sanitary sewers, culverts, major structures, water mains, and fire hydrants.
- (8) The purpose of creating easements.
- (9) References to any land to be dedicated for public use.
- (10) The location, material and size of all monuments with reference to them.
- (11) Restrictions in the deed affecting the subdivision of the property.
- (12) The location of all floodplains, as defined by the Zoning Code, and for the purposes of the determination of applicable flood insurance risk premiums for structure in flood prone areas: (1) indicate the lowest habitable floor elevation (in relation to near sea level) of new or substantially improved structures, and (2) indicate the elevation to which the structure will be floodproofed.
- (13) Additional notes as required by the Township Engineer.
- (14) Landscape plantings.

(d) Certificates

When approved, the record plan must show:

- (1) The signature and seal of the Registered Surveyor certifying that the plan represents a survey made by him, that the monuments shown thereon exist as located, and that the dimensional and geodetic details are correct.
- (2) The signature seal and date of the Registered Engineer verifying that the plan of improvements is true and correct and made by him.

- (3) The signature duly notarized and date of the subdivider, developer or builder certifying his adoption of the plan.
- (4) The date, Township Seal and Signature of the President of the Board of Commissioners, certifying that the Board approved the plan attested by the Township Secretary and Engineer.

Section 6.06 Land Development Plans

Applicants submitting a land development plan shall be required to conform to the following standards and submit these plans:

1. Tentative Sketch

A tentative sketch may be submitted at the option of the applicant. When submitted a tentative sketch shall conform to the standards set forth in Section 6.02 of this Article.

2. Preliminary Plan

A preliminary plan shall be submitted and conform to the standards set forth in Section 6.03 of this Article with appropriate data, plus the following information shown on the plan:

- (a) All covenants relating to use.
- (b) Tract statistics including:
 - (1) Total tract area
 - (2) Net tract area
 - (3) Total dwelling units and proposed density, if applicable, and/or intensity of use including bedroom mix.
 - (4) Building and impervious coverage.
 - (5) Total number of parking spaces and spaces per dwelling, if applicable, and/or uses.
 - (6) Lot size, floor area or gross leasable area as applicable.
- (c) The arrangement and location of all buildings, roads, parking areas, and other man-made features, such as accessory structures, facilities, and walkways.

- (d) The areas of common open space or facilities.
- (e) A conceptual site utilization layout defining the general locations of all proposed uses and activities.
- (f) A grading plan showing changes to existing terrain and structures, and specifications for required improvements.
- (g) A landscape plan in accordance with Section 4.19 of this Ordinance.
- (h) Other data as may be required by the Township Commissioners; such as, traffic report, conservation district report, planning module from Pennsylvania Department of Environmental Resources, permits required from state, county and/or township agencies.

3. Final Plan

A final plan shall be submitted and conform to the standards set forth in Section 6.05 of this Article with appropriate data plus the following information shown on the plan:

(a) Improvement Construction Plan

- (1) A conceptual site utilization layout defining the general location of all proposed uses and activities.
- (2) Specifications for required improvements and a grading plan showing changes to existing terrain or structures.
- (3) A landscape plan in accordance with Section 4.19 of this Ordinance.
- (4) Other data as may be required by the Township Commissioners, such as reports and permits.

(b) Record Plan

A record plan for a land development shall be prepared for recording when improvements are required for public use, such as road widenings, and easements. The record plan shall show additional information as follows:

- (1) All covenants relating to use.
- (2) Tract statistics.

1. Total tract area
 2. Net tract area
 3. Total dwelling units and proposed density, if applicable, and/or intensity of use including bedroom mix.
 4. Building and impervious coverage.
 5. Total number of parking spaces and spaces per dwelling, if applicable, and/or use.
 6. Lot size, floor area or gross leasable area as applicable.
- (c) The arrangement and location of all buildings, roads, parking areas, and other man-made features such as, accessory structures, facilities and walkways.

Section 6.07 Plan Processing Procedures

For approval of a subdivision or land development plan, all applicants shall comply with the following plan processing procedure:

1. All plans filed for approval shall be submitted in the following order:
 - (a) Tentative Sketch (optional but encouraged)
 - (b) Preliminary Plan
 - (c) Final Plan
2. Each plan, whether tentative, preliminary, or final, shall be filed one at a time; no subsequent plans shall be filed until a decision on the proceeding plan has been reached.
3. When a preliminary or final subdivision or land development plan is amended or revised in any respect after the original submission date, before the amended or revised plan is accepted by the Township Manager, the subdivider or developer shall execute a statement indicating that the original plan is amended or revised and that the time for review is extended ninety (90)

days from the date of the filing. If the applicant refuses to extend the time for plan processing, the Board of Commissioners shall at their next public meeting deny the original application.

4. When the decision reached concerning an application for approval of a specific plan results in a denial of the plan, then the applicant, when and if he should reapply requesting approval of the plan, shall do so in accordance with the plan sequence outlined in Section 6.07.1 herein, and the additional procedures below.
5. Applications for approval of a subdivision or land development plan shall be received by the Township Manager. Any application for approval of a subdivision or land development plan must have attached thereto or accompanying therewith the required fees as well as comply with the subdivision and land development plan checklist requirements. Failure to provide either of these items shall result in the application being returned for failure to be a complete application. Any incomplete application shall not be considered a formal application.
6. The applicant, or his agent, shall be required to appear in person at the Township Building in order to make application for approval of a plan.
7. Schedule of Plan Processing Steps

(a) The following number of copies of each plan shall be submitted with the application to the Township:

(1) Tentative Sketch

A minimum of thirteen (13) copies of the tentative sketch shall be submitted for distribution by the Township as follows:

(a) Township

| | |
|---|----------|
| P.E.R. (Planning, Environment, and Recreation Committee | 3 copies |
| Engineer | 2 copies |
| Manager | 1 copy |
| Authority | 1 copy |

Township (Cont.)

| | |
|---|--------|
| Planning Advisory Board | 1 copy |
| Environmental Control Board | 1 copy |
| Public Works Department | 1 copy |
| Parks and Recreation Department | 1 copy |
| Licenses and Inspection Department | 1 copy |
| (b) Montgomery County Planning Commission | 1 copy |

(2) Preliminary Plan

A minimum of thirteen (13) copies shall be submitted for distribution by the Township as follows:

(a) Township

| | |
|--|----------|
| P.E.R. (Planning, Environment, and Recreation Committee) | 3 copies |
| Engineer | 2 copies |
| Manager | 1 copy |
| Authority | 1 copy |
| Planning Advisory Board | 1 copy |
| Environmental Control Board | 1 copy |
| Public Works Department | 1 copy |
| Parks and Recreation Department | 1 copy |
| Licenses and Inspection Department | 1 copy |
| (b) Montgomery County Planning Commission | 1 copy |

(c) Depending upon the nature of the plan up to four (4) additional copies may be required for distribution as follows:

| | |
|---|--------|
| Montgomery County Conservation District | 1 copy |
| Montgomery County Department of Roads and Bridges | 1 copy |
| Pa. Department of Environmental Resources | 1 copy |
| Pa. Department of Transportation | 1 copy |

(3) Final Plan

(a) Improvement Construction and Record Plan. A minimum of five (5) copies shall be submitted for distribution ^{by the Township} as follows:

- | | | |
|----|---------------------------------------|----------|
| 1. | Township | |
| | Engineer | 2 copies |
| | P.E.R. Committee | 1 copy |
| | Manager | 1 copy |
| 2. | Montgomery County Planning Commission | 1 copy |

8. The date shall be stamped on each copy received along with the current fees for the Township and Montgomery County Planning Commission.
9. The Township may not accept a plan upon a cursory examination to ensure basic compliance with the plan submission requirements of this Article and may return it to the applicant.
10. It shall be the applicants responsibility to obtain the following permits or approvals if applicable:
- (a) Highway Occupancy Permit (State, County or Township)
 - (b) Township Authority Approval for:
 - 1. Connections
 - 2. Extensions
 - 3. Treatment
 - 4. Overall Plan Development
 - (c) Pa. Department of Environmental Resources approval for:
 - 1. planning module for land development
 - 2. water quality management permit
 - 3. stream encroachment permit
 - 4. others
 - (d) Montgomery County Conservation District for:
 - Soil Erosion and Sediment Control
 - (e) Appropriate Water Authority for:
 - 1. Water source
 - 2. Extension
 - 3. Connections

11. The Township P.E.R. Committee and Board of Commissioners shall act on a tentative sketch within forty (40) days and shall act on a preliminary or final plan within ninety (90) days of the date of official acceptance of the plan. The following optional consequences shall result from the action of the Board of Commissioners:
 - (a) The Board will comment on a tentative sketch and advise the applicant. No formal action is taken by the Board on a tentative sketch.
 - (b) If the Board approves a preliminary or final plan, the Township Manager or Secretary will so certify thereon. Two (2) copies are returned to the applicant.
 - (c) If the Board conditionally approves a plan, the applicant shall submit a plan at a subsequent Board meeting to demonstrate compliance with the conditions stipulated. At the time of the Board's conditional approval, the applicant must agree in writing of acceptance of the conditions specified.
 - (d) If the Board disapproves the plan, the Township Manager or Secretary will notify the applicant, in writing, of the defects in the application stating the requirements not met.
12. Approval will be effective for a period of five (5) years, unless extended by the Board. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of preliminary plan approval.
13. The final plan will not be formally approved by the Board of Commissioners unless the required improvements have been constructed and/or installed in strict accordance with Township standards and specifications, or the Township is assured by means of a proper completion guarantee in the form of a bond, or the deposit of funds or securities in escrow, sufficient to cover the cost of the improvements as estimated by the Township Engineer, so that the improvements will subsequently be installed.

Section 6.08 Recording the Plan

Upon approval of a final plan of subdivision or land development, four (4) copies of the record plan, two (2) cloth copies and two (2) paper copies shall be submitted to the Township Manager or Secretary for signatures and seal. Within ninety (90) days of such final approval, the plan shall be recorded in the Office of the Recorder of Deeds, Norristown, Pennsylvania. One cloth print shall be returned to the Township bearing the review stamp of the Montgomery County Planning Commission and the Deed Book and Page Number in which it is recorded.

ENACTED AND ORDAINED this 13th day of December 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Robert J. Gills President

Attest Harry Wards Secretary

ORDINANCE No. 649

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, ARTICLE 4, GENERAL ZONING REGULATIONS, SECTION 4.12.3, DEVELOPMENT REQUIREMENTS.

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

SECTION 1. That Section 4.12.3, Development Requirements, Subparagraph C, Lot Areas, Widths and Yard Areas, shall be amended by the addition of the following sentence to the side yard minimum dimensional standard:

"A sideyard may be further reduced to 10 feet provided the adjacent lot is not similarly reduced on the side facing thereto."

to read as follows:

"Side Yard - Aggregate of 40 feet, minimum of 15 feet for either side. A sideyard may be further reduced to 10 feet provided the adjacent lot is not similarly reduced on the side facing thereto."

ENACTED AND ORDAINED this 13th day of December 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Gill
President

Attest Han, Wardle
Secretary

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1984

ORDINANCE NO. 650

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 THE CURRENT YEAR.

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 1984 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.

GENERAL OPERATING FUNDS
SUMMARY OF ESTIMATED RECEIPTS

| | |
|--|---------------------|
| Receipts from Current Tax Levy | 3,145,509. |
| Receipts from Taxes of Prior Years | 60,000. |
| Other Revenue Receipts | 1,104,312. |
| Miscellaneous Non-Revenue Receipts | <u>98,380.</u> |
| TOTAL ESTIMATED RECEIPTS AND CASH | \$4,408,201. |

SUMMARY OF APPROPRIATIONS

| | <u>Operation and Maintenance</u> |
|--|----------------------------------|
| General Government: | |
| Administration | \$452,380. |
| Treasurer & Tax Collector | 13,616. |
| Municipal Buildings | <u>124,473.</u> |
| TOTAL | \$590,469. |
| Protection to Persons and Property: | |
| Police | \$1,643,945. |
| Fire | 24,366. |
| Ambulance Services | <u>5,000.</u> |
| TOTAL | \$1,673,311. |
| Regulations, Planning & Zoning: | |
| TOTAL | \$143,912. |

| | | |
|--|-------|-----------------|
| Health & Sanitation: | | |
| Health | | \$ 30,205. |
| Trash Collection & Disposal | | <u>592,234.</u> |
| | TOTAL | \$622,439. |
| Highways: | TOTAL | \$839,710. |
| Library: | TOTAL | \$151,438. |
| Motor Pool & Electrical Services: | | |
| Motor Pool | TOTAL | \$315,922. |
| Miscellaneous: | | |
| Insurance | | \$70,000. |
| Refunds | | 1,000. |
| | TOTAL | \$71,000. |
| TOTAL APPROPRIATIONS FROM GENERAL OPERATING FUND - | | \$4,408,201. |

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.

ENACTED AND ORDAINED this 27th day of December, 1983.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Patrick J. Zoller
President

Attest:

Fanny Wardle
Secretary

ORDINANCE NO. 651

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1984 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 1984 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 1984 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 1984 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 1984 FOR FIRE HYDRANTS, AND ESTABLISHING DISCOUNTS AND PENALTY THEREFOR.

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

SECTION 1: Tax Rates for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1984, as follows:

Tax rate for General Purposes, the sum of 32.91 mills on each dollar of assessed valuation, or the sum of 329.1 cents on each one hundred hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-------------------------------|---|--|
| Tax Rate for General Purposes | 32.91 mills | 329.1 cents |

SECTION 2: Tax Rate for Debt Service

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1984, as follows:

Tax rate for Debt Service, the sum of 6.67 mills on each dollar of assessed valuation, or the sum of 66.7 cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|---------------------------|---|--|
| Tax Rate for Debt Service | 6.67 mills | 66.7 cents |

SECTION 3: Tax Rate for Fire Protection

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1984, as follows:

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

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|------------------------------|---|--|
| Tax Rate for Fire Protection | 3.00 mills | 30.0 cents |

SECTION 4: Tax Rate for Parks and Recreation

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1984, as follows:

Tax rate for Parks and Recreation, the sum of 3.00 mills
 on each dollar of assessed valuation, or the sum of..... 30.0 cents
 on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-----------------------------------|---|--|
| Tax Rate for Parks and Recreation | 3.00 mills | 30.0 cents |

SECTION 5: Assessment for Fire Hydrants

That the cost and maintenance of fire hydrants for fire protection, with the Fire and Water District of Upper Dublin Township, established by Ordinance No. 543, is hereby distributed by a special tax for the fiscal year 1984, as follows:

Special tax for fire hydrants, the sum of..... .65 mills
 on each dollar of assessed valuation, or the sum of..... 6.5 cents
 on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|--|---|--|
| Special Tax for Fire Hydrants and Water Tax for Fire Hydrants | .65 mills | 6.5 cents |

SECTION 5: Discounts and Penalty

All taxpayers shall be entitled to a discount of two per centum (2%) from the amount of tax levied upon property, upon making payment of the 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.

ENACTED AND ORDAINED this 3rd day of January, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Robert J. Zello*
President

Attest:

Nancy Waddle
Secretary

ORDINANCE NO. 652

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY, PENNSYLVANIA, FIXING THE ASSESSMENT FOR STREET LIGHTING EFFECTIVE AS OF JANUARY 1, 1984, AND THEREAFTER, AND REPEALING ORDINANCE NO. 634, ADOPTED JANUARY 11, 1983.

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

SECTION 1: That the cost and maintenance of street lighting along any street or highway, or portion thereof, within the Township of Upper Dublin, is hereby distributed according to an assessment on all property benefited by such lighting. This assessment is hereby levied in proportion to the number of feet, or portion thereof, of each such property, which fronts on the lighted street or highway, as follows:

A. Residentially zoned property, with improvements thereon, at Forty Six Cents (\$.46) per lineal foot frontage; and

B. Residentially zoned property, without improvements thereon, at Sixteen Cents (\$.16) per lineal foot frontage; and

C. Other than residentially zoned property, with improvements thereon, at One Dollar (\$1.30) and Thirty Cents per lineal foot; and

D. Other than residentially zoned property, without improvements thereon, at Forty-Six Cents (\$.46) per lineal foot.

SECTION 2: Discounts and Penalty.

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

ENACTED AND ORDAINED this 3rd day of January, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Robert J. Gills
President

Attest:

Harry Warden
Secretary

ORDINANCE NO. 653

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING THE DATES OF THE REGULAR STATED MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, DURING THE YEAR 1984.

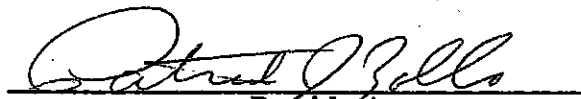
The Board of Commissioners of the Township of Upper Dublin does hereby ENACT AND ORDAIN as follows:

SECTION 1. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin for fiscal year 1984 will be held on Tuesday, January 3, 1984, as the organizational meeting of the Commissioners, at which time the regular business of the Board will also be conducted, and on the second Tuesday of each month thereafter, unless the same shall be a legal holiday, in which case on the next regular business day following, at 7:30 p.m., local time.

SECTION 2. All meetings shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

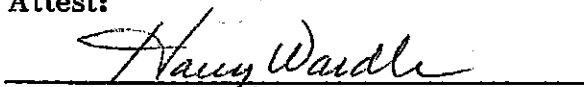
ENACTED and ORDAINED this 3rd day of January, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP



President

Attest:



Secretary

ORDINANCE NO. 654

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 2, CHAPTER 1, FEES, RATES AND PERMITS, TO ADD A NEW SECTION 2.03 TO PROVIDE FOR DISCOUNTS AND PENALTY FOR SEWER RENTAL FEES.

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

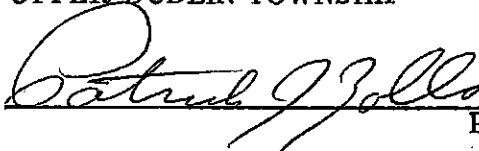
SECTION 1: That Title 2, Chapter 1, shall be amended by the addition of a new Section 2.03, Discounts and Penalty, and reads as follows:

"Section 2.03 - Discounts and Penalty.

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

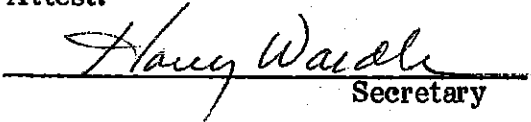
ENACTED AND ORDAINED this 3rd day of January, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP



President

Attest:



Secretary

ORDINANCE No. 655

AN ORDINANCE FIXING THE DIRECTION OF VEHICULAR TRAFFIC ON RENFREW AVENUE FROM TRINITY AVENUE TO BANNOCKBURN AVENUE.

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

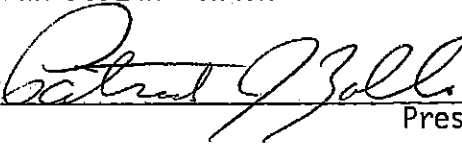
SECTION 1: Following the effective date of this Ordinance, the direction of vehicular traffic on Renfrew Avenue between Trinity Avenue and Bannockburn Avenue shall be permitted only one way, that is, in the direction towards Bannockburn Avenue.

SECTION 2: That the Township acquire the necessary and proper signs and cause the same to be erected and maintained.

ENACTED and ORDAINED this 3rd day of January, 1984.

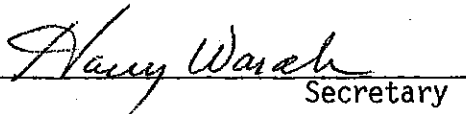
BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By



President

Attest



Secretary

ORDINANCE No. 656

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 7, SNOW AND ICE, SECTION 1.07, VIOLATIONS, AND CHAPTER 9, VEHICLES AND TRAFFIC, ARTICLE 4, SNOW AND ICE EMERGENCY, SECTION 4.03, PENALTY FOR PARKING.

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

SECTION 1: Title 7, Chapter 7, Section 1.07, Violations, shall be amended and read as follows:

"Section 1.07 Violations.

"Any person who shall violate any of the provisions of this ordinance, or who shall fail to comply with the conditions or requirements in accordance with the provisions of this ordinance, shall, upon conviction thereof, be liable to pay a fine of not less than Twenty-five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00); provided, that for a first offense under this ordinance the Chief of Police shall mail to the address of the legal owner of the property involved a notice of such violation, which notice shall contain instructions that the owner may avoid prosecution by payment of the sum of Ten Dollars (\$10.00) for the first offense within seventy-two (72) hours after receipt of such notice; and further provided that for a second offense such prosecution may be avoided by payment of the sum of Twenty Dollars (\$20.00) within seventy-two (72) hours after receipt of such notice; third and subsequent offenses shall be subject to prosecution in accordance with the terms of this ordinance. A new and separate offense shall be deemed to have been committed for each day that any violation of the provisions of this ordinance shall continue to exist."

SECTION 2: Title 7, Chapter 9, Vehicles and Traffic, Article 4, Snow and Ice Emergency, Section 4.03, Penalty for Parking, shall be amended and read as follows:

"Section 4.03, Penalty for Parking.

"Any owner, lessee or operator of a vehicle parked, abandoned or left upon any Township street or highway in violation of the provisions of Section 4.02, above, shall, upon conviction thereof, be liable to pay a fine of not less than Twenty-five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00); provided, that for a first offense under this ordinance the Chief of Police shall deliver to such violator a notice of such violation, which notice shall contain instructions that the owner may avoid prosecution by payment of the sum of Ten Dollars (\$10.00) for the first offense within seventy-two (72) hours after receipt of such notice; and further provided that for a second offense such prosecution may be avoided by payment of the sum

of Twenty Dollars (\$20.00) within seventy-two (72) hours after receipt of such notice; third and subsequent offenses shall be subject to prosecution in accordance with the terms of this ordinance. A new and separate offense shall be deemed to have been committed for each day that any violation of the provisions of this ordinance shall continue to exist."

ENACTED AND ORDAINED this 17th day of January, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Zells
President

Attest

Morton Freedman
Secretary

ORDINANCE No. 657

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 2, CHAPTER 1, FEES RATES AND PERMITS.

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

SECTION 1: That Article 2, Section 2.01 Sewer Connection Fees, Sub-paragraph (a), shall be amended by increasing the connection charge from \$300.00 to \$500.00, and read as follows:

"Section 2.01 Sewer Connection Fees.

"(a) Single Family Dwelling: Five Hundred Dollars (\$500.00) per dwelling."

SECTION 2: That Article 3, Building and Construction, Section 3.01 Building Permit Fee Schedule, Sub-paragraph A, (1)(a) shall be amended by increasing the fee from \$125.00 to \$250.00, and read as follows:

"Section 3.01 Building Permit Fee Schedule.

"A. New Buildings.

"(a) Where the total area of each unit is less than fifteen hundred (1500) square feet, Two Hundred Fifty Dollars (\$250.00)."

SECTION 3: That Article 3, Building and Construction, Section 3.01 Building Permit Fee Schedule, Sub-paragraph I, Occupancy Permit, shall be amended by increasing the fee from \$10.00 to \$30.00, and read as follows:

"Section 3.01 Building Permit Fee Schedule.

"I. Occupancy Permit.

"The fee shall be Thirty Dollars (\$30.00)."

SECTION 4: That Article 10, Zoning, Section 10.01 Zoning Charges, Sub-paragraphs (a), (1) and (2), shall be amended by increasing the fees for a variance or special exception from \$200.00 to \$300.00 for residential and \$500.00 to \$750.00 for commercial or industrial; that the cost escrow for residential shall be amended from \$300.00 to \$200.00 and commercial or industrial from \$500.00 to \$750.00, and this section shall read as follows:

"Section 10.01 Zoning Charges.

(a) An applicant for a variance or special exception shall make payment to the Township as follows:

(1) Fees. The applicant shall pay the following fees:

| | |
|---|----------|
| "A. Residential | \$300.00 |
| B. Commercial or Industrial | 750.00 |
| C. For hearing continued or rescheduled on the request of the applicant | 50.00" |

(2) Cost Escrow. The applicant shall deposit the following sums for costs, any balance remaining after the deduction for actual costs incurred shall be refunded to the applicant. The applicant shall be responsible for any costs incurred which are in excess of the sums deposited.

| | |
|-----------------------------|----------|
| "A. Residential | \$200.00 |
| B. Commercial or Industrial | 750.00" |

SECTION 5: To amend Section 2.02, A, of Article 1 to increase the annual sewer rent for single family dwellings from \$145.00 to \$200.00. Also to amend Section 2.02, B, Rate for non-single family dwellings, change the formula by substituting \$200.00 for the \$145.00 presently shown.

ENACTED AND ORDAINED this 1st day of January, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patrick J. Galls
President

Attest

Yvonne Friedman
Asst Secretary

ORDINANCE No. 659

AN ORDINANCE TO AMEND TITLE 2, CHAPTER 1, FEES, RATES AND PERMITS, ARTICLE 3, BUILDING AND CONSTRUCTION, SECTION 3.01, BUILDING PERMIT FEE SCHEDULE, TO INCREASE BUILDING PERMIT FEES FOR NEW COMMERCIAL AND INDUSTRIAL BUILDINGS.

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

SECTION 1: Title 2, Chapter 1, Article 3, Section 3.01, Building Permit Fee Schedule, Subparagraph (4) shall be amended by increasing the permit fees from \$150.00 to \$250.00, and \$75.00 to \$150.00, and read as follows:

(a) For the first one thousand (1,000) square feet or fraction thereof - Two Hundred Fifty Dollars (\$250.00).

(b) For the area in excess of one thousand (1,000) square feet an additional fee of One Hundred Fifty Dollars (\$150.00) for each one thousand (1,000) square feet or fraction thereof.

(c) This subparagraph which refers to area in excess of five thousand (5,000) square feet shall be deleted.

ENACTED AND ORDAINED this 13th day of March, A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia J. Galt
President

Attest

Angie Ward
Secretary

ORDINANCE No. 660

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, CHAPTER 2, ANIMALS, SECTION 1.06, BOARD OF ANIMAL REGULATION.

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

SECTION 1: That Title 7, Chapter 2, Section 1.06, Board of Animal Regulation, shall be amended by deleting the first sentence which reads:

"The Board of Township Commissioners shall appoint a Board of Animal Regulation consisting of three (3) or more members."

and substituting therefor the following sentence:

"The Board of Animal Regulation shall consist of the members of the Board of Health."

so that the first paragraph of Section 1.06 shall read as follows:

"The Board of Animal Regulation shall consist of the members of the Board of Health. This Board shall have the power to review or cause to be reviewed each application for a permit, and may either approve or reject such application, or require modification of the application. When the Board has approved the application, the Township Secretary shall issue the permit. The permit shall be personal and not transferable, and shall be issued for a calendar year or part thereof. The Secretary, on advice of the Board, shall also have the power to revoke a permit."

ENACTED AND ORDAINED this 11th day of April A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Robert J. Gille*
President

Attest *Hans W. W. W.*
Secretary

ORDINANCE NO. 661

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 8, STREETS AND HIGHWAYS, CHAPTER 4, OBSTRUCTION WITHIN BOUNDARIES OF TOWNSHIP HIGHWAYS, TO PROVIDE FOR PLACEMENT OF MAIL BOXES.

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

SECTION 1: That a new Section 1.02, Placement of Mail Boxes, shall be added and read as follows:

"Section 1.02 Placement of Mail Boxes

The Township shall not be responsible for the repair or replacement of any mailbox placed within the legal right-of-way of any public highway, road, street, avenue, lane or alley. However, to alleviate the possibility of damage due to snow plowing and vehicular traffic, the following guidelines must be complied with:

Mailboxes must be erected so that the front of the box is not closer than eighteen inches (18") from the edge of the road paving or the face of the concrete curb. The structure supporting the box must not encroach on this set back distance. Additionally, the bottom of the mailbox must be a minimum of four feet (4') above the edge of the road paving. If placement of a standard (18" long) mailbox, according to these standards, would cause the back of the box to overhang a public sidewalk, the aforementioned set back would be waived. However, the box must then be placed as far as possible from the road without encroaching on the public sidewalk."

SECTION 3: That Section 1.02, Penalty, shall be renumbered and become Section 1.03.

ENACTED AND ORDAINED this *8th* day of *May*, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Robert J. Goll* President

Attest: *Hany Warah*
Secretary

ORDINANCE No. 662

AN ORDINANCE PROVIDING FOR THE LAYING OUT, ESTABLISHMENT AND CONSTRUCTION OF CURBING WITHIN THE RIGHT OF WAY LINE ALONG FORT WASHINGTON AVENUE BETWEEN LIMEKILN PIKE AND WELSH ROAD IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, LEVYING COSTS THEREOF AND PROVIDING FOR THE COLLECTION THEREOF BY LIEN.

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

SECTION 1: The curbing shall be laid out, established and constructed within the right of way along Fort Washington Avenue between Limekiln Pike and Welsh Road in the Township of Upper Dublin, Montgomery County, Pennsylvania. The specifications for the curbing shall be prepared by the Township Engineer to conform to design criteria as contained in the building and construction regulations of the Township.

SECTION 2: Grading, construction and paving of such curbing shall be performed by the Township and the cost thereof shall be and it is hereby assessed against the owners of abutting property. The cost of the entire work shall be paid by the owners of abutting real estate by an assessment on the front foot method.

SECTION 3: Upon completion of the said project and determination of all costs in connection therewith, the Township Engineer shall deliver the same in writing to the Secretary of the Township who shall cause thirty (30) days notice of the assessment of costs to be given each party assessed, either by service on the owner, or his or its agent, or left on the assessed premises, in accordance with the provisions of the First Class Township Code and the Acts of Assembly in such case made and provided.

SECTION 4: If any assessment shall remain unpaid at the expiration of the thirty (30) days of service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from thirty (30) days after completion of the improvement, 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, and shall collect the same together with interest and costs in accordance with 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. Municipal claims or liens for unpaid assessments must be filed in the Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement, the date of which shall be certified by the Township Engineer to the Board of Commissioners.

ENACTED AND ORDAINED this 12th day of June, A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patrick J. Zolla* President

Attest *Harry Wade* Secretary

ORDINANCE No. 663

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, ARTICLE 4, GENERAL ZONING REGULATIONS, SECTION 4.12, PLANNED RESIDENTIAL AREAS, ALTERNATIVE TWO, REDUCING FRONT, REAR AND SIDE YARD DEPTHS.

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

SECTION 1: Title 10, Article 4, Section 4.12, Planned Residential Areas - Alternative Two, Subsection 4.12.3, Development Requirements, Subparagraph C, Lot Areas, Widths and Yard Areas, shall be amended to read:

"C. Lot Areas, Widths and Yard Areas: The minimum permissible lot size in a cluster development shall be 15,000 square feet; however, no more than sixty percent (60%) of the total number of lots in a cluster development may contain less than 18,000 square feet. The following minimum dimensional standards shall apply:

"Lot Width at Building Line - 100 feet

Front Yard - 50 feet. However, in order to promote flexibility in design, the front yard may be reduced to 40 feet.

Side Yard - Aggregate of 40 feet, minimum of 15 feet for either side. A sideyard may be further reduced to 10 feet provided the adjacent lot is not similarly reduced on the side facing thereto. The set back on a side street of a corner lot shall be 25 feet but shall not extend further back than the rear yard.

Rear Yard - 40 feet

Height - Principal Building - 35 feet
Accessory Building - 20 feet and not exceeding one story."

SECTION 2: Title 10, Article 4, Section 4.12.6, Reduction in Design Requirements, Subsection B, Reduction of Setback Lines, Subparagraphs 1 and 2, shall be deleted in its entirety.

ENACTED AND ORDAINED this 15th day of June A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Batuk J. Gill
President

Attest Hany Waidle
Secretary

ORDINANCE No. 664

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 5, HEALTH AND SANITATION, CHAPTER 3, SECTION 1.03, PENALTY, TO COMPEL VIOLATORS OF THE ORDINANCE TO PAY THE COST OF CLEAN-UP.

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

SECTION 1: Article 1, Section 1.01, Dumping Prohibited, shall be amended by the addition of the following:

"The spillage or release of gasoline, oil (including fuel oil), kerosene and other hazardous or noxious fluids shall, for the purpose of this article, constitute dumping."

SECTION 2: Article 1, Section 1.03, Penalty (Paragraph 1), shall be amended by the addition of the following:

"Additionally, all costs of clean-up incurred by the Township shall be assessed to and paid by the violator."

ENACTED AND ORDAINED this *12th* day of *June* 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patricia G. Gell*
President

Attest *Kam W. Walsh*
Secretary

ORDINANCE NO. 665

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10,
ZONING, TO PROVIDE FOR HOME DAY CARE CENTERS.

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

SECTION 1: Article 2, Section 2.01, Definitions, shall be amended by the addition of the following:

"AZ. Day Care - is an out-of-home care provided for children 16 years of age and younger, excluding care provided by relations, for a part of a 24-hour day. Day care service for children shall not include day care furnished in a place of worship during religious service.

"AAA. Day Care Center - is a facility which is licensed by the Commonwealth of Pennsylvania and in which care is provided for seven (7) or more children, 16 years old or younger, at any one time.

"AAB. Home Day Care - is the provision of Day care services, in a person's primary place of residence, for not more than six (6) children 16 years old or younger."

SECTION 2: Article 4, Section 4.07, Accessory Uses, Subparagraph B, Uses Accessory to Dwelling, shall be amended by the addition of the following:

"7. Home day care facilities as permitted in a single-family detached dwelling, in which the caregiver resides, upon determination of the Township zoning officer that the following criteria are met:

1. The caregiver shall be registered or licensed by the Commonwealth of Pennsylvania to provide child care services in the dwelling.

2. There shall be no structural change to the exterior of the single-family detached to accommodate the day care use.

3. There shall be a minimum of forty (40) square feet of floor space per child, inclusive of space occupied by furniture and equipment but exclusive of closets, halls, bathrooms, kitchens and related areas, which shall be on the first floor of the single-family detached dwelling.

4. A minimum of one hundred (100) square feet of outdoor play space per child shall be available on the same lot. Such play space shall be in the rear yard of the lot only and shall be enclosed by a fence of yard.

5. A driveway shall be required in order to allow off-street pick-up and dropoff of children.

Article 4, Section 4.07, shall be amended by the addition of the following Subsection:

"C. Uses Accessory to Church, Chapel or Other Place of Worship, and Public and Private Schools.

"1. Licensed Day Care Center."

SECTION 3: Article 8-F, Institutional District, Section 2, Use Regulations, shall be amended by the addition of the following:

"D. The following uses are permitted as a conditional use by the Board of Commissioners in accordance with the provisions of Article 22:

"1. Licensed Day Care Center."

SECTION 4: Article 10, "CR" Commercial - Retail District, Section 10.01, Class L, shall be amended by addition of the following:

"11. The following uses are permitted as a conditional use by the Board of Commissioners in accordance with the provisions of Article 22:

"(a) Licensed Day Care Center."

SECTION 5: Article 12, "LIM" Limited Industrial District, Section 12.01, Use Regulations, shall be amended by the addition of the following:

"J. The following uses are permitted as a conditional use by the Board of Commissioners in accordance with the provision of Article 22:

"(a) Licensed Day Care Center."

SECTION 6: Article 20, "MHD" Mobile Home Development District, Section 20.03 Use Regulations, shall be amended by the addition of the following:

1. The following uses are permitted as a Conditional use by the Board of Commissioners in accordance with the provisions of Article 22:

"(a) Licensed Day Care Center."

SECTION 7: To Amend the Upper Dublin Township Code, Title 10, Zoning, to Add a new ARTICLE 22 CONDITIONAL USE BY THE BOARD OF COMMISSIONERS.

Article 22 Conditional Use. An applicant for a conditional use shall be considered by the Board of Commissioners according to the following procedures:

A. Conditional Use Application. An application shall be submitted in writing to the Township. It shall include as a minimum, a tentative sketch plan indicating basically how the applicant intends to develop the property, and sufficient data to document compliance with applicable standards of this Ordinance. The Board of

Commissioners shall schedule a public hearing on said applicant within sixty (60) days unless the time limit is waived in writing by the applicant.

B. Public Hearing. Prior to deciding to approve or deny the use of a tract for the proposed use the Board of Commissioners shall hold a public hearing pursuant to public notice. At least 45 days prior to the date of the hearing, one copy of the development proposal and all additional submitted information shall be transmitted to the Township planning agency and the Montgomery County Planning Commission together with a request that these agencies submit recommendations regarding said use.

C. Reasonable conditions to ensure the compatibility of the conditional use to surrounding permitted uses and as are necessary to fulfill the general purpose of this ordinance may be imposed in approving an application. Such conditions may include, but are not limited to the following:

1. Special yard and spaces.
2. Fences and walls.
3. Special parking, and/or loading/dropoff provisions.
4. Control of vehicular ingress and egress.
5. A time period in which the proposed use shall be developed.

ENACTED AND ORDAINED this 14th day of August
A.D., 1984.

BOARD OF COMMISSIONERS UPPER
DUBLIN TOWNSHIP

By: Robert J. Telle
President

Attest: Harry Wardle
Secretary

ORDINANCE No. 666

AN ORDINANCE LAYING OUT INDIANA AVENUE WITHIN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, the hereinafter described portion of ground was laid out but never physically opened; and

WHEREAS, the Township of Upper Dublin has never exercised any control or jurisdiction over said strip of ground; and

WHEREAS, in the opinion of the Commissioners of said Township said-strip of ground would not be necessary or useful for the convenience of the public; and

WHEREAS, proper notice has been given to the property owners affected and are held in conformity with Section 2007 Article XX of Act of June 24, 1931, P.L. 1206, as amended.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, do hereby enact and ordain:

SECTION 1: The described tract of land as set forth in Exhibit "A" attached hereto and made part of this ordinance be and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as and for a public highway, all in accordance with the Act of Assembly in such case made and provided.

SECTION 2: The proper officers of the Township are authorized and directed to make a written report, together with a draft or survey of the aforesaid road and the names of the owners of property abutting thereon, and file the same on behalf of the Township in the office of the Clerk of the Courts of the County of Montgomery.

ENACTED AND ORDAINED this *10th* day of *July* A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patricia J. Zolle* President

Attest *Nancy Waddell* Secretary

BEGINNING at a point the intersection of the Northeast right of way of Pennsylvania Avenue and the Southeast right of way of Indiana Avenue; thence North thirty-seven degrees fifty-five minutes forty-two seconds ($37^{\circ} 55' 42''$) East a distance of four hundred eighteen and sixty-six one hundredths feet (418.66') to a point; thence following a curve to left with a central angle of two hundred forty degrees (240°) and a radius of forty-three feet (43') and an arc of one hundred eighty and twelve one hundredths feet (180.12'); thence curving to the right with a central angle of sixty degrees (60°) and a radius of twenty-nine and eighty-eight one hundredths feet (29.88') and an arc of thirty and thirty-seven one hundredths feet (30.37") to a point; thence South thirty-seven degrees fifty-five minutes forty-two seconds ($37^{\circ} 55' 42''$) West a distance of three hundred fifty-seven and sixty-four one hundredths feet (357.64') to a point; thence South fifty-three degrees thirty-one minutes eleven seconds ($53^{\circ} 31' 11''$) East a distance of fifty feet (50') more or less to a point and place of beginning. Containing 0.572 acres.

ORDINANCE No. 667

AN ORDINANCE VACATING INDIANA AVENUE, A PUBLIC ROAD WITHIN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, in the opinion of the Commissioners of said Township, the aforesaid public road would not be necessary to or useful for the convenience of the public; and

WHEREAS, the Township has been requested to vacate the hereinafter described road; a public hearing has been held on the question of the hereinafter described road in conformity with Section 2005, Article XX of Act of June 24, 1931, P.L. 1206, as amended; and

WHEREAS, in the judgment of the Board of Commissioners, the said road serves no useful public purpose or convenience.

NOW, THEREFORE, the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, do hereby enact and ordain:

SECTION 1: The described tract of land as set forth in Exhibit "A" attached hereto and made part of this ordinance be vacated as a public highway and that all the right, title and interest of the Township of Upper Dublin therein are hereby divested.

SECTION 2: That the proper officers of the Township are authorized and directed to make a written report together with a draft or survey of the aforesaid public highway and the names of the owners of property abutting thereon and file the same on behalf of the Township in the office of the Clerk of the Courts of the County of Montgomery.

ENACTED AND ORDAINED this 10th day of July A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia J. Zella President

Attest Harry Wardle Secretary

BEGINNING at a point the intersection of the Northeast right of way of Pennsylvania Avenue and the Southeast right of way of Indiana Avenue; thence North thirty-seven degrees fifty-five minutes forty-two seconds ($37^{\circ} 55' 42''$) East a distance of four hundred eighteen and sixty-six one hundredths feet (418.66') to a point; thence following a curve to left with a central angle of two hundred forty degrees (240°) and a radius of forty-three feet (43') and an arc of one hundred eighty and twelve one hundredths feet (180.12'); thence curving to the right with a central angle of sixty degrees (60°) and a radius of twenty-nine and eighty-eight one hundredths feet (29.88') and an arc of thirty and thirty-seven one hundredths feet (30.37") to a point; thence South thirty-seven degrees fifty-five minutes forty-two seconds ($37^{\circ} 55' 42''$) West a distance of three hundred fifty-seven and sixty-four one hundredths feet (357.64') to a point; thence South fifty-three degrees thirty-one minutes eleven seconds ($53^{\circ} 31' 11''$) East a distance of fifty feet (50') more or less to a point and place of beginning. Containing 0.572 acres.

ORDINANCE NO. 668

AN ORDINANCE REALIGNING THE WARDS IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, Section 11 of Article IX of the Constitution of the Commonwealth of Pennsylvania requires the Board of Commissioners of Upper Dublin Township to reapportion the Township within a year following that in which the Federal decennial census is officially reported as required by Federal law, and at other such times as the Board shall deem necessary, and

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

SECTION 1: The Township of Upper Dublin is hereby reapportioned by realigning the boundaries of the presently existing Wards 2, 3, 4, 5, and 6. The boundaries and the number of each Ward shall be as set forth in the attached description and map which are made a part of this Ordinance.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: Effective Date; This Amendment shall become effective immediately.

ENACTED AND ORDAINED this 14th day of September, 1984.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

Attest: *Alan Walsh*
Secretary

By: *Patricia Balle*
President

DESCRIPTIONS OF NEW WARD

FOR REAPPORTIONMENT

Section 1. The Boundaries of Ward 1 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

BEGINNING at a point in this Township Boundary Line, said point being the southwesterly corner of Upper Dublin Township, and its common boundary with Whitemarsh and Whitpain Townships; THENCE, northeasterly along this line, between this Township and Whitpain Township, to a point of the Borough of Ambler; THENCE, to the right, along the line between Upper Dublin Township and the Borough of Ambler, its various courses and distances to a point in the middle of Bethlehem Pike, L.R.#153; THENCE, to the left, along the middle of said Bethlehem Pike, being the same line between Upper Dublin Township and the Borough of Ambler, to a point at its intersection with Tennis Avenue, L.R.#46077, THENCE, to the right along the middle of said Tennis Avenue, being the same line between Upper Dublin and Lower Gwynedd Townships, to a point at its intersection with Susquehanna Road, L.R.# 46101; THENCE, to the right, along the middle of said Susquehanna Road to a point at its intersection with Cedar Road; THENCE, to the right, along the middle of said Cedar Road to a point at its intersection with Loch Alsh Avenue; THENCE, to the left, along the middle of said Loch Alsh Avenue to a point at its intersection with Fort Washington Avenue, L.R.#46090; THENCE, to the right, along the middle of said Fort Washington Avenue to a point at its intersection with Pennsylvania Avenue, L.R.#3961, said point being in this Township Boundary Line;

THENCE, to the right, along the line between this Township and Whitemarsh Township to the first mentioned point and place of beginning.

Section 2. The Boundaries of Ward 2 shall be as shown on the attached map, which is made part of this Ordinance, the legal description thereof being as follows:

BEGINNING at a point in this Township Boundary Line, said point being at the intersection of the common boundary with Whitemarsh Township in Pennsylvania Avenue, L.R.#3961 and Fort Washington Avenue, L.R.#46090; THENCE, northeasterly along the middle of said Fort Washington Avenue to a point at its intersection with Loch Alsh Avenue; THENCE, to the left, along the middle of said Loch Alsh Avenue to a point at its intersection with Cedar Road; THENCE, to the right, along the middle of said Cedar Road to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the left, along the middle of said Susquehanna Road to a point at its intersection with Butler Pike, a County Road; THENCE, to the right, along the middle of said Butler Pike to a point at its intersection with Meetinghouse Road; THENCE, to the right, along the middle of said Meetinghouse Road to a point at its intersection with Temple Drive; THENCE, to the left, along the middle of said Temple Drive to a point at its intersection with Bell Lane; THENCE, to the right, along the middle of said Bell Lane to a point at its intersection with Limekiln Pike, L.R.#373; THENCE, to the right, along the middle of said Limekiln Pike to a point at its intersection with Fort Washington Avenue, L.R.#3961; THENCE, to the right, along the middle

of said Fort Washington Avenue to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the left, along the middle of said Susquehanna Road to a point at its intersection with Dillon Road; THENCE, to the right, along the middle of said Dillon Road to a point at its intersection with Wentz Drive; THENCE, to the left, along the middle of said Wentz Drive to a point at its intersection with Goodman Drive; THENCE, to the right, along the middle of said Goodman Drive to a point at its intersection with Hazelwood Drive; THENCE, to the right, along the middle of said Hazelwood Drive to a point at its intersection with Victor Lane; THENCE, to the left along the middle of said Victor Lane to a point at its intersection with Stevens Drive; THENCE, to the left, along the middle of said Stevens Drive to a point at its intersection with Highland Avenue; THENCE, to the left, along the middle of said Highland Avenue to a point at its intersection with Pinetown Road; THENCE, to the right, along the middle of said Pinetown Road to a point at its intersection with Commerce Drive; THENCE, to the right, along the middle of said Commerce Drive to a point at its intersection with Pennsylvania Avenue, L.R.#3961, said point being in this Township Boundary Line; THENCE to the right, along the line between this Township and Whitemarsh Township to the first mentioned point and place of beginning.

Section 3. The Boundaries of Ward 3 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

BEGINNING at a point in this Township Boundary Line, said point being the northeasterly corner of Upper Dublin Township, and its common boundary with Abington and Upper Moreland Townships, in Welsh Road, L.R.#198; THENCE, southwesterly along the line between this Township and Abington Township to a point at its intersection with North Hills Avenue; THENCE following the same line along the middle of said North Hills Avenue, Fitzwatertown Road, (L.R.#46092), Anzac Avenue and Clemens Avenue to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the right, along the middle of said Susquehanna Road to a point at its intersection with the Trenton Branch (commonly known as the Trenton Cut-off) of the Penn Central Railroad; THENCE, to the right, along the middle of said Trenton Branch of the Penn Central Railroad approximately 4400'+ to a point; THENCE, to the left, crossing the Pennsylvania Turnpike and along the southwesterly side of Units NO. 5, 31, 28, 29, 30 and 7 of Upper Dublin Township Block No. 12 of the Property Index to a point in the middle of Dreshertown Road, L.R.#46091, at its intersection with Aidenn Lair Road; THENCE along the middle of said Aidenn Lair Road to a point at its intersection with Arran Way; THENCE, to the right, along the middle of said Arran Way to a point at its terminus; THENCE, to the left, along the rear property lines of Lots NO. 22, 21, 20, 19, 18 and part of Lot No. 17 of Section No. 2, Aidenn Lair Extension No. 1 Subdivision and also along the side property line of Lot No. 9 of Section No. 1, Aidenn Lair Extension No. 1 Subdivision to a point at its intersection with Jarrettown

Road; THENCE, to the right, along the middle of said Jarrettown Road to a point at its intersection with this Township Boundary Line, in Welsh Road, L.R.#198; THENCE, to the right, along this line between this Township and Horsham and Upper Moreland Townships to the first mentioned point and place of beginning.

Section 4. The Boundaries of Ward 4 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

BEGINNING at a point in this Township Boundary Line, said point being the southeasterly corner of Upper Dublin Township, and its common boundary with Abington and Springfield Townships; THENCE, northwesterly along this line, partially along the middle of Pennsylvania Avenue, L.R.#3961, and continuing along the common boundary between this Township, Springfield and Whitemarsh Townships, to a point at its intersection with Commerce Drive; THENCE, to the right, along the middle of said Commerce Drive to a point at its intersection with Pinetown Road; THENCE, to the left, along the middle of said Pinetown Road to a point at its intersection with Highland Avenue; THENCE, to the left, along the middle of said Highland Avenue to a point at its intersection with Stevens Drive; THENCE, to the right, along the middle of said Stevens Drive to a point at its intersection with Victor Lane; THENCE, to the right, along the middle of said Victor Lane to a point at its intersection with Hazelwood Drive; THENCE, to the right, along the middle of said Hazelwood Drive to a point at its intersection with Goodman Drive; THENCE, to the left,

along the middle of said Goodman Drive to a point at its intersection with Wentz Drive; THENCE, to the left, along the middle of said Wentz Drive to a point at its intersection with Dillon Road; THENCE, to the right, along the middle of said Dillon Road to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the right along the middle of said Susquehanna Road to a point at its intersection with Camp Hill Road; THENCE, to the right, 1190'± along the middle of said Camp Hill Road to a point at its intersection with the extension of the southwesterly side of Lot #4, Office Center Drive, Delaware Valley Industrial Properties, Inc. Subdivision; THENCE, to the left, along the southwesterly sides of Lots No. 4, 5, and 6 of the aforesaid Subdivision to a point at its intersection with the middle of Virginia Drive; THENCE, to the right, along the middle of said Virginia Drive 189'± to a point at its intersection with the extension of the southwesterly side of Lot No. 6-3, Virginia Drive, Delaware Valley Industrial Properties Subdivision; THENCE to the left along the southwesterly side of Lot No. 6-3 of the aforesaid Subdivision and across the Pennsylvania Turnpike on the extension of this line to a point at its intersection with the Trenton Branch (commonly known as the Trenton Cut-off) of the Penn Central Railroad; THENCE, to the right, along the middle of said Trenton Branch of the Penn Central Railroad to a point at its intersection with the extension of the northeasterly property lines of Lot No. 26, Section No. 3 and Lot No. 1, Section No. 1 of the Fairway Ridge Subdivision; THENCE, to the left, along the northeasterly sides of Lot No. 26 and Lot No. 1

of the aforesaid Subdivision to a point at its intersection with Dreshertown Road, L.R.#46113; THENCE, to the right, along the middle of said Dreshertown Road to a point at its intersection with the northeasterly property line of Manufacturers Country Club, THENCE, to the left, along said northeasterly property line of Manufacturers Country Club to a point at its intersection with the natural water course known as Sandy Run Creek; THENCE, to the left, along the middle of said Sandy Run Creek and crossing Twining Road to a point at its intersection with Limekiln Pike, L.R.#373; THENCE, to the right, along the middle of said Limekiln Pike to a point at its intersection with Jenkintown Road, L.R.#5463; THENCE, to the left, along the middle of said Jenkintown Road to a point at its intersection with North Hills Avenue, said point being on this Township Boundary Line with Abington Township; THENCE, to the right, along this said Township Line, and partially along the middle of said North Hills Avenue, Beechwood Avenue, Summit Avenue and Chelsea Avenue to the first mentioned point and place of beginning.

Section 5. The Boundaries of Ward 5 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:
BEGINNING at a point in this Township Boundary Line, said point being at the intersection of Jenkintown Road, L.R.#5463, and North Hills Avenue, and its common boundary with Abington Township; THENCE, northwesterly along the middle of said Jenkintown Road to a point at its intersection with Limekiln Pike, L.R.#373; THENCE, to the right, along the middle of said

Limekiln Pike to its intersection with the natural water course known as the Sandy Run Creek; THENCE, to the left, along the middle of said Sandy Run Creek to a point at its intersection with the northeasterly property line of Manufacturers Country Club, a common line with the School District of Upper Dublin; THENCE, to the right, along the said property line of Manufacturers Country Club to a point at its intersection with Dreshertown Road, L.R.#46113; THENCE, to the right, along the middle of said Dreshertown Road to a point at its intersection with the northeasterly property lines of Lot No. 1, Section No. 1 and Lot No. 26, Section 3 of the Fairway Ridge Subdivision; THENCE, to the left, along the northeasterly sides of Lot No. 1 and Lot No. 26 of the aforesaid Subdivision, and extended to a point at its intersection with the Trenton Branch (commonly known as the Trenton Cut-off) of the Penn Central Railroad; THENCE, to the right, along the middle of said Trenton Branch of the Penn Central Railroad to a point at its intersection with the extension of the southwesterly property line of Lot No. 6-3, Virginia Drive, Delaware Valley Industrial Properties Subdivision; THENCE, to the left, across the Pennsylvania Turnpike and along the southwesterly property line of Lot No. 6-3 of the aforesaid Subdivision to a point at its intersection with Virginia Drive; THENCE, to the right, along the middle of said Virginia Drive 189'+ to a point at its intersection with the extension of the southwesterly sides of Lots No. 6, 5 and 4 of Office Center Drive, Delaware Valley Industrial Properties, Inc. Subdivision; THENCE, to the left, along the said southwesterly sides of Lots No. 6, 5 and 4 of the aforesaid Subdivision to

a point at its intersection with Camp Hill Road; THENCE, to the right, along the middle of said Camp Hill Road 1190+ to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the left, along the middle of said Susquehanna Road to a point at its intersection with Dillon Road; THENCE, to the right, along the middle of said Dillon Road to a point at its intersection with Limekiln Pike, L.R.#373; THENCE, to the right, along the middle of said Limekiln Pike to a point at its intersection with the northwesterly side of Dresher View Farms Subdivision; THENCE, to the left, along the northwesterly side of the aforesaid Subdivision 1169+ to a point at its intersection with the southwesterly side of the Aidenn Lair Subdivision; THENCE, to the right, and along the rear property lines of Lots No. F.10, F.12 and F.14 of Section No. 2 of the Aidenn Lair Subdivision 283+ to a point; THENCE, northeasterly, to the left, along a property line common to Lots No. F.14 and N.1 of Section No. 2 of the Aidenn Lair Subdivision 86+ to a point; THENCE, southeasterly, to the right, along the rear property lines of Lots No. F.16, F.18, F.20 and F.22 of Section No. 2 of the Aidenn Lair Subdivision, and extending to a point at its intersection with the middle of Bantry Drive: THENCE, to the left, along the middle of said Bantry Drive to a point at its intersection with Arran Way, said point being at the intersection of Bantry Drive, Arran Way and Kenmare Drive; THENCE, continuing on the same line along the middle of said Arran Way to a point at its intersection with Aidenn Lair Road; THENCE, to the right, along the middle of said Aidenn Lair Road to a point at its intersection with Dreshertown Road, L.R.#46091; THENCE, southeasterly along the southwesterly

side of Units No. 7, 30, 29, 28, 31 and 5 of Upper Dublin Township Block No. 12 of the Property Index and extending across the Pennsylvania Turnpike to a point at its intersection with the Trenton Branch (commonly known as the Trenton Cut-off) of the Penn Central Railroad; THENCE, to the right, along the middle of said Trenton Branch of the Penn Central Railroad approximately 4400⁺ to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the left, along the middle of said Susquehanna Road to a point at its intersection with this Township Boundary line and Abington Township; THENCE, to the right, southwesterly along the line between this Township and Abington Township, its several courses and distances, and partially along the middle of Jenkintown Road, L.R.#5463, to the first mentioned point and place of beginning.

Section 6. The Boundaries of Ward 6 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:
BEGINNING at a point in this Township's Boundary Line said point being at the intersection of the common boundary with Horsham Township in Welsh Road, L.R.#198, and Jarrettown Road; THENCE, along the middle of said Jarrettown Road to a point at its intersection with the northeasterly property line of Lot No. 9 of Section No. 1, Aidenn Lair Extension No. 1 Subdivision; THENCE, to the left, along the northeasterly property line of Lot No. 9 of Section No. 1, Aidenn Lair Extension No. 1 Subdivision, and also along the northeasterly property lines of Lots No. 17, 18, 19, 20, 21 and 22 of Section

No. 2, Aidenn Lair Extension No. 1 Subdivision to a point at its intersection with the northeasterly terminus of Arran Way; THENCE, to the right, along the middle of said Arran Way to a point at its intersection with Bantry Drive, said point being the intersection of Arran Way, Bantry Drive and Kenmare Drive; THENCE, continuing along the middle of said Bantry Drive to a point at its intersection with the extension of the southwesterly property line of Lot No. F.22 of Section No. 2 of the Aidenn Lair Subdivision; THENCE, westerly to the right, along the southwesterly side of Lots No. F.22, F.20, F.18 and F.16 495¹/₄ to a point; THENCE, southwesterly to the left, along a property line common to Lots No. F.14 and N.1 of Section No. 2 of the Aidenn Lair Subdivision 86¹/₄ to a point at its intersection with the northeasterly side of the Dresher View Farms Subdivision; THENCE, to the right, along the Dresher View Farms Subdivision and also along the rear property lines of Lots No. F.14, F.12 and partially along the rear property line of Lot No. F.10 of Section No. 2 of the Aidenn Lair Subdivision 283¹/₄ to a point; THENCE, to the left along the northwesterly side of the Dresher View Farms Subdivision 1169¹/₄ to a point at its intersection with Limekiln Pike, L.R.#373; THENCE, to the right, along the middle of said Limekiln Pike to a point at its intersection with Dillon Road; THENCE, to the left, along the middle of said Dillon Road to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the right, along the middle of said Susquehanna to a point at its intersection with Fort Washington Avenue, L.R.#46090; THENCE, to the right, along the middle of said Fort Washington Avenue to a point at its

intersection with Terrace Drive; THENCE, to the left along the middle of said Terrace Drive to a point at its intersection with Bell Lane; THENCE, to the left, along the middle of said Bell Lane to a point at its intersection with Wright Drive; THENCE, to the right, along the middle of said Wright Drive to a point at its intersection with Howe Lane; THENCE, to the right, along the middle of said Howe Lane to a point at its intersection with Welsh Road, L.R.#198, said point being in the common boundary line of this Township and Horsham Township; THENCE, to the right, along said boundary line in Welsh Road to the first mentioned point and place of beginning.

Section 7. The Boundaries of Ward 7 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description being as follows:

BEGINNING at a point in this Township Boundary Line, said point being the Northwesterly corner of Upper Dublin Township, and its common boundary with Horsham and Lower Gwynedd Townships; THENCE, southeasterly along a line between this Township and Horsham Township, in the middle of Welsh Road, L.R.#198, to a point at its intersection with Howe Lane; THENCE, to the right, along the middle of said Howe Lane to a point at its intersection with Wright Drive; THENCE, to the left, along the middle of said Wright Drive to a point at its intersection with Bell Lane; THENCE, to the left, along the middle of said Bell Lane to a point at its intersection with Terrace Drive; THENCE, to the right, along the middle of said Terrace Drive to a point at its intersection with Fort Washing-

ton Avenue; THENCE, to the right, along the middle of said Fort Washington Avenue to a point at its intersection with Limekiln Pike, L.R.#373; THENCE, to the right, along the middle of said Limekiln Pike to a point at its intersection with Bell Lane; THENCE, to the left, along the middle of said Bell Lane to a point at its intersection with Temple Drive; THENCE, to the left, along the middle of said Temple Drive to a point at its intersection with Meetinghouse Road; THENCE, to the right, along the middle of said Meetinghouse Road to a point at its intersection with Butler Pike, a County Road; THENCE, to the left, along the middle of said Butler Pike to a point at its intersection with Susquehanna Road, L.R.#46101; THENCE, to the right, along the middle of said Susquehanna Road to a point at its intersection with Tennis Avenue, L.R.#46077, said point being in the common boundary line of this Township and Lower Gwynedd Township; THENCE, to the right, along said Township Line in Tennis Avenue to the first mentioned point and place of beginning.

ORDINANCE NO. 669

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 5, HEALTH AND SANITATION, CHAPTER 2, FOOD AND DRINK, BY ADDING A NEW ARTICLE 3, REGULATION OF SELF-SERVICE OF BULK FOODS.

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

SECTION 1: That Title 5, Chapter 2, Food and Drink, shall be amended by the addition of a new Article 3 - Regulation of Self-Service of Bulk Foods, and shall read as follows:

Sec. 3.01 Definitions

The following shall be construed to have the meaning set forth as follows:

(a) "Bulk Food" shall mean unpackaged or unwrapped processed or unprocessed food in aggregate containers from which quantities desired by the consumer may be drawn. For purposes of this article, this definition shall not include fresh fruits, fresh vegetables, nuts in the shell, and salad bars.

(b) "Display Area" shall mean a location or locations, including physical facilities and equipment, where bulk food is offered for customer self-service.

(c) "Product module" shall mean a food-contact container (multi-use or single-service) designed for customer self-service of bulk food by either direct or indirect means.

(d) "Servicing Area" shall mean a designated location or locations equipped for cleaning, sanitizing, drying or refilling product modules or for preparing bulk food.

(e) "Potentially Hazardous Foods" shall mean those foods susceptible to rapid microbial growth and those foods requiring refrigeration at a temperature of not exceeding forty-five degrees (45° F) fahrenheit and shall include, without limitation, all dairy products and mayonnaise based products, and all hot serve products.

Sec. 3.02 Labeling

(a) Bulk food product modules shall be labeled with either the manufacturer's or processor's bulk container labeling plainly in view; or a counter card, sign or other appropriate device bearing prominently and conspicuously the common name of the product, a list of ingredients in proper order of predominance and declaration of artificial color or flavor and chemical preservatives if contained in the product.

(b) Labels or marking pens shall be available to customers to identify their take home containers with the common name of the product.

Sec. 3.03 Food Protection

(a) Bulk foods and product modules shall be protected from contamination during display, customer self-service, refilling and storage.

(b) Containers of bulk pet foods and bulk non-food items shall be separated by a barrier or open space from product modules.

(c) Only containers provided by the store in the display area shall be filled with bulk foods.

(d) Bulk foods returned to the store by the customer shall be disposed of by the store and shall not be offered for resale.

Sec. 3.04 Potentially Hazardous Foods

Potentially hazardous foods shall not be provided for customer self-service except upon approval granted by the Health Officer. In determining whether or not such approval shall be issued, the Health Officer shall use the following criteria:

(a) The food, while being stored, prepared, displayed or sold shall be protected from contamination and stored in such a manner as to prevent rodent harborage and permit ease of cleaning of the food-service facilities.

(b) All bulk products containing potentially hazardous foods shall have a maximum turnover time of three (3) hours. Perishable products shall have a turnover time that is adequate to prevent spoilage or degradation of the product.

(c) Potentially hazardous foods, once placed out for self-service, must be discarded at the end of the work day and the recombination cycle shall be broken at least once every six (6) hours during the day.

(d) All perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be maintained at safe temperatures. Foods shall be stored in the refrigerator so as to permit the free circulation of cold air and in such a manner as to prevent contamination. To promote rapid cooling, potentially hazardous foods shall be stored in the refrigerator in shallow containers or by such other means which shall insure the cooling of the total mass to a temperature of 45° F. or less within two (2) hours, unless otherwise specified by the Department.

(e) Raw fruits and vegetables shall be washed before use. Stuffings, poultry, stuffed meats and stuffed poultry, and pork and pork products shall be thoroughly cooked before being served.

(f) No food which has been previously served to any person or persons, or returned from any counter or table shall be used in the preparation of foods, offered for sale or given away. However, wrapped food which has not been unwrapped and which is wholesome may be re-served.

(g) Tongs, forks, spoons, picks, spatulas, scoops and other suitable utensils shall be provided and shall be used by employees to reduce manual contact with food to a minimum. For self-service by customers, similar implements shall be provided.

Sec. 3.05 Bulk-Food Display and Dispensing

(a) Bulk foods shall be dispensed only from product modules which are protected by close fitting, individual covers. If opened by the customer, the covers shall be self-closing and shall remain closed when not in use.

(b) Customer access to bulk food in product modules shall be limited and controlled to avoid the introduction of contaminants. Means considered suitable include, but are not limited to:

(1) Providing a product module and depth of no more than eighteen (18) inches; and

(2) Locating product modules with access from the top so that there is at least thirty (30) inches between the access point and the floor.

(c) Manual contact of bulk foods by the customer during dispensing shall be avoided. Methods considered suitable are:

(1) Mechanical dispensing devices including gravity dispensers, pumps, extruders and augers;

(2) Manual dispensing utensils including tongs, scoops, ladles and spatulas; and

(3) Wrapping or sacking.

(d) If the dispensing devices and utensils listed in (c)(1) and (2) do not prevent manual customer contact with certain bulk foods, then these foods must be wrapped or sacked prior to display.

Manual dispensing utensils listed in (2) shall be protected against becoming contaminated and serving as vehicles for introducing contamination into bulk food. Means considered suitable include, but are not limited to:

(1) Using a tether which is constructed of easily cleanable material, is of such length that the utensil cannot contact the floor, and is designed to prevent interference with the requirement for close fitting covers, and

(2) Storing the utensil in a sleeve or protective housing attached

or adjacent to the display unit when not in use, or utilizing a utensil designed so that the handle cannot contact the product if left in the product module.

(e) Ladles, spatulas, and other manual dispensing utensils used in other than dry foods shall be stored in the food with handles extending at least six inches (6") to the outside of the product module and shall not prevent lids from being self-closing.

Sec. 3.06 Equipment and Utensils

(a) Product modules, lids, dispensing units and utensils shall be constructed of safe materials; and shall be corrosion resistant, nonabsorbent, smooth, easily cleanable and durable under conditions of normal use, and shall be designed to meet all requirements for food-contact surfaces.

Single service plastic bags or disposable liners used as product modules shall be of safe materials and of sufficient thickness to resist tears and cuts.

(b) Surfaces of product module display units, tethers, and all display equipment not intended for food-contact, but which are exposed to splash, food debris or other soiling, shall be designed and fabricated to be smooth, cleanable, durable under conditions of normal use and free of unnecessary ledges, projections or crevices.

Tethers shall be designed to be easily removable from the product module for cleaning.

The materials for non-food-contact surfaces shall be nonabsorbent or made nonabsorbent by being finished and sealed with a cleanable coating.

Sec. 3.07 Cleaning, Sanitization, and Storage of Equipment and Utensils

(a) (1) Tongs, scoops, ladles, spatulas, other appropriate utensils and tethers used by customers shall be cleaned and sanitized at least daily or at more frequent intervals based on the type of food and amount of food particle accumulation or soiling. Product modules, lids and other equipment shall be cleaned prior to restocking, when soiled or at intervals on a schedule based on the type of food and amount of food particle accumulation. Food-contact surfaces shall be cleaned and sanitized immediately if contamination is observed or suspected.

(a) All product remaining in the production module at the time of cleaning shall be disposed of to assure that the product cycle is broken.

(b) (1) Individual product modules shall be designed to be easily removable from the display unit for servicing unless the modules are so designed and fabricated that they can be effectively cleaned (and sanitized when necessary) through a manual in-place cleaning procedure that will not contaminate or otherwise adversely affect bulk food or equipment in the adjoining display area.

(2) Facilities and/or equipment shall be available, either in a

servicing area or in place, to provide for proper cleaning and sanitizing of all food-contact surfaces including product modules, lids and dispensing utensils.

(c) Take-home containers (bags, cups, lids, etc.) provided in the display area for customer use shall be stored and dispensed in a sanitary manner.

Sec. 3.08 Sanitary Facilities; Handwashing Facilities

(a) When handwashing facilities are not available at the bulk food display area, customers, upon request, are permitted access to handwashing facilities located in employee restroom(s).

(b) When sanitary paper towels or disposable towelettes are provided, easily cleanable waste receptacle(s) shall be conveniently provided in the display area.

Sec. 3.09 Submission of Plans

Plans and specifications for alterations of a retail food store to accommodate self-service bulk foods shall be submitted to the Township Board of Health and Township Health Enforcement Officer for review and recommendation.

Sec. 3.10 Provisions Subject to Provisions and Regulations of Article 1, Chapter 2, Title 5 of this Code

This Article is subject to the provisions of Article 1, Chapter 2, Title 5 of this Code which provisions are incorporated herein.

Sec. 3.11 Effective Date

This ordinance shall become effective January 1, 1985.

ENACTED AND ORDAINED this 9th day of *October* 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Attest
Secretary

Harry Wardle

By
President

Richard J. Galt

ORDINANCE No. 670

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 2, ANIMALS, BY ADDING A NEW ARTICLE 4, VACCINATION OF CATS AGAINST RABIES.

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

SECTION 1: That Title 7, Chapter 2, Animals, shall be amended by the addition of a new Article 4 - Vaccination of Cats Against Rabies, and shall read as follows:

"For the purpose of protecting the public health and welfare, and the prevention, to the extent possible, of persons from rabies, not only from dogs but from cats, the vaccination against rabies as outlined in Article 3, Section 3.04 and the following sections shall apply to cats."

ENACTED AND ORDAINED this 13th day of November, A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia J. Gill President

Attest Gregory N. Klemick
Secretary

ORDINANCE No. 071

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 2, CHAPTER 1, FEES, RATES AND PERMITS.

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

SECTION 1: That Article 2, Section 2.02, Sewer Rental Rates, shall be repealed in its entirety and the following substituted therefor:

"Commencing January 1, 1985, the annual sewer rental for properties served by the Sewer System shall be assessed as follows:

(a) Single family dwelling -

\$200.00

(b) Multi-family dwellings, Apartment Buildings, Commercial, Institutional and Industrial Buildings -

In accordance with the following formula:

$$\frac{\text{Annual Water Usage}}{109,500 \text{ gallons}} = \text{No. of EDUs}$$

No. of EDUs x \$200.00 = Annual Sewer Rental
with a minimum annual rent of \$200.00.

ENACTED AND ORDAINED this 13th day of November A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patricia J. Ball*
President

Attest *Gregory N. Klemick*
Secretary

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, ARTICLE 8-F, INST-INSTITUTIONAL DISTRICTS, TO PROVIDE FOR A LIFE CARE COMPLEX.

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

SECTION 1: Article 8-F, INST-Institutional Districts, shall be amended as follows:

Section 1 Purpose and Intent

No change.

Section 2 Use Regulations

A. No change.

1. No change.
2. No change.
3. No change.
4. No change.
5. No change.
6. No change.
7. No change.
8. No change.
9. No change.

ADD

"10. Housing for the Life Care Complex as a conditional use subject to the provisions of §4 herein."

B. No Change.

1. No change.
2. No change.
3. No change.

4. No change.

5. No change.

6. No change.

7. No change.

8. No change.

C. No change.

1. No change.

2. No change.

Section 3 Area Regulations

No change.

A. No change.

B. No change.

C. No change.

D. No change.

E. No change.

F. No change.

G. No change.

H. No change.

I. No change.

J. No change.

ADD

"Section 4 Life Care Complex

A. Declaration of Legislative Intent. It is declared to be the intent of this section to allow Life Care Complex developments only as a conditional use in the Institutional District and to establish reasonable standards of performance and promote the desirable benefits which will follow the development of a safe and adequate Life Care Complex and to ensure that adequate area in a suitable environment is provided. It is the further intent of this section to set forth standards which will ensure the development of a Life Care Complex in Upper Dublin Township will provide appropriate safety features for the residents as well as ancillary health care, recreational and

community facilities as an integral part of the complex. Finally, it is the intent of this Section to provide for standards of dwelling unit density, parking space, and open space areas to increase opportunity of the development of such housing in the township through private, public, or semi-public means, while providing necessary standards and controls to ensure that such Life Care Complex will not exert an adverse impact on surrounding neighborhoods.

B. Definition. A development consisting of residential living units exclusively for persons who are sixty (60) years of age or older, and for married couples with one spouse or both spouses being of sixty (60) years of age or older. Such developments shall provide nursing facilities, living units, health care services, and meals for residents (with or without common dining facilities). Such developments may also provide the following facilities and services for the exclusive use of the residents: physical therapy facilities; auditoriums, recreation facilities; on-site service shops; and other ancillary services deemed to be appropriate by the Zoning Hearing Board.

C. Use Regulations. Permitted uses, in conjunction with a Life Care Complex, shall be as follows:

1. Single-family attached dwellings for elderly persons.
2. Apartment building and condominiums for elderly persons.
3. Health care facility for elderly persons who require nursing or convalescent care for extended periods of time.
4. Accessory uses exclusively to meet the needs of the occupants of the complex.
5. Required open space. For purposes of this section, the term "required open space" shall mean land required under the terms of this article to be permanently preserved for recreation, environmental and aesthetic purposes. Required setbacks from lot lines or street rights-of-way shall not be used in calculating the required open space.

D. Development Regulations. The following density, area width and yard regulations shall apply to Life Care Complex.

1. Maximum Density. A maximum density of six (6) units per acres shall be permitted.

1a. Nursing beds shall be provided for not more than twenty-five (25%) percent of allowable density and not less than ten (10%) percent of allowable density of the number of residential living units.

2. Minimum Area. An area of not less than twenty-five (25) acres shall be provided for every Life Care Complex.

3. Permanent Open Space. No less than forty (40%) percent of the area of a tract developed as a Life Care Complex shall be retained as permanent open space for use by the residents for recreational and leisure activities.

4. Distance Between Buildings.

(a) For any two exterior facing walls, (the building of which is oriented front-to-front, front-to-rear, or rear-to-rear) the minimum distance apart shall be equal to one and one-half times (1 1/2) the height of the tallest building, or a minimum distance of twenty (20) feet, whichever is greater.

(b) For any combination of exterior facing walls not qualified under section (a) above, the total distance apart shall be equal to the height of the tallest building or a minimum distance of forty (40) feet, whichever is greater.

5. Set Backs. The following minimum set backs shall be observed.

(a) Apartment buildings and health care facilities - one hundred (100) feet from any property line.

(b) Single-family attached dwellings - seventy-five (75) feet from any property line.

(c) All buildings seventy-five (75) feet from the ultimate right-of-way of any public street.

(d) There shall be access provided for commercial vehicles to all sides of the building.

6. Parking. The following minimum parking standards shall be required:

(a) Not less than one (1) parking space shall be provided for each apartment dwelling unit.

(b) Not less than one and one-half (1 1/2) parking spaces shall be provided for each single-family attached dwelling unit.

(c) At least one (1) parking space shall be provided for each employee working on the largest shift.

(d) Whenever a health care facility is proposed as permitted in Section 4, C, 3 which is intended to accommodate patients other than occupants of the residential portion of the development, one parking space per two beds shall be required.

7. Building Height. The maximum building height (to the base of the roof line) shall be thirty-five (35) feet.

E. General Requirements.

1. Utilities. All buildings within a Life Care Complex shall be served by a public sewage system and public water system.

2. Common Areas and Facilities. Provisions shall be made for the perpetual maintenance and care of all common areas including streets, driveways, parking areas, walkways, landscaped planting areas, open space, and recreation.

3. Other Facilities. Such other improvements including roads, curbs, and

storm water collection and control facilities as required by the Upper Dublin Subdivision and Land Development Ordinance shall be provided.

F. Buffer and Screening Requirements.

1. Buffer.

a. General Requirements. Along all exterior property boundary lines there shall be a permanent buffer at least fifteen (15) feet in depth, unless this is waived pursuant to paragraph d. or e. below. A screen buffer (as defined herein) shall be provided wherever the development abuts existing residential uses, with the exception of mid-rise or high-rise structures, and where abutting other types of uses when deemed necessary by the township governing body to provide sufficient buffering and transition. A softening buffer (as defined herein) shall be provided wherever the development abuts mid-rise or high-rise residential uses; existing commercial, office industrial and institutional uses; any existing street (as modified by paragraph c. below), drive, or parking area; or open (not wooded) undeveloped land. An open buffer shall be provided wherever the development abuts wooded undeveloped land, or where extensive buffers are deemed unnecessary by the governing body.

b. Components. The minimum component of each type of buffer shall be as follows:

1. Screen Buffers. The primary components of a screen buffer shall be a row of evergreen trees, at the height of not less than six (6) feet when planted, spaced not more than ten (10) feet apart on-center, and these trees shall be of such species to attain a height at maturity of not less than twenty (20) feet. Also required as a secondary component of the buffer is one of the following: mounding (the use of which is encouraged), provided the slopes shall be a maximum of 3 to 1; visually opaque fencing not greater than six (6) feet in height; and coniferous shrubbery.

Any combination of evergreen trees, coniferous shrubs, or other natural vegetation or mounding is allowable provided an effective visual screen at least fifteen (15) feet in height above the adjacent ground elevation in the Development is achieved within a reasonable time. But whenever only vegetation is used there shall be at least a double row of evergreen trees, with the trees in one row offset five (5) feet from the trees in the other row, and the rows at least five (5) feet apart.

2. Softening Buffer. The primary component of a softening buffer shall be a row of trees, spaced not more than twenty-five (25) feet apart on-center, at least twenty-five (25%) percent of which shall be evergreens. The evergreen trees shall be at least six (6) feet in height when planted and shall attain at least twenty (20) feet in height at maturity. Any deciduous trees shall be at least one and one-half (1-1/2) inches in caliper and eight (8) feet in height when planted, and shall attain a height of not less than twenty (20) feet at maturity. These trees shall be interspersed with other allowable components, including any other type of trees, shrubs, mounding, fencing and/or similar natural or man-made elements having a visible vertical dimension, or any combination thereof.

3. Open Buffer. The open buffer shall as a minimum consist of grass, ground cover, and/or similar vegetative material, and may include trees, shrubs, or other natural landscaping materials.

c. Street Boundaries. Rather than the extensive buffer described in b. above, the use of a single row of deciduous trees at least eight (8) feet in height when planted and at least twenty (20) feet in height at maturity, with a spacing of not more than forty (40) feet on-center, may be provided along all property boundaries which abut a street, wherever necessary for adequate sight distance or where the governing body determines this to be a sufficient buffer to protect the welfare and safety of the community.

d. Existing Buffers. In cases where an edge(s) of a development occurs along natural features which function as buffers, including but not limited to mature vegetation, significant grade changes or stream valleys, which are likely to be permanently preserved, buffering may be waived along that edge(s) upon approval of the governing body.

e. Maintenance. All vegetation shall be maintained permanently and in the event of death or other destruction shall be replaced within one year by the persons responsible for maintenance when death or destruction occurred.

f. Buffer Landscape Plan. A landscaping plan shall be submitted with the final plans showing all pertinent information including the location, size and specie of all individual trees and shrubs to be preserved or planted, or alternatively the general characteristics of existing vegetation masses which are to be preserved.

2. Screening.

a. Loading Zone. Truck loading zones shall be maintained and clearly marked, and shall be used only for their intended purpose. Truck loading zones shall be screened from view from the ultimate right-of-way, and from any adjacent residential use or district. To the fullest extent possible, truck loading zones shall be located to minimize potential auditory impacts on any adjacent residential use or district.

b. Refuse. All refuse shall be kept or stored within the building or buildings of the development.

Section 5 Application Procedure

A. Application Requirements. Before a Life Care Complex can be permitted in the INST-Institutional District, it will be necessary for the applicant to submit an application for conditional use approval to the Upper Dublin Board of Commissioners. The Upper Dublin Planning Commission and the Montgomery County Planning Commission will also be asked to review and submit comments to the Board of Commissioners on this application.

The conditional use application shall include the submission of a development impact statement prepared by a registered architect, professional engineer, landscape architect or professional land use planner. The development impact study shall provide all the information, data, and studies needed to reach conclusive evaluations on the following items.

1. The conformance of the proposed development with the

Comprehensive Plan of Upper Dublin Township, and compatibility with existing and proposed land uses adjacent to the site.

2. The impact on existing floodplains, waterways, heavily wooded area, steep slopes, and other sensitive natural features, if any.

3. The impact on the Township and regional transportation system and the ability of adjacent streets and intersections to efficiently and safely handle the traffic generated by the proposed development.

4. The impact on public utilities including but not limited to sewage disposal, water supply, and storm drainage.

5. The impact upon provisions of policy and fire protection.

6. The impact on the open space and recreation facilities of Upper Dublin Township.

7. The impact upon the character of the surrounding neighborhood. The applicant must show that the proposed development will not adversely affect the surrounding neighborhood.

8. Required documentation shall include the following:

(a) The location and size of the site, with evidence supporting the general adequacy for development.

(b) The proposed residential density of the development and the percentage mix of permitted dwelling types.

(c) The location, size, accessibility and proposed use of the open space, manner of ownership and maintenance.

(d) Conceptual plans of proposed utility and drainage systems.

(e) Plans and renderings indicating the design, utility and aesthetic relationship of building and landscaping within the proposed development.

(f) The text of covenants, easements and existing restrictions or those to be imposed upon the land or structures including provisions for public utilities, and trails for such activities as hiking, or bicycling, if applicable.

9. Application Review.

1. The Upper Dublin Township Planning Commission shall review the conditional use application for compliance with the terms of this Ordinance, the Land Subdivision Ordinance of Upper Dublin Township, and the Upper Dublin Township Comprehensive Plan, and shall submit its recommendations thereon to the Upper Dublin Township Board of Commissioners, after review by the Montgomery County Planning Commission in accordance with the requirements of the Upper Dublin Township Subdivision and Land Development Regulations.

2. Upon receipt of the Planning Commission recommendation, the Board of Commissioners shall review the preliminary plans and may:

(a) Grant conditional use approval for the proposal as submitted; or

(b) Grant conditional use approval subject to specified conditions not included in the development plan as submitted; or

(c) Deny conditional use approval for the proposal.

3. Upon receiving conditional use approval or approval thereof, with conditions, the developer shall submit a final development plan to the Upper Dublin Township Planning Commission complying with the requirements of the Upper Dublin Township Subdivision and Land Development Regulations for Planning Commission review and recommendations. The Planning Commission may require the final development plan be submitted separately for the first and each successive stage.

4. The Planning Commission shall determine at each stage if the final development plans conform to the plans permitted for conditional use approval and the requirements of this Ordinance and the Upper Dublin Township Subdivision and Land Development Regulations. The Commission having reviewed the final development plans, shall present its recommendations to the Board of Commissioners.

5. Upon approval of the final development plans by the Board of Commissioners and execution by the developer of any necessary land development agreement with the Township of Upper Dublin and posting by the developer of security for construction of public improvements, as required by the Upper Dublin Township Subdivision and Land Development Ordinance, construction shall begin in accordance with the approved final plan.

6. Development of the tract shall commence in earnest within thirty-six (36) months of approval under Section 4 of this Article or the conditional use approval for a Life Care Complex shall be void.

ENACTED AND ORDAINED this 13th day of November, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patricia J. Bello*
President

Attest *Gregory N. Klemick*
Secretary

ORDINANCE No. 673

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED TRACT OF APPROXIMATELY 45[±] ACRES OF LAND NORTH OF THE INTERSECTION OF LIMEKILN PIKE AND BELL LANE FROM A-RESIDENTIAL DISTRICT TO INST-INSTITUTIONAL DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from A-Residential District to INST-Institutional District:

ALL THAT CERTAIN lot or tract of ground situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, as laid out on a lot location plan showing land to be acquired by Upper Dublin School District from the Estate of J. Frederick Martin, Deceased, as prepared by C. Raymond Weir Associates, Inc., Ambler, Pennsylvania, dated January 8, 1968, as revised January 12, 1968, bounded and described as follows, to wit:

BEGINNING at an iron pin set in the intersection of the Northwesterly side line of College Lane, 50 feet wide, with the center line of Joint Farm Lane, 24 feet wide; thence along land of Mrs. J. Frederick Martin, of which this was a part, the four following courses and distances, to wit, (1) North 46 degrees 36 minutes East 125.05 feet to a point of curvature, (2) thence by a curved line bearing to the left in a Northeast to Northwest direction with a radius of 75 feet the arc distance of 84.17 feet to a point of tangency, (3) thence North 17 degrees 42 minutes West 624.07 feet to a point, (4) thence North 72 degrees 07 minutes 30 seconds East, and crossing a private road to be vacated extending from existing Frederick Drive through land now or late of J. Frederick Martin, Southeasterly to the Limekiln Pike, 725.58 feet to a point in line of land now or late of Isaac Farley; thence along the same South 44 degrees 28 minutes 20 seconds East 822.26 feet to a point in the middle of Limekiln Pike, as laid out 50 feet wide, the Easterly side of which has now been established to a distance of 30 feet from the said middle line; thence along said middle line South 6 degrees 27 minutes 15 seconds West 1482.42 feet to a point at the intersection of the aforesaid middle line of Limekiln Pike with the center line of the aforementioned Joint Farm Lane, 24 feet wide extended, said point being at a distance of 26.42 feet Northerly from the intersection of the middle line of Limekiln Pike with the center line of Bell Lane, 50 feet wide; thence along College View Subdivision and along the middle of said Joint Farm Lane, 24 feet wide, North 43 degrees 24 minutes West 1485.98 feet to the point and place of beginning.

CONTAINING an area of 34.949 acres of land be the same more or less.

BEING Assessment Parcel No. 54-00-10381-00-5.

ALL THAT CERTAIN lot or tract of ground, situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, as laid out on a Lot Location Plan showing land to be acquired by Upper Dublin School District from the Estate of J. Frederick Martin, deceased, as prepared by C. Raymond Weir Associates, Inc., Ambler, Pennsylvania, dated January 8, 1968, and revised January 12, 1968, bounded and described as follows, to wit:

BEGINNING at the point of intersection which the northwesterly side of College Lane (50 feet wide) makes with the center line of a Private Road called Joint Farm Lane (24 feet wide); thence extending from said point of beginning North 43 degrees 24 minutes West along the center line of Joint Farm Lane 848.39 feet more or less to a corner of lands now or late of Helen Martin; thence extending along the last mentioned lands and along other lands of now or late Mrs. J. Frederick Martin North 46 degrees 30 minutes East crossing the Southwesterly side of Frederick Drive (50 feet wide) 532.51 feet to a point on the center line of same being in line of lands now or late of Lawrence Scheibner, et ux; thence extending along the last mentioned lands the two following courses and distances: (1) South 43 degrees 30 minutes East along the center line of Frederick Drive 66.04 feet (2) North 72 degrees 07 minutes 30 seconds East 622.19 feet to a point in line of lands now or late of Louis and Albert B. Fechtenburg; thence extending along the last mentioned lands South 44 degrees 25 minutes 30 seconds East 141.21 feet more or less to a point a corner of lands now or late of Isaac Farley; thence extending along the last mentioned lands South 44 degrees 28 minutes 20 seconds East 82.40 feet to a point; thence extending South 72 degrees 07 minutes 30 seconds West 725.58 feet to a point; thence extending South 17 degrees 42 minutes East 624.07 feet to a point of curve on the Southwesterly side of College Lane aforesaid; thence extending Southeastwardly, southwardly and southwestwardly along the Southwesterly, Westerly and Northwesterly side of College Lane on the arc of a circle curving to the right having a radius of 75.00 feet the arc distance of 84.17 feet to a point of tangent on the same; thence extending South 46 degrees 36 minutes West along the Northwesterly side of College Lane 125.05 feet to the first mentioned point and place of beginning.

BEING Parcel A, as shown on the above mentioned Plan.

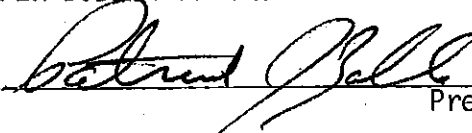
CONTAINING in area 10.413 acres more or less, as shown on the above mentioned plan.

BEING Parcel No. 54-00-10382-00-4.

ENACTED AND ORDAINED this 13th day of November, A.D. 1984.

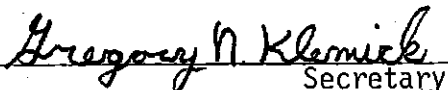
BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By



President

Attest


Secretary

ORDINANCE NO. 674

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR THE LAYING OUT, CONDEMNATION OF RIGHT OF WAY AND CONSTRUCTION OF SANITARY SEWER FACILITIES FOR RAPP RUN INTERCEPTOR I IN UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, in accordance with Section 2401 of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to ordain the installation of facilities for the disposal of sanitary sewerage; and

WHEREAS, it is deemed to be in the best interests of the residents of the Township and the health and welfare of the community to arrange for such facilities to be installed;

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, ENACT AND ORDAIN that:

SECTION 1: A portion of a sanitary sewer interceptor shall be constructed across a certain private property as more particularly described on the plan attached hereto and made a part hereof dated August 21, 1984 (the "Plan").

SECTION 2: The condemnation for the purpose of such sanitary sewers of permanent rights-of-way of twenty (20) feet in width and of temporary construction rights-of-way of forty (40) feet in width, as shown by the aforesaid Plan, by the filing of Declarations of Taking, pursuant to the Act of June 22, 1964, P.L. 84, as amended, 26 P.S. Sec. 1-101 et seq., the "Eminent Domain Code," is hereby authorized.

ENACTED AND ORDAINED this 13th day of November A.D. 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia J. Goll President

Attest Gregory N. Klemick Secretary

SANITARY SEWER EASEMENT

UPPER DUBLIN TOWNSHIP
MONTGOMERY COUNTY, PA.

SANITARY SEWER EASEMENT
THROUGH PROPERTY OF
THOMAS A. TOLL JR. &
THOMAS A. TOLL SR.

C. RAYMOND WEIR ASSOC. INC.
CIVIL ENGINEERS & SURVEYORS
233 RACE STREET AMBLER, PA 19002

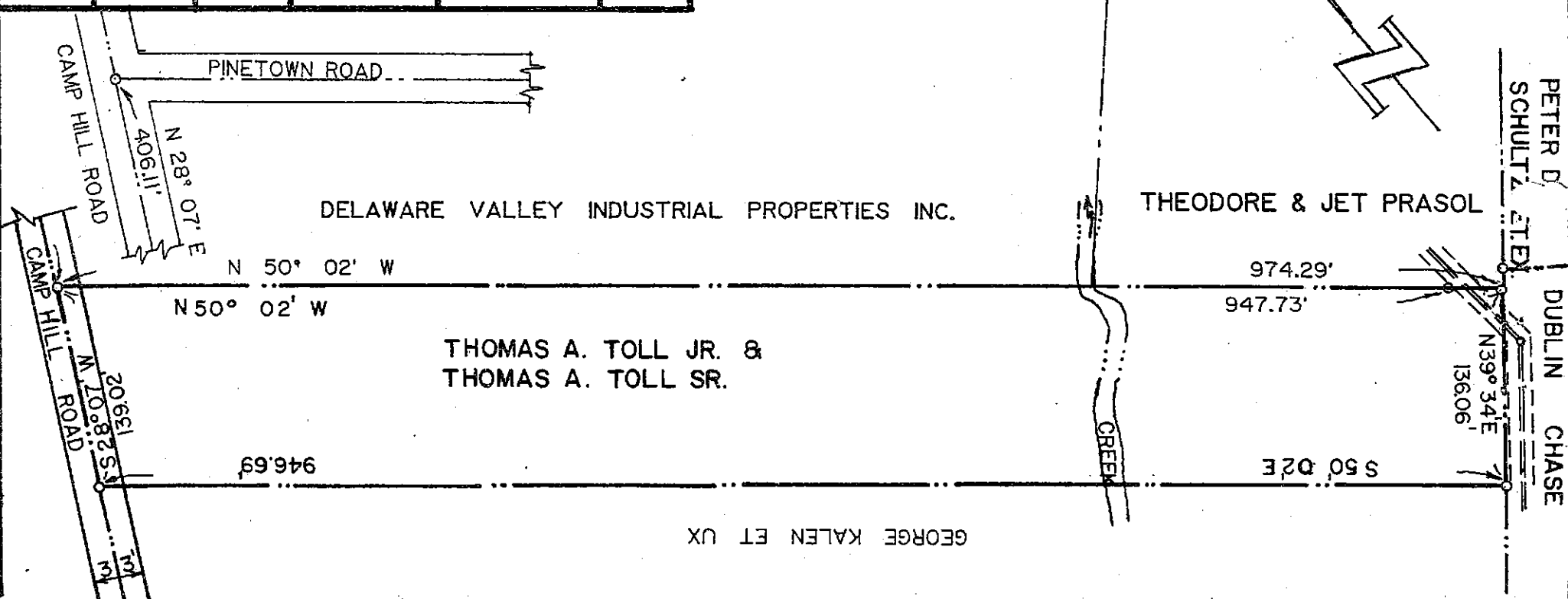
PE. P.L.S.



SCALE: 1"=100'
DATE: 8/21/84

DWN. BY: W.E.S.
CKD. BY:

DWG. NO.
LA-474



GEORGE KALEN ET UX

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1985

ORDINANCE NO. 615

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

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 1985 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.

GENERAL OPERATING FUNDS
SUMMARY OF ESTIMATED RECEIPTS

| | |
|------------------------------------|----------------|
| Receipts from Current Tax Levy | \$ 3,158,941 |
| Receipts from Taxes of Prior Years | 70,000 |
| Other Revenue Receipts | 885,475 |
| Miscellaneous Non-Revenue Receipts | <u>382,072</u> |
| TOTAL ESTIMATED RECEIPTS AND CASH | \$ 4,496,488 |

SUMMARY OF APPROPRIATIONS

| | <u>Operation and</u> <u>Maintenance</u> |
|-------------------------------------|--|
| General Government: | |
| Administration | \$ 564,547 |
| Treasurer & Tax Collector | 13,616 |
| Municipal Buildings | <u>99,494</u> |
| TOTAL | \$ 677,657 |
| Protection to Persons and Property: | |
| Police | \$ 1,734,960 |
| Fire | 27,275 |
| Ambulance Services | <u>6,000</u> |
| TOTAL | \$ 1,768,235 |
| Regulations, Planning & Zoning: | TOTAL \$ 182,077 |
| Health & Sanitation: | |
| Health | \$ 34,377 |
| Trash Collection & Disposal | <u>629,981</u> |
| TOTAL | \$ 664,358 |

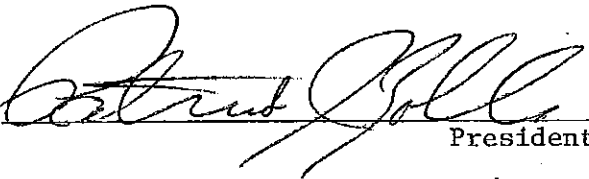
| | | |
|--|-------|--------------|
| Highways: | TOTAL | \$ 976,396 |
| Library: | TOTAL | \$ 161,765 |
| Miscellaneous: | | |
| Insurance | | \$ 65,000 |
| Refunds | | 1,000 |
| | TOTAL | \$ 66,000 |
| TOTAL APPROPRIATIONS FROM GENERAL OPERATING FUND - | | \$ 4,496,488 |

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.

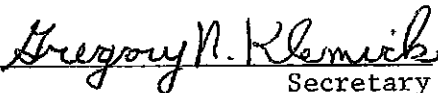
SECTION 3: That an ordinance, or part of an ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

ENACTED AND ORDAINED this 18th day of December, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By:  President

Attest:


Secretary

ORDINANCE NO. 676

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 1985 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 1985 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 1985 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 1985 FOR PARKS AND RECREATION, THE ASSESSMENT FOR THE YEAR 1985 FOR FIRE HYDRANTS, AND ESTABLISHING DISCOUNTS AND PENALTY THEREFOR.

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

SECTION 1: Tax Rates for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1985 as follows:

Tax rate for General Purposes, the sum of.....32.91 mills on each dollar of assessed valuation, or the sum of.....329.1 cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | Mills on Each Dollar of Assessed Valuation | Cents on Each One Hundred Dollars of Assessed Valuation |
|-------------------------------|---|---|
| Tax Rate for General Purposes | 32.91 mills | 329.1 cents |

SECTION 2: Tax Rate for Debt Service

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1985 as follows:

Tax rate for Debt Service, the sum of.....6.67 mills on each dollar of assessed valuation, or the sum of.....66.7 cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | Mills on Each Dollar of Assessed Valuation | Cents on Each One Hundred Dollars of Assessed Valuation |
|---------------------------|---|---|
| Tax Rate for Debt Service | 6.67 mills | 66.7 cents |

SECTION 3: Tax Rate for Fire Protection

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1985 as follows:

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

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|------------------------------|---|--|
| Tax Rate for Fire Protection | 3.00 mills | 30.0 cents |

SECTION 4: Tax Rate for Parks and Recreation

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 1985, as follows:

Tax rate for Parks and Recreation, the sum of.....3.00 mills
 on each dollar of assessed valuation, or the sum of.....30.0 cents
 on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|-----------------------------------|---|--|
| Tax Rate for Parks and Recreation | 3.00 mills | 30.0 cents |

SECTION 5: Assessment for Fire Hydrants

That the cost and maintenance of fire hydrants for fire protection, with the Fire and Water District of Upper Dublin Township, established by Ordinance No. 543, is hereby distributed by a special tax for the fiscal year 1985, as follows:

Special tax for fire hydrants, the sum of..... .65 mills
 on each dollar of assessed valuation, or the sum of.....6.5 cents
 on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

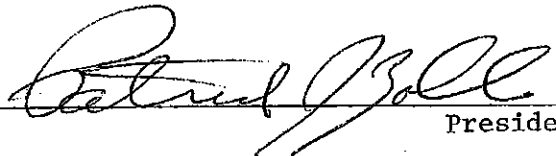
| | <u>Mills on Each Dollar of Assessed Valuation</u> | <u>Cents on Each One Hundred Dollars of Assessed Valuation</u> |
|--|---|--|
| Special Tax for Fire Hydrants and Water Tax for Fire Hydrants | .65 mills | 6.5 cents |

SECTION 5: Discounts and Penalty

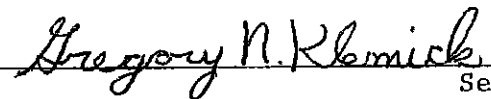
All taxpayers shall be entitled to a discount of two per centum (2%) from the amount of tax levied upon property, upon making payment of the amount of such tax within sixty (60) days of the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes charged against them within 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.

ENACTED AND ORDAINED this 18th day of December, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: 
President

Attest:


Secretary

ORDINANCE NO. 677

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY, PENNSYLVANIA, FIXING THE ASSESSMENT FOR STREET LIGHTING EFFECTIVE AS OF JANUARY 1, 1985, AND THEREAFTER, AND REPEALING ORDINANCE NO. 652, ADOPTED JANUARY 3, 1984.

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

SECTION 1: That the cost and maintenance of street lighting along any street or highway, or portion thereof, within the Township of Upper Dublin, is hereby distributed according to an assessment on all property benefited by such lighting. This assessment is hereby levied in proportion to the number of feet, or portion thereof, of each such property, which fronts on the lighted street or highway, as follows:

A. Residentially zoned property, with improvements thereon, at Forty Six Cents (\$.46) per lineal foot frontage; and

B. Residentially zoned property, without improvements thereon, at Sixteen Cents (\$.16) per lineal foot frontage; and

C. Other than residentially zoned property, with improvements thereon, at One Dollar (\$1.30) and Thirty Cents per lineal foot; and

D. Other than residentially zoned property, without improvements thereon, at Forty-Six Cents (\$.46) per lineal foot.

SECTION 2: Discounts and Penalty.

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

ENACTED AND ORDAINED this 18th day of December, 1984.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: Robert J. Gall

President

Attest:

Gregory N. Klemick
Secretary

ORDINANCE No. 678

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

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

SECTION 1. The regular stated monthly meeting of the Commissioners of the Township of Upper Dublin will be held on the second Tuesday of each month unless the same shall be a legal holiday, in which case on the next regular business day following, at 7:30 p.m., local time.

SECTION 2. All meetings shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 22nd day of January, A.D. 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Robert J. Zolla
President

Attest Gregory N. Klemick
Secretary

ORDINANCE No. 679

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, TO INCREASE THE SALARY OF TREASURER, EFFECTIVE JANUARY 1, 1986.

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

SECTION 1. That the salary for the Treasurer, commencing January 1, 1986, shall be Five Thousand Dollars (\$5,000.00).

ENACTED AND ORDAINED this 22nd day of January, A.D. 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Robert J. Ill* President

Attest *Gregory N. Klemick*
Secretary

ORDINANCE No. 680

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 3, CHAPTER 4, ARTICLE 12, PLUMBING FIXTURES, BY ADDING A NEW SECTION CONTROLLING THE INSTALLATION OF PLUMBING FIXTURES SO AS TO CONSERVE THE USE OF WATER.

WHEREAS, it is in the interest of enhancing the health and welfare of the residents of the Township to conserve the use of water by any legitimate means possible; and

WHEREAS, it has been determined that substantial quantities of water can be conserved through controls of plumbing installation;

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, ENACT AND ORDAIN that:

SECTION 1: Add a new Subsection to Article 12 (Plumbing Fixtures), Section P-1216, to read as follows:

On all new plumbing installations, and on alteration or replacement of existing plumbing fixtures where feasible, the following plumbing fixtures must be installed:

a. Water closets and urinals shall use a maximum of four (4) gallons of water per flushing.

b. Orifice control element shall be installed in the shower heads. Shower head, wash basins and kitchen faucets need to have installed aquamizer automatic flow on all new and replacement faucets. Regulating water flow should be two and five tenths (2.5) gallons per minute on all shower heads and orifice to control gallon flow to the faucets.

c. Urinals shall be installed that the flushing cycle is controlled automatically and that each urinal or section is thoroughly flushed.

d. Wash basins in restrooms of public facilities shall be equipped with outlet devices which limit the flow rate to a maximum of five-tenths (.5) gallons per minute.

Applicants for plumbing permits in accepting such permits, will certify that the plumbing fixtures covered by such permit will meet the water conservation limits set forth herein.

Section 5. Guides for Plumbers.

504. Water Control Valves-BOCA, Article 15, 1504.1.3 thru 1504.1.12. the water supply line to each fixture shall be provided with a valve or stop to shut the water off to the fixture.

ENACTED AND ORDAINED this *12th* day of *February* A.D. 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By *Patrick J. G. [Signature]* President

Attest *Gregory N. Klennick* Secretary

ORDINANCE No. 681

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR THE LAYING OUT, CONDEMNATION OF RIGHT OF WAY AND CONSTRUCTION OF SANITARY SEWER FACILITIES IN AND THROUGH CERTAIN PROPERTIES LOCATED BETWEEN THE TRACT OF LAND KNOWN AS DUBLIN MEADOWS AND SUSQUEHANNA ROAD IN UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, in accordance with Article XXIV of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to ordain the installation of facilities for the disposal of sanitary sewerage; and

WHEREAS, it is deemed to be in the best interests of the residents of the Township and the health and welfare of the community to arrange for such facilities to be installed;

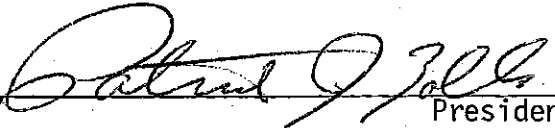
NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, ENACT AND ORDAIN that:

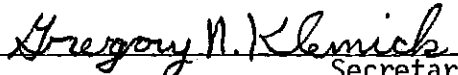
SECTION 1: A sanitary sewer interceptor shall be constructed across certain private properties as more particularly described in a plan of Carroll Engineering Corporation, Consulting Engineers, of Warminster, PA, dated March 16, 1984, latest revision January 21, 1985, known as "Final Plan of Rapp Run Interceptor II" (the "Plan").

SECTION 2: The condemnation for the purpose of such sanitary sewers and permanent rights-of-way of twenty (20) feet in width and of temporary construction rights-of-way of forty (40) feet in width, as shown by the aforesaid Plan, by the filing of Declarations of Taking, pursuant to the Act of June 22, 1964, P.L. 84, as amended, 26 P.S. Sec. 1-101 et seq., the "Eminent Domain Code," is hereby authorized.

ENACTED AND ORDAINED this 12th day of February A.D. 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By  President

Attest 
Secretary

ORDINANCE NO. 682

AN ORDINANCE PROVIDING FOR THE LAYING OUT, CONDEMNATION OF RIGHTS OF WAY AND TEMPORARY EASEMENTS, CONSTRUCTION OF SIDEWALKS AND DRIVEWAY APRONS AND SANITARY SEWER FACILITIES, INCLUDING THE ESTABLISHMENT OF GRADES AND SPECIFICATIONS THEREFOR IN PINETOWN ROAD BETWEEN WENTZ DRIVE AND HIGHLAND AVENUE, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, PROVIDING FOR THE PAYMENT OF COSTS OF CONSTRUCTION BY THE BENEFIT METHOD FOR SANITARY SEWER INSTALLATION AND FRONT FOOT RULE FOR SIDEWALKS AND DRIVEWAY APRON INSTALLATION, AUTHORIZING THE PAYMENT OF AMOUNTS ASSESSED IN INSTALLMENTS, THE COLLECTION THEREOF BY LIEN AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, in accordance with Article XXIII of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to lay out, ordain and establish sidewalks along any street within the Township; and

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 sewerage; 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 street, curb, sidewalk and sewer improvements; and

WHEREAS, it is deemed to be in the best interests of the residents of Pinetown Road between Wentz Drive and Highland Avenue and the health and welfare of the community to arrange for such facilities and installation.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, ENACT AND ORDAIN that:

SECTION 1. SIDEWALKS AND DRIVEWAY APRONS.

a. Sidewalks and driveway aprons shall be laid out, graded, constructed and paved along Pinetown Road between Wentz Drive and Highland Avenue in the Township of Upper Dublin, Montgomery County, Pennsylvania, in accordance with the plans prepared by Czop/Specter, Inc., known as "Pinetown Road II", dated September 1, 1984, latest revision February 12, 1985. All obstructions interfering with the free and full construction of such work are hereby declared to be nuisances and may be removed or changed by or under the direction of the Township Engineer.

b. The cost of the entire work shall be paid by the owners of abutting real estate by an assessment on the front foot method; provided that the cost of installation of driveway aprons shall be separately calculated and assessed upon the owners or properties where such aprons are required.

c. The Board of Commissioners are hereby authorized, if found necessary, to condemn temporary slope easements and/or rights of way for the construction of the sidewalks if necessary in accordance with the plan prepared by Czop/Specter, Inc., dated September 1, 1984, latest revision February 12, 1985, shown as "Construction Drawings, Pinetown Road II". Said easements and rights of way shall terminate at the acceptance of the project by Upper Dublin Township.

d. The Board of Commissioners is hereby authorized to condemn the right of way in Pinetown Road as shown on the Mele Realty Subdivision Plan of the Mele Brothers Realty Partnership, prepared by Anthony J. Mele, P.E., dated May 19, 1976, and recorded in Montgomery County Court House in Plan Book A-26, page 64, as described in Exhibit "A", attached hereto and made a part hereof. The Board of Commissioners are further authorized to condemn rights of way on the South side of Pinetown Road from Highland Avenue to that property owned by Donald and Sarah Gallagher as shown on the Czop/Specter Plan.

SECTION 2. SANITARY SEWERS.

a. A system of sanitary sewers shall be constructed in Pinetown Road between Wentz Drive and Elon Circle, in accordance with plans designated as "Pinetown Road II", prepared by Czop/Specter, Inc., dated September 1, 1984, latest revision February 12, 1985; to be connected to the proposed system presently being constructed by the Dublin Chase Development.

b. The costs of construction of the sewer system heretofore described shall be assessed upon the several properties benefited, improved and accommodated by the said sewer system to the extent of the benefit conferred upon such properties. The amount of the charge on each property shall be ascertained as provided in the Act of June 24, 1931, P.L. 1206, Sec. 2409, as amended, 53 P.S. Sec. 57409. The proper officers of the Township are hereby authorized and directed to execute the required 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 confirmation of the report of the viewers, the Township Secretary shall make out bills for the amounts charged against each property which shall be forthwith set to all the owners of each property.

SECTION 3. ASSESSMENT OF COSTS.

a. Upon completion of the said project and determination of all costs in connection therewith, the Township Engineer shall deliver the same in writing to the Secretary of the Township, who shall cause thirty (30) days' notice of the assessment of costs to be given to each party assessed, either by service on the owner, or his or its agent, or left on the assessed premises, in accordance with the provisions of the First Class Township Code and Acts of Assembly in such case made and provided.

b. If any assessment shall remain unpaid at the expiration of the thirty (30) days of the service of the notice, it shall be the duty of the Township Solicitor to collect

the same, with interest from thirty (30) days after the completion of the improvement, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five (5%) percent of the amount of such assessment, and shall collect the same together with interest and costs in accordance with 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 4. INSTALLMENT PAYMENT PRIVILEGES.

a. Any owner of property assessed shall have the option of paying the same in five (5) equal annual installments, bearing interest at the rate of six (6%) percent, provided First, the first installment be paid within thirty (30) days of the receipt of bill for said assessment and each annual installment, with interest at the expiration of each annual period succeeding date of the assessment. Second, that notice of intention to exercise such option given on a blank to be prepared by the Secretary of the Township, containing such stipulations as the Board shall require, to be filed at the time of paying the first installment, and Third, that a lien shall be duly filed for the amount of the remaining installments of the assessments, which lien shall not be prosecuted so long as the installments are duly paid. Upon default in the payment of a current installment, the entire unpaid balance, plus a penalty of five (5%) percent of the unpaid balance, interest at six (6%) percent of the unpaid balance, and costs shall become immediately payable and collectable.

b. If anyone who has not elected to pay by installments, shall fail to pay his or her assessment for thirty (30) days after the assessment shall have been levied and served, then there shall be imposed the penalty of five (5%) percent for failure to pay within that time. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

ENACTED AND ORDAINED this *26th* day of *February*, 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: *Robert J. Kelly*
President

Attest: *Gregory N. Klemich*
Secretary

ORDINANCE No. 683

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 7, PUBLIC SAFETY, CHAPTER 1, ALARM DEVICES, SECTION 1.12, PENALTIES FOR VIOLATION.

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

SECTION 1. Section 1.12 shall be deleted and the following substituted therefor:

"(a) During a period of thirty (30) days after installation of a new alarm system, the owner thereof shall be permitted five (5) false activations without penalty.

"(b)(1) Subject to the provisions of subsection (a) of this section, the owner of an automatic protection device shall be permitted three (3) additional false activations without penalty for any cause whatsoever, including misuse, accidental activation, or equipment malfunction.

"(2) Thereafter, it shall be the duty of the police officer to report to the Chief of Police all violations and to deliver to the owner of the house or business involved a notice thereof. The notice shall contain instructions that if the owner will report to the Chief of Police and pay the sum of Twenty-five Dollars (\$25.00) within forty-eight (48) hours after the time of notice of the first offense, that act will save the violator from prosecution and from payment of the fine and costs prescribed in this section. In the event of a second similar offense, the violator shall be given the same option upon the payment of Fifty Dollars (\$50.00) and the third violation upon the payment of One Hundred Dollars (\$100.00). For all subsequent violations the owner shall be liable for prosecution and if found guilty, shall pay a maximum fine of not more than Three Hundred Dollars (\$300.00) plus costs of prosecution, to be collectible before any District Justice as like fines or penalties are now by law collectible."

ENACTED AND ORDAINED this 9th day of April 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By Patricia J. [Signature]
President

Attest Gregory N. Klemick
Secretary

ORDINANCE No. 684

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR THE CONDEMNATION OF A SMALL PARCEL OF LAND OWNED BY LAURENCE M. SILVER AT THE INTERSECTION OF MEETINGHOUSE ROAD AND FORT WASHINGTON AVENUE IN UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FOR THE PURPOSE OF ERECTION THEREON OF TRAFFIC CONTROLS.

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 property for the purpose of installation of traffic control signals; and

WHEREAS, it is deemed to be in the best interests of the residents of the Township and the health and welfare of the community to arrange for such traffic controls to be installed;

NOW THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, ENACT AND ORDAIN that:

SECTION 1: A portion of the land of Laurence M. Silver shall be used for the installation of traffic control, said property more particularly described on the plan attached hereto, made a part hereof, and marked Exhibit "A", dated January 24, 1985, and as described on Exhibit "B" attached hereto.

SECTION 2: The condemnation shall be for the purpose of installing a signal to control traffic at the intersection of Meetinghouse Road and Fort Washington Avenue as shown on the aforesaid plan, by filing a Declaration of Taking pursuant to this Act.

ENACTED AND ORDAINED this 14th day of May, A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By Detmund J. Zolch
President

Attest Gregory N. Klemick
Secretary

DEED DESCRIPTION

EASEMENT FOR TRAFFIC LIGHT STANDARD

ALL THAT CERTAIN lot or piece of land designated as "Easement for Traffic Light Standard" as shown on a plan prepared by Upper Dublin Township and titled "Plan of Proposed Easement for Traffic Light Standard on Property of Laurence M. Silver" SITUATE in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described as follows:

BEGINNING at a point of tangent on the Northwesterly side of Fort Washington Avenue (50' wide), said point being measured South Thirty eight degrees Eighteen minutes West ($S38^{\circ} 18' W$) Eleven and Eighty three One-hundredths feet (11.83') from a point of intersection of the Northwesterly side of Fort Washington Avenue extended and the Southwesterly side of Meetinghouse Road extended (41.5' wide) THENCE from the point of beginning and still along the Northwesterly side of Fort Washington Avenue South Thirty eight degrees Eighteen minutes West ($S38^{\circ} 18' W$) Eleven and Eighty four One-hundredths feet (11.84') to a point, THENCE North Fifty one degrees Forty two minutes West ($N51^{\circ} 42' W$) Five feet (5') THENCE in a Northerly direction on the arc of a circle curving to the left having a radius of Fifteen feet (15') the arc distance of Twenty six and Seven One-hundredths feet (26.07') to a point, THENCE North Twenty eight degrees Forty two minutes Fifteen seconds East ($N28^{\circ} 42' 15'' E$) Five feet (5') to a point on the Southwesterly side of Meetinghouse Road, THENCE along the Southwesterly side of Meetinghouse Road South Sixty one degrees Seventeen minutes Forty five seconds East ($S61^{\circ} 17' 45'' E$) Eleven and Eighty four One-hundredths feet (11.84') to a point of curve THENCE on the arc of a circle curving to the right having a radius of Ten feet (10') the arc distance of Seventeen and Thirty eight One-hundredths feet (17.38') to the first mentioned point and place of beginning.

ORDINANCE NO. 685

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE,
TITLE 3, BUILDING AND CONSTRUCTION, CHAPTER 4,
BOCA BASIC PLUMBING CODE.

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

SECTION 1: a. Article 4, Materials, Sec. P-404.2.1 of the BOCA Basic Plumbing Code, shall be amended by deleting from Table P-404.2.1 Above Ground Drainage and Vent Pipe, the following:

Cast Iron (hubless) pipe - CISPI 301.

b. Section P-404.2.2 shall be amended by deleting from Table P-404.2.2 Underground Building Drainage and Vent Pipe, the following:

- Acrylonitrile Butadiene Styrene (ABS) Plastic Pipe
- Cast Iron (hubless) pipe - CISPI 301
- Copper Tubing (Type L)
- Polyvinyl Chloride (PVC) Plastic Pipe

c. Section 404.2.2 Underground Building Drains (sanitary and storm) shall be amended by substituting the words "soft copper tubing" for "hard temper" and this section shall read as follows:

"All underground building drains shall be of cast iron not less than service weight, copper tube having a weight of not less than that of copper water tube Type K, soft copper tubing. The plumber official may permit the use of other approved material. Where threaded joints are used underground, they shall be coal tar coated and wrapped when installed, or otherwise protected in an approved manner."

SECTION 2: Article 5, Joints and Connections, Section P-501.13.2, of the BOCA Basic Plumbing Code shall be deleted, and the following substituted therefor:

"P-501.13.2 Quality and Weight of Materials.

A. Cast Iron Pipe - all cast iron soil pipe and fittings shall be bell and spigot and shall conform to A.S.T.M. Standard Specifications A-74-72, extra heavy or service weight, uncoated with a propane derivative asphalt.

Joint and Connections.

B. Water and Airtight Joints. All joints and connections mentioned under this section shall be made permanently gas and water tight. No paint, varnish or coating shall be permitted until after the joints have been tested and approved.

C. Caulked Joints. Caulked joints for cast iron shall be firmly packed with jute oakum or hemp and shall be secured only with pure molten lead, not less than one (1") inch deep. Lead shall be run to one (1) pouring and calked tight, the lead shall

not extend more than one (1") inch below the rim or hub. For acid resisting cast iron, joints similar to soil pipe shall be made using asbestos rope in lieu of oakum or hemp.

D. Cast Iron. Cast Iron joints may be either leaded and caulked, neoprene slip seal gaskets (ASTM C-564). Neoprene gaskets may only be used underground and above both inside and outside of buildings.

E. Connections to on-site disposal systems. Connections from the house drain five (5') feet outside the building wall to the on-site sewage disposal system shall be cast iron soil pipe and fittings.

Materials

F. (1) The house sewer beginning five (5') feet outside the inner face of the building wall to the sewer lateral shall be cast iron soil pipe and fittings.

(2) The house drain when underground inside the buildings shall be of cast iron soil pipe, lead or (K) copper.

(3) The house drain when above ground inside the building shall be of cast iron soil pipe, galvanized wrought iron or steel, lead, brass or copper of approved standards."

SECTION 3: a. Article 9, Vents and Venting, Section P-909.0 Fixture Vents, of the BOCA Basic Plumbing Code shall be deleted in its entirety, which includes:

| | |
|---------|----------------------------|
| P-909-0 | Fixture Vents |
| P-909-1 | Distance of trap from vent |
| P-909-2 | Venting of fixture drains |
| P-909-3 | Crown venting limitation |
| P-909-1 | Table |

b. Article 9 shall be amended by the addition of the following:

Traps Protected, Vents. Every fixture trap, except hereinafter provided in this rule, shall be protected against siphonage and back pressure, and air circulation assured by means of a soil or waste stack vent, a continuous waste or soil vent, or a loop or circuit vent. No crown vent shall be installed.

Water closets placed within eight (8') feet and other fixtures placed within twelve (12') feet of the soil or waste stack need not be back-vented, providing, other fixtures not to exceed twice the number of water closets may discharge into the lines specified for soil pipes without increasing their size. The vertical soil pipes must extend full size as direct as possible from the basement to a point at least one (1') foot above the roof. Any branch line with two (2) or more fixtures shall be vented. When a building is 40 feet or less in height, a three (3") inch vertical soil pipe may be used for one (1) water closet and three (3) other fixtures, each of which shall not exceed two (2") inches in diameter.

The following table for size of house sanitary drains shall apply:

Grade 1/4" per foot

Horizontal line of soil pipes

Vertical lines of soil pipes

4"6 water closets
5" 12 water closets
6" 20 water closets

4"9 water closets
5" 18 water closets
6" 30 water closets

ENACTED AND ORDAINED this 14th day of May, 1985.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: Patrick J. Pella
President

Attest: Gregory N. Klemick
Secretary

ORDINANCE No. 686

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN PROVIDING FOR THE WIDENING OF VIRGINIA DRIVE AT THE INTERSECTION WITH SUSQUEHANNA ROAD AND AUTHORIZING THE CONDEMNATION OF PROPERTY FOR SUCH PURPOSE.

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

SECTION 1. Pursuant to Section 2005 of the Act of June 24, 1931, P.L. 1206, as amended, 53 P.S. Section 57005, the Board of Commissioners determines that in its judgment that for the public convenience it is necessary to widen Virginia Drive at its intersection with Susquehanna Road, Upper Dublin Township, Montgomery County, Pennsylvania. Such widening shall be accomplished in accordance with the plan for such widening as prepared by the Township Engineer and bearing the date of 19 , a copy of which is incorporated herein by reference.

SECTION 2. Pursuant to Section 1901 of the Act of June 24, 1931, P.L. 1206, as amended, 53 P.S. Section 56901, the proper officials of the Township are hereby authorized to institute proceedings under the Pennsylvania Eminent Domain Code to condemn such property, right of way or easements as may be required to carry out such widening and in lieu of such condemnation to receive agreements or dedication of property, right of way or easements as may be required to carry out the interest and purposes of this ordinance.

ENACTED AND ORDAINED this 11th day of June A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By Patrick J. Zells
President

Attest Gregory N. Klemick
Secretary

ORDINANCE No. 687

AN ORDINANCE LAYING OUT THAT PORTION OF RANDOLPH AVENUE BEGINNING APPROXIMATELY 200 FEET EAST FROM ITS INTERSECTION WITH GLENCOE AVENUE IN AN EASTERLY DIRECTION, APPROXIMATELY 215 FEET, BEING 50 FT. WIDE, TO THE PROPERTY LINE OF THE STUART CREEK FARMS SUBDIVISION, WITHIN UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, the hereinafter described portion of ground was laid out but never physically opened; and

WHEREAS, the Township of Upper Dublin has never exercised any control or jurisdiction over said strip of ground; and

WHEREAS, in the opinion of the Commissioners of said Township said strip of ground would not be necessary or useful for the convenience of the public; and

WHEREAS, proper notice has been given to the property owners affected and are held in conformity with Section 2007 Article XX of Act of June 24, 1931, P.L. 1206, as amended.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township and it is hereby enacted by authority of the same as follows:

SECTION 1. The described tract of land as set forth in Exhibit "A" attached hereto and made part of this ordinance be and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as and for a public highway, all in accordance with the Act of Assembly in such case made and provided.

SECTION 2. The proper officers of the Township are authorized and directed to make a written report, together with a draft or survey of the aforesaid road and the names of the owners of property abutting thereon, and file the same on behalf of the Township in the Office of the Clerk of Courts of Montgomery County.

SECTION 3. That within ten (10) days after the passage of this ordinance, the proper officers of the Township are authorized and directed to give notice of the passage and approval of this ordinance by handbills posted in conspicuous places along the line of proposed laying out.

ENACTED AND ORDAINED this 9th day of July, A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By *Robert J. Zall*
President

Attest

Gregory N. Klomick
Secretary

DEED DESCRIPTION

For

PORTION OF RANDOLPH AVENUE TO BE VACATED

ALL THAT CERTAIN lot or piece of land designated as "Portion of Randolph Avenue to be Vacated", situate in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a plan prepared by Upper Dublin Township, dated July 1, 1985 and titled "Plan of Randolph Avenue, East of Glencoe Avenue" as follows:

BEGINNING at a point on the Southerly side Randolph Avenue (50' wide), said point being measured South Eighty degrees Fifty minutes East ($S80^{\circ}50'E$) Two Hundred and No One-hundredths feet (200.00') along the Southerly side of Randolph Avenue from a point of intersection of the Southerly side of Randolph Avenue with the Easterly side of Glencoe Avenue (50' wide), THENCE crossing Randolph Avenue North Nine degrees Ten minutes East ($N9^{\circ}10'E$) Fifty and No One-hundredths feet (50.00') to a point on the Northerly side of Randolph Avenue, THENCE along the Northerly side of Randolph Avenue South Eighty degrees Fifty minutes East ($S80^{\circ}50'E$) Two Hundred Fourteen and Forty Three One-hundredths feet (214.43') to a point on the Southeasterly terminus of Randolph Avenue, THENCE along the Southeasterly terminus of Randolph Avneue South Forty Three degrees Fifty Eight minutes Fifty Three seconds West ($S43^{\circ}58'53"W$) Sixty and Ninety One-hundredths feet (60.90') to a point on the Southerly side of Randolph Avenue, THENCE along the Southerly side of Randolph Avenue North Eighty degrees Fifty minutes West ($N80^{\circ}50'W$) One Hundred Seventy Nine and Sixty Six One-hundredths feet (179.66') to the first mentioned point and place of beginning.

CONTAINING Nine Thousand Eight Hundred Fifty Two square feet more or less (9852± S.F.).

Exhibit "A"

ORDINANCE NO. 688

AN ORDINANCE VACATING THAT PORTION OF RANDOLPH AVENUE BEGINNING APPROXIMATELY 200 FEET EAST FROM ITS INTERSECTION WITH GLENCOE AVENUE IN AN EASTERLY DIRECTION, APPROXIMATELY 215 FEET, BEING 50 FT. WIDE, TO THE PROPERTY LINE OF THE STUART CREEK FARMS SUBDIVISION, WITHIN UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, in the opinion of the Commissioners of said Township, the aforesaid public road would not be necessary to or useful for the convenience of the public; and

WHEREAS, the Township has been requested to vacate the hereinafter described road; a public hearing has been held on the question of the vacation of the hereinafter described road in conformity with Section 2005, Article XX of Act of June 24, 1931, P.L. 1206, as amended; and

WHEREAS, in the judgment of the Board of Commissioners, the said road serves no useful public purpose or convenience.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do hereby ENACT AND ORDAIN:

SECTION 1. The described tract of land as set forth in Exhibit "A" attached hereto and made part of this ordinance be vacated as a public highway and that all the right, title and interest of the Township of Upper Dublin therein are hereby divested.

SECTION 2. That the proper officers of the Township are authorized and directed to make a written report together with a draft or survey of the aforesaid public highway and the names of the owners of property abutting thereon and file the same on behalf of the Township in the Office of the Clerk of Courts in and for the County of Montgomery.

SECTION 3. That within ten (10) days after the passage of this ordinance the proper officers of the Township are authorized and directed to give notice of the passage and approval of this ordinance by having handbills posted in conspicuous places along the line of the proposed vacation.

ENACTED AND ORDAINED this 9th day of July, A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By Robert J. Kelly
President

Attest Gregory N. Klemick
Secretary

DEED DESCRIPTION

For

PORTION OF RANDOLPH AVENUE TO BE VACATED

ALL THAT CERTAIN lot or piece of land designated as "Portion of Randolph Avenue to be Vacated", situate in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania, bounded and described according to a plan prepared by Upper Dublin Township, dated July 1, 1985 and titled "Plan of Randolph Avenue, East of Glencoe Avenue" as follows:

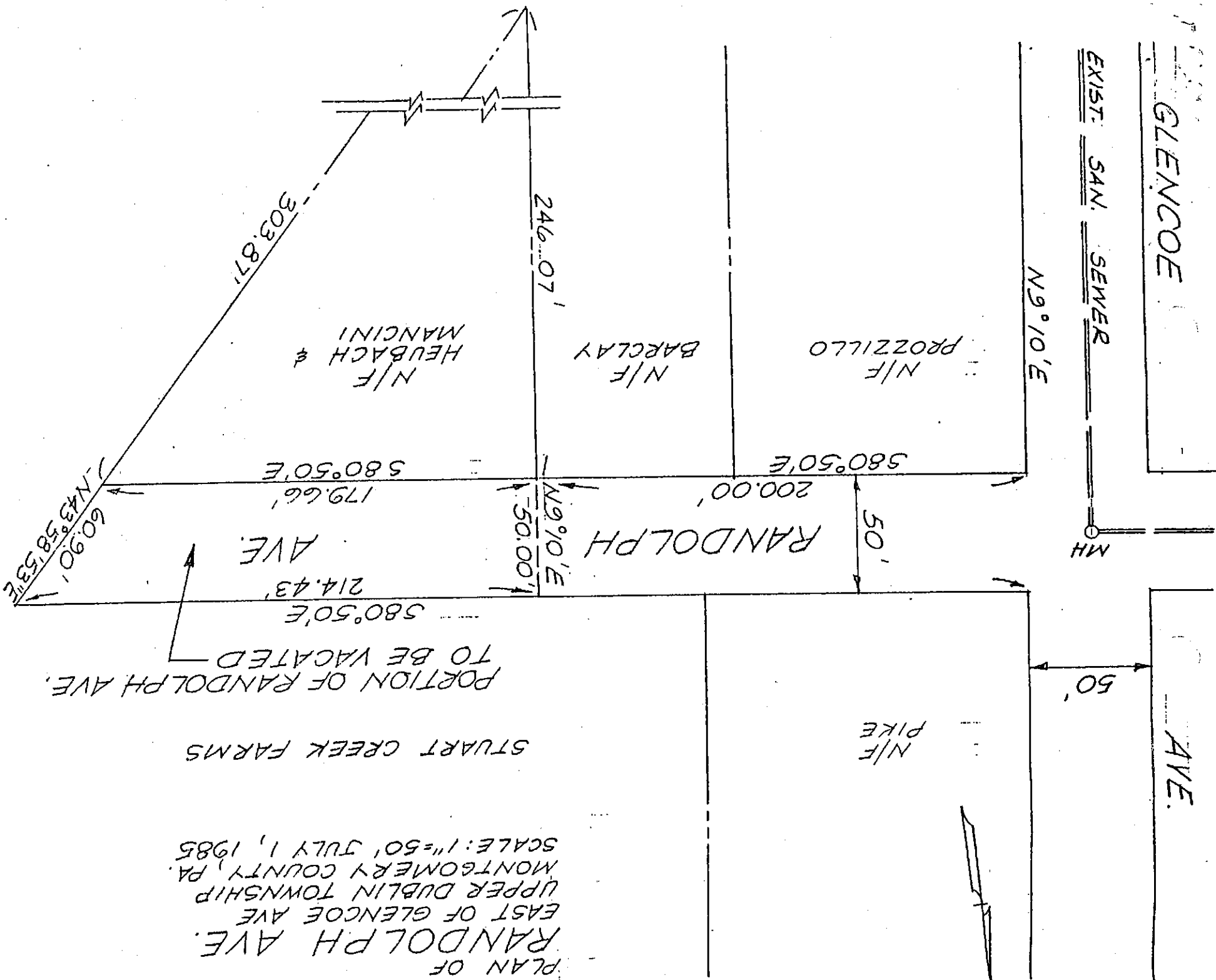
BEGINNING at a point on the Southerly side Randolph Avenue (50' wide), said point being measured South Eighty degrees Fifty minutes East ($S80^{\circ}50'E$) Two Hundred and No One-hundredths feet (200.00') along the Southerly side of Randolph Avenue from a point of intersection of the Southerly side of Randolph Avenue with the Easterly side of Glencoe Avenue (50' wide), THENCE crossing Randolph Avenue North Nine degrees Ten minutes East ($N9^{\circ}10'E$) Fifty and No One-hundredths feet (50.00') to a point on the Northerly side of Randolph Avenue, THENCE along the Northerly side of Randolph Avenue South Eighty degrees Fifty minutes East ($S80^{\circ}50'E$) Two Hundred Fourteen and Forty Three One-hundredths feet (214.43') to a point on the Southeasterly terminus of Randolph Avenue, THENCE along the Southeasterly terminus of Randolph Avneue South Forty Three degrees Fifty Eight minutes Fifty Three seconds West ($S43^{\circ}58'53"W$) Sixty and Ninety One-hundredths feet (60.90') to a point on the Southerly side of Randolph Avenue, THENCE along the Southerly side of Randolph Avenue North Eighty degrees Fifty minutes West ($N80^{\circ}50'W$) One Hundred Seventy Nine and Sixty Six One-hundredths feet (179.66') to the first mentioned point and place of beginning.

CONTAINING Nine Thousand Eight Hundred Fifty Two square feet more or less (9852± S.F.).

PLAN OF
 RANDOLPH AVE.
 EAST OF GLENCOE AVE
 UPPER DUBLIN TOWNSHIP,
 MONTGOMERY COUNTY, PA.
 SCALE: 1"=50' JULY 1, 1985

STUART CREEK FARMS

PORTION OF RANDOLPH AVE.
 TO BE VACATED



ORDINANCE NO. 689

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, ARTICLE 2, DEFINITIONS, ARTICLE 9, OFF-STREET PARKING AND LOADING, AND ARTICLE 12, "LIM" LIMITED INDUSTRIAL DISTRICT.

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

SECTION 1: Article 2, Definitions, Section 2.01, Definitions, shall be amended by the addition of the following:

AAC. Impervious Surface. Any surface which does not absorb rain and includes all buildings, roads, sidewalks, parking areas, and any area paved in concrete or asphalt.

SECTION 2: Article 9, Off-Street Parking and Loading, Section 9.00, Required Off-Street Parking Facilities, shall be amended as follows:

A. Section 9.00, 4 (e) shall be deleted and the following substituted therefor:

(e) Office Building or Wholesale Establishment: For any office or wholesale establishment not located in the "LIM" Limited Industrial District the following provisions shall apply: One (1) parking space for every two hundred (200) square feet of gross floor area. Up to twenty (20%) percent of this required parking area may be placed in reserve and left unpaved upon a showing by the owner that such parking area is not required for the use of the building contemplated. Such reserve parking area may not be provided in an area that would not otherwise be usable for parking because of the requirements of this or any other ordinance. The owner will be required to pave such reserve parking area or any part of it upon an inspection by the Zoning Office, showing that the parking area is overburdened and that additional parking area is required.

B. Section 9.00, 4 (g) shall be deleted and the following substituted therefor:

(g) Laboratory or Industrial Establishment:

1. A minimum of one (1) parking space exclusive of travel lanes, shall be provided for every three-hundred and fifty (350) square feet of gross floor area. Parking areas must comply with the standards of Section 12.14C. and 12.15.

2. Additional parking may be required for employees and visitors. To determine if additional parking is needed, the following calculations shall be performed:

(a). Calculate the number of parking spaces required by Subsection 1 above.

(b). Calculate the maximum number of employees that reasonably are to be expected on the premises during any given eight (8) hour period or for multi-shift operations the total number of persons employed on the largest shift. One (1) parking space shall be assigned to each employee plus an additional five (5%) percent for visitor parking.

(c). If (a) is greater than (b), no additional parking is required. If (b) is greater than (a), then the difference shall be added to the number required in Subsection 1 above.

SECTION 3: Article 12, "LIM" Limited Industrial District, Section 12.01, Use Regulations, shall be amended as follows:

A. Section 12.01, H, and sub-paragraphs (a), (b) and (c) shall be deleted and the following substituted therefor:

H. 'Office Buildings' - shall be permitted in the "LIM" Limited Industrial District provided the following provisions are strictly followed and maintained:

(a) The lot area shall not be less than the district average as specified in Section 12.14A.

(b) The maximum impervious surface of a lot shall not exceed fifty (50%) percent of the total lot area. The maximum allowable impervious surface is given as an impervious surface ratio, or that portion of the site which may be covered by building, paving, or other impervious materials. The ratio is calculated by dividing the total impervious surface by the gross area of the site. The remainder of the lot shall be planted and maintained with live vegetative cover to the satisfaction of the Board of Commissioners.

(c) The maximum height of any office building erected or enlarged in a "LIM" Limited Industrial District shall be limited to four (4) stories and a maximum height of fifty (50) feet. The height of an office building shall be a building's vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and lowest point of the roof-level. Increased height about the main roof is permitted to accommodate the following:

(Subparagraphs 12.01, H (c) subparagraphs 1 and 2 remain unchanged)

B. Section 12.01, H, subparagraph (d) shall be deleted and the following substituted therefor:

(d) The gross floor area based on the outside perimeter of the building shall not exceed twelve thousand five hundred (12,500) square feet per acre of lot area.

C. Section 12.01, H, subparagraph (e) shall be amended by the addition of the following subsection:

1. Up to a maximum of twenty-five (25%) percent of the required parking may be held in reserve if the applicant can show, to the satisfaction of the Board of Commissioners, that the additional parking will not be needed. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces normally required shall be fully designed, and the area which is proposed to be eliminated shall be shown as "Parking Reserve Area". The Parking Reserve Area shall be considered as impervious surface when calculating the fifty (50%) percent impervious surface ratio. The Parking Reserve Area shall be planted with vegetative cover and integrated into the site's land development plan. Such area shall be required to be developed as designed if and when the Zoning Officer determines the need.

D. Section 12.01, H, shall be further amended by the addition of the following sub-sections:

(g) Where a lot is to be improved with two (2) or more different uses, the standards regulating office development shall apply where the office use comprises more than twenty-five (25%) percent of the total development.

(h) All conversions must meet all requirements of this district the same as though the property being converted were new construction.

E. Section 12.14, Area and Yard Regulations, Paragraph A, Floor Area Ratio, shall be deleted in its entirety.

F. Section 12.14, Area and Yard Regulations, Paragraph B, Lot Area, shall be deleted in its entirety, become Paragraph A, and the following substituted therefor:

A. Lot Area. No "LIM" Limited Industrial District shall be less than ten (10) acres. For the subdivision of two (2) or more lots, the average of the lots must equal a minimum of six (6) acres with two (2) acres being the minimum permissible lot size.

Example: A twelve (12) acre lot may be subdivided into:

1. Two (2) six (6) acre lots;
2. One (1) two (2) acre lot and one (1) ten (10) acre lot;
3. One (1) four (4) acre lot and one (1) eight (8) acre lot.

(Section 12.14, C, through Section 12.14, D, 6, now becomes Section 12.14, B, through Section 12.14, C, 6.)

G. Section 12.14, Area and Yard Regulations, Sub-section C, Yard Requirements, shall be amended by the addition of the following:

7. Parking - Non Office Uses. Parking for any non-office use must be in compliance with the standards specified in Section 9.00 (g).

8. Reserve Parking. Up to a maximum of fifty (50%) percent of the required parking may be held in reserve if the applicant can show, to the satisfaction

of the Board of Commissioners, that the additional parking will not be needed. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces normally required shall be fully designed, and the area which is proposed to be eliminated shall be shown 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.

9. Change of Use. A re-evaluation of parking capacity shall be required upon a change in status (use; building additions; number of employees). Following re-evaluation, the Commissioners may require installation of additional parking spaces, upon recommendation of the Township Zoning Officer and Engineer.

10. Impervious Surface. The maximum impervious surface of a lot shall not exceed seventy-five (75%) percent of the total area. The maximum allowable impervious surface is given as an impervious surface ratio, or that portion of the site which may be covered by building, paving, or other impervious materials. The ratio is calculated by dividing the total impervious surface by the gross area of the site. The remainder of the lot shall be planted and maintained with live vegetative cover to the satisfaction of the Board of Commissioners.

H. Section 12.15, Limited Industrial Use and Construction, shall be amended by the deletion of the first two sentences, so this section shall now read as follows:

Parking and loading requirements shall be subject to review as specified in Section 12.16 below. All parking area and traveling lanes shall be constructed with minimum four (4") inch stone base and minimum one and one-half (1 1/2") inch bituminous concrete wearing surface or other types of construction as may be approved by the Township Engineer.

I. Section 12.16, Application and Review by the Planning Commission. Approval or Disapproval by the Board of Commissioners, Sub-paragraph D, 7, shall be deleted and the following substituted therefor:

7. That adequate off-street parking and loading space is provided (in accordance with Section 9.00, Section 12.14 C. and Section 12.15) as an integral part of the plan.

ENACTED AND ORDAINED this 13th day of August, A.D., 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: Patricia J. Hill
President

Attest: Gregory N. Klemick
Secretary

6/5/85

6/6/85

TOWNSHIP OF UPPER DUBLIN

Ordinance No. 690

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN SETTING FORTH UNIFORM REQUIREMENTS FOR DIRECT AND INDIRECT CONTRIBUTORS INTO THE AMBLER WASTEWATER COLLECTION SYSTEM IN ORDER FOR THE TOWNSHIP TO COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS PROVIDING FOR REGULATIONS CONCERNING DISCHARGES OF WASTEWATER AND POLLUTANTS INTO THE SEWER SYSTEM, AND PROVIDING FOR PENALTIES FOR VIOLATION OF PROVISIONS OF THE ORDINANCE

1.0 GENERAL PROVISIONS

1.1 Purpose and Policy

This ordinance sets forth uniform requirements for direct and indirect contributors into the wastewater collection system for the area of the Township of Upper Dublin which drains into the Ambler Joint Wastewater Treatment Plant (hereinafter "Township"), and enables Township to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403).

The objectives of this ordinance are:

- a. To prevent the introduction of pollutants into the municipality wastewater system which will interfere with the operation of the system or contaminate the resulting sludge at the POTW(s) servicing Township.
- b. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the system.
- c. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
- d. To provide for equitable distribution of the cost of the municipal wastewater system.

This ordinance provides for the regulation of direct and indirect contributors to the municipal wastewater system servicing the drainage area into the Ambler Joint Wastewater Treatment Plant through the issuance of permits to certain non-domestic Users, and through enforcement of general requirements for the other Users; authorizes monitoring and enforcement activities; requires User reporting; assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This ordinance shall apply to Township and to persons outside the Township who are Users of the Township POTW, known as the Ambler Joint Wastewater Treatment Plant. This ordinance and any regulations hereunder shall apply to only that part of Township that is served by and flows into the Ambler Joint Wastewater Treatment Plant. Except as otherwise provided herein, the Manager of the Township POTW shall administer, implement, and enforce the provisions of this ordinance.

1.2 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases as used in this ordinance shall have the meanings hereinafter designated:

1. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
2. Ambler. The Borough of Ambler.
3. Approval Authority. The Director in an NPDES state with an approved State Pretreatment Program, and the Administrator of the EPA in a non-NPDES state, or NPDES state without an Approved State Pretreatment Program.
4. Authorized Representative of Industrial, Commercial, Institutional or Significant Industrial User. An authorized representative of an Industrial User may be: 1) a principal executive officer of at least the level of vice president, if the User is a corporation; 2) a general partner or proprietor if the User is a partnership or proprietorship, respectively; 3) a duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
5. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20°C, expressed in terms of weight and concentration (milligrams per liter (mg/l)).

6. Building Sewer. A sewer conveying wastewater from the premises of a User to the POTW.
7. Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standards.
8. Cooling Water. The water discharged from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
9. Control Authority. The term "control authority" shall refer to the "Approval Authority," as defined hereinabove; or the Manager if Ambler has an approved pretreatment program under the provisions of 40 CFR 403.11; or the Manager of Township, if Township has an approved pretreatment program under the aforesaid provisions.
10. Direct Discharge. The discharge of treated or untreated wastewater directly to the water of the State of Pennsylvania.
11. Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
12. Grab Sample. A sample which is taken from a waste stream on a one-time basis, with no regard to the flow in the waste stream and without consideration of time.
13. Holding Tank Waste. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
14. Indirect Discharge. The discharge or the introduction of pollutants into the POTW, including holding tank waste discharged into the system.
15. Industrial, Commercial or Institutional User. An industrial, commercial or institutional source of indirect discharge.
16. Industrial, Commercial or Institutional User Permit. As set forth in section 4.2 of this ordinance.

16. Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of Ambler's NPDES Permit. The term includes prevention of sewage sludge use or disposal criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria, including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA applicable to the method of disposal or use employed by the POTW.
17. Manager. The person designated by the Township to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.
18. National Categorical Pretreatment Standard or Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347), which applied to a specific category of Industrial Users.
19. National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307(b) of the Act and 40 CFR Section 403.5.
20. New Source. Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) Categorical Pretreatment Standard which will be applicable to such sources, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
21. National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
22. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, any other legal entity or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
23. pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

25. Pollution. The manmade or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
26. Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.
27. Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, or process changes other means, except as prohibited by 40 CFR Section 403.6(d).
28. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment other than a National Pretreatment Standard imposed on an Industrial User.
29. Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by Ambler and operated for the benefit of Ambler and for the areas of the Townships of Lower Gwynedd, Upper Dublin, Whitpain, and Whitemarsh served by the POTW pursuant to an agreement between and among the said municipalities dated December 16, 1959, as amended by several subsequent agreements. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purposes of this ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons inside or outside Ambler and/or the Townships who are users of the POTW.
30. POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater which is located in the Township of Upper Dublin and operated by Ambler on behalf of the Municipalities that own and operate the Treatment Plant known as the Ambler Joint Wastewater Treatment Plant.
31. Shall is mandatory; May is permissive.

32. Significant Industrial User. Any Industrial User of Township's wastewater disposal system who, 1) has a discharge flow of 25,000 gallons or more per average work day; or 2) has a flow greater than five (5) percent of the flow in Ambler's wastewater treatment system; or 3) has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or Pennsylvania Statutes and rules; or 4) is found by Ambler, Pennsylvania Department of Environmental Resources (DER), or the U.S. Environmental Protection Agency (EPA) to have significant impact either singly or in combination with other contributing industries or users on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.
33. Significant User Permit. As set forth in Section 4.3 of this ordinance.
34. State. State of Pennsylvania.
35. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972.
36. Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
37. Suspended Solids. The total suspended matter that floats on the surface or is suspended in water, wastewater, or other liquids, and which is removable by laboratory filtering.
38. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provision of CWA 307(a) or other acts.
39. Township. The Township of Upper Dublin.
40. Upper Dublin. The Township of Upper Dublin.
41. User. Any person who contributes, causes, or permits the contribution of wastewater into the POTW.
42. Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated which in contributed into or permitted to enter the POTW.

43. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulation of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

1.3 Abbreviations

The following abbreviations shall have the designated meanings:

| | |
|---------|--|
| * BOD | Biochemical Oxygen Demand |
| * CFR | Code of Federal Regulations |
| * COD | Chemical Oxygen Demand |
| * EPA | Environmental Protection Agency |
| * l | Liter |
| * mg | Milligrams |
| * mg/l | Milligrams per liter |
| * NPDES | National Pollutant Discharge Elimination System |
| * POTW | Publicly Owned Treatment Works |
| * SIC | Standard Industrial Classification |
| * SWDA | Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq. |
| * USC | United States Code |
| * TSS | Total suspended solids |

2.0 REGULATIONS

2.1 General Discharge Prohibitions

No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such Users of a POTW, whether or not the User is subject to National Categorical Pretreatment Standards or any other national, state, or local pretreatment standards or requirements. A User may not contribute the following substances to the POTW:

- a. Any liquids, solids, or gases which by reason of their nature or quantity are, or may sufficient either alone or by interaction with other substances to cause fire or explosion, or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to gasoline, fuel oil, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, hydrides, sulfides, and any other substance which Ambler, Township, the State, or the EPA has notified the User is a fire hazard or a hazard to the system.
- b. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities, such as, but not limited to grease, garbage with particles greater than one-half-inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grinding, or polishing wastes.
- c. Any wastewater having a pH less than 5.0 or greater than 10.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- d. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure, to interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters or the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.
- e. Any noxious or malodorous liquids, gases, or solids which either singly or be interaction with other wastes are sufficient to create a public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for maintenance and repair.
- f. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums to be unsuitable for reclamation and reuse, or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge

use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.

- g. Any substance which will cause the POTW to violate its NPDES Permit and/or State Disposal System Permit or the receiving water quality standards.
- h. Any wastewater with objectionable color not removed in the treatment process such as, but not limited to dye wastes and vegetable tanning solutions.
- i. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW's which exceeds 40°C (104°F), unless the POTW treatment plant is designed to accommodate such temperature.
- j. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which cause interference to the POTW. In no case shall a sludge load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than 15 minutes more than five (5) times the average 24-hour concentration, quantities, or flow during normal operation.
- k. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the manager in compliance with applicable State or Federal regulations.
- l. Any wastewater which causes a hazard to human life or creates a public nuisance.
- m. Stormwater, groundwater, roof runoff, subsurface drainage, or cooling water.

When the Township Manager determines that a User is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Manager shall advise the User of the impact of the contribution on the POTW, and develop effluent limitations for such User to correct the interference with the POTW.

When Ambler is in receipt of information by which it determines that the provisions of this section are not being carried out, Ambler, upon notice to Upper Dubin, and accompanied by a representative thereof, shall have the right to enforce the provisions of this section.

2.2 Building Sewers and Connections. The term "Manager" herein refers to the Township Manager.

2.2.1 No unauthorized persons shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Manager or designee.

2.2.2 There shall be two classes of building sewer permits: a) for residential and commercial service, and b) for service to Industrial Users. In either case, the owner or his agent shall make application on a special form furnished by Township. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of Township. A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to Township at the time the application is filed. All building sewer permit applications under (b) above, shall be reviewed and approved in writing by Township prior to permit issuance. Permit and inspection fees for sewer permits shall be in such amounts as may be established from time to time by Township through Resolution.

2.2.3 All costs and expenses incidental to the installation, connection, and maintenance of the building sewer shall be borne by the owner or user, who shall indemnify Township from any loss or damage that may directly or indirectly be caused by the installation of the building sewer.

2.2.4 A separate and independent building sewer shall be provided for every building or any part of any building as may be determined by Township.

When Ambler is in receipt of information by which it determines that the provisions of this section are not being carried out, Ambler, upon notice to Upper Dublin, and accompanied by a representative thereof, shall have the right to enforce the provisions of this section.

2.2.5 Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by Township, to meet all requirements of this Ordinance.

2.2.6 The size, slope, alignment, materials or construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall conform to the requirements of the building and plumbing codes and/or other applicable rules and regulations of Township.

In the absence of code provisions or in amplification therefore, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

2.2.7 In order to prevent grease, oil and sand from being discharged into the public sewage system, all hospitals, nursing homes, hotels, restaurants, and any other establishments engaged in the preparation, processing or sale of food shall install and properly maintain one or more grease traps of a type and capacity approved by Township, and same shall be located so as to be readily and easily accessible for cleaning and inspection. If any other user in the opinion of the Township discharges a quantity of grease, oil or sand in its sewage so as to warrant the installation and maintenance of one or more grease traps, same shall be installed and maintained in accordance with these regulations at the direction of the Township.

- 2.2.8 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a method approved by Township and discharged to the building sewer.
- 2.2.9 No person shall make connection of sump pumps, roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a POTW unless such connection is approved in writing by Township for purposes of disposal of polluted surface drainage.
- 2.2.10 The connection of the building sewer into the POTW shall conform to the requirements of the building and plumbing code or other applicable rules and regulations set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas-tight and water-tight, and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by Township before installation.
- 2.2.11 The applicant for the building sewer permit shall notify the Manager when the building sewer is ready for inspection and connection to the POTW. The connection to the public sewer and testing shall be made under the supervision of the Manager or his representative.
- 2.2.12 All excavations for building sewer installation shall be adequately guarded with barricades and lights, so as to protect the public from hazard. Streets, sidewalks,

parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to Township.

2.2.13 No excavation, construction, or connection work shall be commenced within an Ambler right-of-way until the owner, his agents and/or independent contractor shall have first filed a bond in double the amount of the cost of the work to be performed as determined by Township, agreeing to indemnify and save harmless Township against any and all loss, damages, costs, and expenses which Township may thereafter suffer, incur, or pay by reason of the failure to complete properly any of the aforesaid excavation, construction, or connection work.

2.2.14 The term "owner" as used herein, shall be deemed to include the owner or owners in fee simple, lessees of the premises, occupiers of the premises, users, and all other parties having a use or interest in the premises and occupying the same with or without the consent and permission of the owner of the fee title.

2.2.15 Sanitary sewers installed with unused points of connection for building sewers shall have said points of connection capped for watertight integrity prior to connection of the building sewer. The method of capping shall be one approved by the Manager.

2.3 Federal Categorical Pretreatment Standards

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under

this Ordinance for sources in that subcategory, shall immediately supercede the limitations imposed under this Ordinance. Township shall notify all affected Industrial Users or Significant Industrial Users of the applicable reporting requirements under 40 CFR Section 403.12. Each User to whom the requirements apply shall be responsible to notify Township of changes to their status under the Federal, State, or Local regulations.

2.4 Modification of Federal Categorical Pretreatment Standards

Where Township's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, Township may apply to the approval authority for modifications of specific limits in the Federal Pretreatment Standards. "Consistent removal" shall mean the reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403 - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. Township may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR Part 403, Section 403.7 are fulfilled and prior approval from the approval authority is obtained.

2.5 Specific Pollutant Limitations

No person shall discharge wastewater containing in excess of:

| | mg/l |
|-----------------------------------|--------|
| - Arsenic | 0.1 |
| Barium | 4.0 |
| Boron | 1.0 |
| - Cadmium | 2.0 |
| - Chrome (total) | 2.0 |
| Chrome (hexavalent) | 0.1 |
| - Copper | 1.0 |
| Cyanide | 0.2 |
| Endrin | 0.0004 |
| Fluoride | 4.0 |
| Iron | 5.0 |
| - Lead | 0.1 |
| Lindane | 0.008 |
| - Mercury | 0.01 |
| Methoxychlor | 0.2 |
| - Nickel | 1.0 |
| Phenol | 0.5 |
| Selenium | 0.04 |
| - Silver | 0.10 |
| Tin | 3.0 |
| Total Halogenated Organics | 5.0 |
| Total for all Priority Pollutants | 30.0 |
| Toxaphene | 0.01 |
| Vanadium | 3.0 |
| - Zinc | 4.0 |
| 2,4-D | 0.2 |
| 2,4,5-TP Silvex | 0.02 |

All wastewater entering Township's collection system shall be pretreated to normal domestic levels unless otherwise stated in writing by Township by way of User Permit. These levels shall be:

*BOD - 250 mg/l

*Ammonia Nitrogen - 25 mg/l as N

*Suspended Solids - 250 mg/l

TKN - 40 mg/l as N

Total Phosphorus - 10 mg/l as P

TDS - 750 mg/l

*Township shall impose a surcharge by Resolution, by its rate ordinance, or by including same in any permit for any violation by these limitations.

2.6 State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations, or those in this Ordinance.

2.7 Township's Right of Revision

Township reserves the right to establish by Ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1.1 of this Ordinance.

2.8 Excessive Discharge

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 the limitations contained in the Federal Categorical Pretreatment Standards, or with any other pollutant-specific limitations developed by Ambler, Township, State or Federal agencies.

2.9 Accidental Discharge

Each industrial, commercial, institutional or significant industrial User (hereafter "User" in section 2.9, 2.10, and 2.11) shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection

shall be submitted to Township for review, and shall be approved by Township before construction of the facility. All existing Users shall complete such a plan within six (6) months of the effective date of this Ordinance. No User who commences contribution to the POTW after the effective date of this Ordinance shall be permitted to introduce pollutants into the system until the accidental discharge procedures have been approved by Township. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify its facility, as necessary, to meet the requirements of this Ordinance. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

2.10 Written Report

Within five (5) days following an accidental discharge, the User shall submit to the Ambler Manager and the Township Manager a detailed written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences and to mitigate any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW or aquatic life or any other damage to person or property. Such report shall not relieve the User of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

2.11 Notice to Employees

A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall

ensure that all employees who may cause or suffer such a dangerous discharge to occur, are advised of the emergency notification procedures.

3.0 FEES

3.1 Purpose

It is the purpose of this section to provide for the recovery of costs from Users of Township's wastewater collection system for the implementation of the program established herein. The applicable charges or fees shall be set forth by Resolution in Township's Schedule of Charges and Fees.

3.2 Charges and Fees

Township may adopt charges and fees which may include:

- a. Fees for reimbursement of costs of setting up and operating the Township's sewer use ordinance and pretreatment program.
- b. Fees for monitoring, inspections, and surveillance procedures.
- c. Fees for reviewing accidental discharge procedures and construction.
- d. Fees for permit application.
- e. Fees for filing appeals.
- f. Fees for consistent removal by Township of pollutants otherwise subject to federal pretreatment standards.

- g. Other fees Township may deem necessary to carry out the requirements contained herein, including but not limited to fees necessary for the Township to recover its legal, engineering and administrative costs incurred in the implementation and enforcement of this Ordinance.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by Township.

4.0 ADMINISTRATION

4.1 Wastewater Discharges

It shall be unlawful to discharge without a permit or connect to any POTW within Township, or in any area under the jurisdiction of Township, or to the POTW any wastewater except as authorized in writing by Township in accordance with the provisions of this Ordinance. The development of the permit procedure and its application to all users in determining the conditions and terms of all permits shall be carried out by both Township and Ambler.

4.2 Industrial, Commercial or Institutional User Permit

- 4.2.1 All industrial, commercial or institutional Users proposing to connect to and contribute to the POTW shall obtain a User Permit before connecting to or contributing to the POTW. All existing industrial, commercial or institutional Users shall obtain a User Permit within 180 days after the effective date of this Ordinance.

4.2.2 The Manager and/or Township shall require an industrial, commercial or institutional User of sewer services to provide information needed to determine compliance with this Ordinance or other applicable local, state, or federal laws, rules, or regulations. These requirements shall include:

1. Wastewater discharge peak rate and volume records over a specified time period.
2. Information on wastewater constituents and characteristics including but not limited to those items identified and prohibited by section 2 of this Ordinance as well as raw materials, processes, and products affecting wastewater volume and quality.
3. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
4. A plot plan of sewers on the User's property showing sewer facility locations and all proposed sewer connections to these facilities.
5. Details of systems to prevent and control storm water from entering municipal sewers.
6. All costs incurred for the information described in Section 4 shall be paid by the User of the sewer services in addition to other charges and sewer rentals.

4.2.3 All measurements, tests, and analyses of the characteristics of waters and wastewaters to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis, subject to approval by the Manager and/or Township.

4.2.4 The industrial, commercial or insitutional User shall be responsible for submitting all applicable county, regional, state, or federal permits or planning documents required for approval of sewer connection.

4.3 Significant Industrial User. The use of the word "User" in sections 4.3.1 to and including section 4.3.7.2 shall mean only Significant Industrial User.

4.3.1 Permit

All Significant Industrial Users proposing to connect to or contribute to the POTW shall obtain a Significant Industrial Permit before connecting to or contributing to the POTW. All existing, Significant Industrial Users connected to or contributing to the POTW shall apply for a Significant Industrial User Permit within 180 days after the effective date of this Ordinance.

Where a User becomes subject to a new National Categorical Pretreatment Standard, but has not previously submitted an application for a Significant Industrial User Permit as required hereunder, the User shall apply for a Significant Industrial User Permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard.

4.3.2 Permit Application

A Significant Industrial User required to obtain a Significant Industrial User Permit shall complete and file with Township, an application in the form prescribed by Township and be accompanied by a fee as required by Township by Resolution.. In

support of the application, the Significant Industrial User shall submit in units and terms appropriate for evaluation, the following information:

- a. Name, address, and location (if different from the address).
- b. SIC number, according to the Standard Industrial Classification Manual, Bureau of the Budget 1972, as amended.
- c. Wastewater constituents and characteristics, including but not limited to those mentioned in Section 2 of this Ordinance, as determined by a reliable analytical laboratory subject to the approval by Township; sampling and analyses shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act, and contained in 40 CFR, Part 136, as amended.
- d. Time and duration of contribution.
- e. Average daily and 3-minute peak wastewater flow rates, including daily, monthly, and seasonal variation, if any.
- f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation.
- g. Description of activities, facilities, and plant processes on the premises, including all materials which are or could be discharged.
- h. The nature and concentration of any pollutants in the discharge which are limited by Township, State, or Federal pretreatment standards; and a statement regarding whether or not the pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the Significant Industrial User to meet applicable pretreatment standards.
- i. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the Significant Industrial User will provide such additional pretreatment. The completion date in this schedule shall be no later than the compliance date established for the applicable pretreatment standard.

The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the use to meet the applicable pretreatment standards (e.g., hiring an engineer, completing, executing contract for major components, commencing construction, completing construction, etc.).
 2. No increment referred to in Paragraph (1) shall exceed nine months.
 3. No later than 14 days following each date in the schedule and the final date for compliance, the Significant Industrial User shall submit a progress report to the Manager, including, as a minimum, whether or not it complied with the increment of progress to be met on such date, and if not, the date on which it expects to comply with this increment of progress; the reason for delay, and the steps being taken by the Significant Industrial User to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Manager.
-
- j. Each product produced by type, amount, process, or processes, and rate of production.
 - k. Type and amount of raw materials processed (average and maximum per day).
 - l. Number and type of employees, and hours of operation of plant, and proposed or actual hours of operation of pretreatment system.
 - m. Any other information as may be deemed by Township to be necessary to evaluate the permit application.

Township will evaluate the data furnished by the Significant Industrial User and may require additional information. After evaluation and acceptance of the data furnished, Township may issue a Significant Industrial User Permit subject to terms and conditions provided herein.

4.3.3 Permit Modifications

Upon the promulgation of a National Categorical Pretreatment Standard, the Significant Industrial User Permit of said Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard.

4.3.4 Permit Conditions

Significant Industrial User Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, User charges, and fees established by Township by way of a separate ordinance or Resolution. Permits shall contain the following:

- a. The unit charge or schedule of User charges and fees for the wastewater to be discharged to POTW.
- b. Limits on the average and maximum wastewater constituents and characteristics.
- c. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- d. Requirements for installation and maintenance of inspection and sampling facilities.
- e. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule.
- f. Compliance schedules.

- g. Requirements for submission of technical reports or discharge reports (see Section 4.4).
- h. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by Township and affording Ambler and Township access thereto.
- i. Requirements for notification of Township of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.
- j. Requirements for notification of sludge discharges as per Section 5.2.
- k. Other conditions as deemed necessary by Township to ensure compliance with this Ordinance.

4.3.5 Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A Permit may be issued for a period less than one (1) year, or may be stated to expire on a specific date. The User shall apply for a Permit reissuance a minimum of 180 days prior to the expiration of the User's existing permit. The terms and conditions of the Permit may be subject to modification by Township during the term of the Permit, as limitations or requirements as identified in Section 2 are modified or other just cause exists. The User shall be informed of any proposed changes in his Permit at least 30 days prior to the effective date of change. Any changes or new conditions in the Permit shall include a reasonable time schedule for compliance.

4.3.6 Permit Transfer

Significant Industrial User Permits are issued to a specific User for a specific operation. Such Permit shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation without the written approval of Township. Any succeeding owner or User shall also comply with the terms and conditions of the existing Permit.

4.3.7 Reporting Requirements for Permittee

4.3.7.1 Compliance Date Report

Within 90 days following the date for final compliance with applicable Pretreatment Standards, or in the case of a new source, following commencement of the introduction of wastewater into the POTW, any User subject to Pretreatment Standards and Requirements shall submit to the Manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards or Requirements and the average and maximum daily flow for these process units in the User facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis, and if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the User and certified by a qualified professional engineer or other person with the knowledge and qualifications to so certify.

4.3.7.2 Periodic Compliance Reports

1. Any User subject to a Pretreatment Standard after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge to the POTW, shall submit to the Manager during the months of June and December, unless required more frequently in the Pretreatment Standards or by the Manager, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flow which, during the reporting period, exceeded the average daily flow allowed in the permit or by this Ordinance. At the discretion of the Manager and in consideration of such factors as local high or low flow rates, holiday, budget cycles, etc., the Manager may agree to alter the months during which the above reports are to be submitted.

2. The Manager may impose mass limitations on Users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (1) of this section shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration or production and mass where requested by the Manager, of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standards. All analysis shall be performed in accordance

with procedures established by the Administrator pursuant to Section 304(g) of the Act, and contained in 40 CFR Part 136 and amendments thereto, or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Administrator.

4.3.8. Monitoring Facilities. The term "User" shall mean industrial, commercial, and institutional users as well as significant industrial users.

Township shall require to be provided and operated at the User's sole expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the User's premises, but Township may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with Township's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following notification by Township.

4.3.9 Inspection and Sampling. The term "User" shall mean industrial, commercial, and institutional users as well as significant industrial users.

The Township shall have the right to inspect the facilities of any User connected to the POTW, to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow Township or their representatives ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or copying, in the performance of any of their duties. Township, shall have the right to set up, on the User's property, such devices as are necessary to conduct sampling inspection, compliance monitoring, and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Township will be permitted to enter without delay, for the purposes of performing their responsibilities hereunder.

When Ambler is in receipt of information by which it determines that the provisions of this section are not being carried out, Ambler, upon notice to Upper Dubin, and accompanied by a representative thereof, shall have the right to enforce the provisions of this section.

4.4 Pretreatment. The term "User" shall mean significant industrial user only.

Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to Township shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to Township for review, and shall be acceptable to Township before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to Township under the provisions of this Ordinance and the Permit. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be accepted by Township prior to the User's initiation of the changes.

Township shall annually publish in any newspaper of general circulation in the area of Township, a list of the Users which were not in compliance with any Pretreatment Standards or Requirements during a substantial part of the previous 12 months. The notification also shall summarize any enforcement actions taken against any User during the same 12 months. Reference: 40 CFR 403.8(f) (2) (VII).

All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

4.5 Confidential Information

Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs, and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of Township that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the User.

When requested by the person furnishing a report, the portions of a report which may disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal Permit, and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by Township as confidential shall not be transmitted to any governmental agency or to the general public by Township until and unless a 10 day notification is given to the User.

5.0 ENFORCEMENT Unless otherwise indicated in section 5, this section shall apply to all users.

5.1 Harmful Contributions

The Township may suspend a User Permit when such suspension is necessary in the opinion of the Township in order to stop an actual or threatened discharge which presents, or may present, an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW, or causes Ambler to violate any condition of its NPDES permit.

Any person notified of a suspension of a permit shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, Township shall take steps as deemed necessary, including immediate severance of the sewer connection to prevent or minimize damage to the POTW system or endangerment to any individuals. Township shall reinstate the Permit upon proof of the elimination of the non-complying discharge by User or Significant Industrial User, payment of any damages, fines, penalties or costs associated with the discharge, and the submission of a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence.

When Ambler is in receipt of information by which it determines that the provisions of this section are not being carried out, Ambler, upon notice to Upper Dublin, and accompanied by a representative thereof, shall have the right to enforce the provisions of this section.

5.2 Revocation of Permit

Any User who violates the following conditions of this Ordinance or applicable State or Federal regulations, is subject to having his Permit suspended in accordance with the procedures of Section 5 of this Ordinance:

- a. Failure to report factually the wastewater constituents and characteristics of his discharge.
- b. Failure to report significant changes in operations or wastewater constituents and characteristics.
- c. Refusal of reasonable access to the premises for the purposes of inspection and monitoring.
- d. Violation of the conditions of the Permit.

5.3 Notification of Violation

Whenever Ambler or Township finds that any User has violated or is violating this Ordinance, the Permit, or any prohibition, limitation of requirements contained herein, Ambler or Township may serve upon such person a written notice, stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to Ambler and to Township by the User.

5.4 Show Cause Hearing and Appeal Hearings

5.4.1 Ambler or Township may order anyone or any User who causes or allows an unauthorized discharge to enter the POTW to show cause before the Ambler Joint Wastewater Treatment Plant Committee (hereinafter "Committee"), composed of five persons, one person designated by each member municipality, why the proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Committee regarding the violation, the reasons why the action is to be taken, the proposed

enforcement action, and directing the User to show cause before the Committee why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail at least 10 days before the hearing. Service may be made on any agent or office of a corporation.

5.4.2 The Committee may itself conduct the hearing and take the evidence or may designate any of its members to:

- a. Issue in the name of the Committee, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.
- b. Take the evidence.
- c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Committee for action thereon.

5.4.3 At any hearing held pursuant to this Ordinance, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

5.4.4 After the Committee has reviewed the evidence, it may issue an order to the User responsible for the discharge directing that following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed on existing treatment facilities, devices, or other related appurtenances are properly operated. Further orders and directives, as are necessary and appropriate, may be issued.

5.4.5 Any User aggrieved by the enforcement of any of the following sections of this Ordinance may take an appeal and have a hearing thereon if the appeal is taken within 15 calendar days of the user's receipt of any order or notice under the applicable section. The hearing shall be conducted in accordance with the procedures set forth in Section 5.4 hereof. The sections are:

- 2.2 Building Sewers and Connections
- 3.2 Charges and Fees
- 4.2 Industrial, Commercial, or Institutional User Permit
- 4.3 Significant Industrial User
- 4.4 Pretreatment
- 4.5 Confidential Information

5.5 Legal Action

If any person or User located within or outside of Township discharges sewage, industrial wastes, or other wastes into Township's wastewater disposal system contrary to the provisions of this Ordinance, federal or State pretreatment requirements, or any order of Township, Township's solicitor may commence an action for appropriate legal and/or equitable relief including injunctive relief in the Court of Common Pleas of Montgomery County, and including damages for all costs incurred in the enforcement of this Ordinance, in the enforcement of any permits issued, and for any surcharges made because the discharge regulations have not been or are not being adhered to for any period of time.

6.0 PENALTY COSTS

6.1 Civil Penalties

Any User who is found to have violated an order of Township or Committee, or who willfully or negligently failed to comply with any provision of this Ordinance, the orders, rules, regulations, and permits issued hereunder shall be fined not less than One Hundred (\$100.00) Dollars, nor more than Three Hundred (\$300.00) Dollars before a District Justice for each offense in an action or actions prosecuted by Township. Each day on which a violation shall occur or continue to occur shall be deemed a separate and distinct offense. In addition to the penalties provided herein, Township may recover penalties, damages, costs, reasonable attorney's fees, court costs, court reporter's fees, and other expenses of litigation by appropriate suit at law against the person or User found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

6.2 Falsifying Information

Any person who knowingly makes any false statements, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Ordinance or permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall, upon conviction under the provisions of the Pennsylvania Crimes Code, Section 4904 (18 C.P.S.A. § 4904, as amended), be punished by a fine of not more than Five Thousand (\$5,000.00) Dollars or by imprisonment for not more than two (2) years, or both, under the provisions of the Pa. Crimes Code, Section 1101 and 1104 (18 C.P.S.A. §§1101 and 1104, as amended).

7.0 SEVERABILITY

If any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

8.0 CONFLICT

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

9.0 EFFECTIVE DATE

This Ordinance shall become effective immediately.

ORDAINED AND ENACTED this 13th day of August, 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By Patrick J. Polle
President

Attest Gregory N. Klemick
Secretary

ORDINANCE No. C91

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED TRACT, 449 PENNSYLVANIA AVENUE, FROM "A" RESIDENTIAL DISTRICT TO "CR" COMMERCIAL-RETAIL DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from "A" Residential District to "CR" Commercial-Retail District:

ALL THOSE TWO CERTAIN lots or tracts of land Situate in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania.

ONE THEREOF BEGINNING at a point in the center line of Pennsylvania Avenue (formerly Township Line Road) (40 feet wide) at the distance of four hundred sixty-seven and twenty-one one hundredths feet Southeastwardly from a point marking the intersection of said center line of Summit Avenue (forty-five feet wide); thence extending along land now or late of Frank A. Peirce, of which this was formerly a part, the three following courses and distances, to wit: North forty-four degrees forty-five minutes East one hundred and forty feet to a point; thence South forty-five degrees fifteen minutes East sixty feet to a point; thence South forty-four degrees forty-five minutes West one hundred and forty feet to the center line of Pennsylvania Avenue (formerly Township Line Road); thence extending along said center line of Pennsylvania Avenue (formerly Township Line Road) North forty-five degrees fifteen minutes West sixty feet to the point and place of beginning.

THE OTHER THEREOF described according to a survey made thereof by C. Raymond Weir, Registered Surveyor, August 30, 1938, as follows:

BEGINNING at a point in the center line of Pennsylvania Avenue (formerly Township Line Road) (40 feet wide) dividing the Townships of Upper Dublin and Whitemarsh, at the distance of five hundred twenty-seven and twenty-one one hundredths feet Southeastwardly from the centerline of Summit Avenue, as originally laid out forty feet wide; thence extending along land now or late of Lillian C. Barrett the two following courses and distances, to wit: North forty-four degrees forty-five minutes East one hundred and forty feet to a point, thence North forty-five degrees fifteen minutes West sixty feet to a point in line of land now or late of Edwin C. Baynon et ux; thence extending along line of land now or late of Edwin C. Baynon, et ux, North forty-four degrees forty-five minutes East one hundred twenty-three and thirty-seven one hundredths feet to a point, a corner of land now or late of Frank A. Peirce; thence extending along land now or late of Frank A. Peirce the two following courses and distances, to wit: South forty-five degrees fourteen minutes thirty seconds East ninety feet to a point and thence South forty-four degrees forty-five minutes

West two hundred sixty-three and three hundred fifty-five one thousandths feet to the center line of Pennsylvania Avenue (formerly Township Line Road); thence extending along said center line of Pennsylvania Avenue (formerly Township Line Road) North forty-five degrees fifteen minutes West thirty feet to the point and place of beginning.

BEING known as 449 Pennsylvania Avenue.

ENACTED AND ORDAINED this 10th day of September A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By *Patricia J. Ball*
President

Attest *Gregory N. Klemick*
Secretary

ORDINANCE NO. 692

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, ZONING, ARTICLE 15, FLOODPLAIN CONSERVATION DISTRICT, BY ADDING THERETO REGULATIONS AS REQUIRED BY THE PENNSYLVANIA FLOOD PLAIN MANAGEMENT ACT (ACT 166 OF 1978).

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

SECTION 1. Section 15.03, paragraph 3, a, b, c, d, e, and f, shall be deleted in its entirety and the following substituted therefor:

A. IDENTIFICATION

In accordance with the administrative regulations promulgated by the Department of Community Affairs to implement the Pennsylvania Flood Plain Management Act (Act 166 of 1978), the following activities have been identified as being dangerous to human life or posing a special hazard in floodplain areas:

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 550 gallons or other comparable volume or any amount of radioactive substances) of any of the following dangerous materials or substances on the premises.

1. ACETONE
2. AMMONIA
3. CALCIUM CARBIDE
4. BENZENE
5. CARBON DISULFIDE
6. CELLULOID
7. CHLORINE
8. HYDROCLORIC ACID
9. HYDROCYANIC ACID
10. MAGNESIUM
11. NITRIC ACID AND OXIDES OF NITROGEN
12. PETROLEUM PRODUCTS (GASOLINE, FUEL OIL, ETC.)
13. PHOSPHORUS
14. POTASSIUM
15. SODIUM
16. SULPHUR AND SULPHUR PRODUCTS
17. PESTICIDES (INCLUDING INSECTICIDES, FUNGICIDES AND RODENTICIDES)
18. RADIOACTIVE SUBSTANCES, INsofar AS SUCH SUBSTANCES ARE NOT OTHERWISE REGULATED.

- 2) The construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following:
 1. Hospital (Public or private)
 2. Nursing homes (Public or private)
 3. Jails or prisons
- 3) The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvement to an existing mobile home park or mobile home subdivision.
- 4) All freestanding structures, buildings, with the exception of flood retention dams, culverts, and bridges as approved by the Pennsylvania Department of Environmental Resources.
- 5) The relocation of any watercourse without approval by the Board of Commissioners of Upper Dublin Township, which shall first have received the recommendation of the Township Planning Commission and the Soil Conservation Service, U.S. Department of Agriculture, thereon; and the approval of the Pennsylvania Department of Environmental 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.
- 6) Sanitary landfills, dumps, junkyards, outdoor storage of vehicles and materials.
- 7) On-site sewage disposal systems.
- 8) Private water supply wells.

B. FLOODPLAIN RESTRICTIONS

Within any identified floodplain area, the activities described in "A" above, shall be prohibited and no variance shall be granted.

SECTION 2. Section 15.04, Special Exceptions, shall be amended as follows:

A. The words "Special Exceptions" shall be deleted as a title and this section shall now be titled: Section 15.04, Conditional Use by the Board of Commissioners in Accordance with the Provisions of Article 22.

B. The first paragraph shall be deleted in its entirety and the following substituted therefor, so this section shall read as follows:

Sec. 15.04 Conditional use by the Board of Commissioners in accordance with the provisions of Article 22:

The following Conditional use 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:

SECTION 3. A. Section 15.05, Application Procedures, paragraph 1, shall be amended by the deletion of the words "Special Exception" in the eighth line and the words "Conditional Use shall be forwarded to the Board of Commissioners" substituted therefor, and this paragraph shall read as follows:

"1. In a floodplain, as defined in Section 15.01 herein, a zoning permit may 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. Application for a zoning permit shall be filed with the Zoning Officer who shall make an initial determination of the application. For a use other than those permitted in Section 15.03, an application seeking approval of a Conditional Use shall be forwarded to the Board of Commissioners or variance shall be forwarded to the Zoning Hearing Board, along with required studies or information and the findings of the Zoning Officer."

B. Section 15.05, Application Procedures, paragraph 2, shall be amended by the deletion of the words "Special Exception" and the addition of the words "Conditional Use" and this paragraph shall read as follows:

Sec. 15.06 Procedures for Consideration of a Conditional Use or Variance.

All applications for approval of a Conditional Use or variances shall be considered using standards listed in Section 15.07.

1. The Board of Commissioners for a Conditional Use or the Zoning Hearing Board for a Variance shall hold a public hearing within sixty (60) days after an application is filed pursuant to public notice.

2. The Board of Commissioners or Zoning Hearing Board may request the review and recommendations of the Soil Conservation Service, at least thirty (30) days prior to the public hearing.

3. The Board of Commissioners or Zoning Hearing Board may request, at least thirty (30) days prior to a public hearing, the review and recommendations of the Advisory Boards of the Township or other agencies deemed appropriate.

4. The Board of Commissioners or Zoning Hearing Board may request, at least thirty (30) days prior to a public hearing, the review and recommendation of technical agencies, such as the Montgomery County Planning Commission, or other planning agencies to assist in determining the impact of the proposed use.

5. The Board of Commissioners or Zoning Hearing Board shall render a decision within forty-five (45) days after the public hearing. In rendering a decision, the Board of Commissioners or the Zoning Hearing Board may impose special measures or conditions as deemed necessary and appropriate for the use to conform with the intent of the ordinance.

SECTION 5. Section 15.07, Standards for Granting of Special Exceptions or Variances, shall be amended by the use of the words "Conditional Use" in place of "Special Exceptions" and the words "Board of Commissioners" added to that of the Zoning Hearing Board, so this section shall read as follows:

"Sec. 15.07 Standards for Granting of Conditional Use or Variances.

The Board of Commissioners and Zoning Hearing Board shall exercise discretion in allowing only those uses which are substantially in accordance with the stated objectives in Section 15.00 herein. The Board of Commissioners in considering Conditional Use and the Zoning Hearing Board in considering variance applications, shall consider the following:"

1. The effect of the use shall not substantially alter the cross-section profile of the stream and floodplains at the location of the proposed use.
2. Lands abutting the waterway, both upstream and downstream, shall not be unreasonably affected by the proposed use.
3. The general welfare or public interest of Upper Dublin Township or other municipalities in the same watershed shall not be adversely affected.
4. 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 flood water. Such structures shall be elevated in accordance with the provisions contained in the Upper Dublin Township Building Code, as amended.
5. Any new structure permitted as a Conditional Use or by variance shall be floodproofed in accordance with the provisions contained in the Upper Dublin Township Building Code, 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 flood waters 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 flood waters.

6. 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 the Upper Dublin Township Building Code, as amended. However, any portion of the structure not so elevated shall be floodproofed, also in accordance with the Township Building Code, as amended.

7. 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.

8. The Board of Commissioners or the Zoning Hearing Board shall notify the applicant in writing over the signature of community officials that (I) 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, (II) 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 Section 15.07(9) and

9. The Board of Commissioners and the Zoning Hearing Board shall (I) maintain a record of all decisions including jurisdiction for their issuance, and (II) report such decisions issued in its annual report submitted to the Federal Insurance Administration.

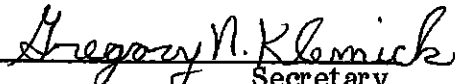
ENACTED AND ORDAINED this 10th day of September, A.D., 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: 

President

Attest:


Secretary

ORDINANCE NO. 693

**AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10,
ZONING, ARTICLE 4, GENERAL ZONING REGULATIONS, DEALING
WITH ACCESSORY USES IN RESIDENTIAL DISTRICTS.**

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

SECTION 1:

A. Article 4, Section 4.07, Accessory Uses, A, Uses Accessory to Agriculture, Sub-paragraph 4 (e), shall be deleted and the following substituted therefor:

"(e) The stand shall be of temporary construction and must be removed by December 1st and not erected before May 1st, no permit shall be issued before May 1st or after December 1st of any year."

B. Section 4.07, B, Uses Accessory to Dwelling, shall be amended as follows:

1. Paragraph 1, (a) shall be amended by changing the lot size from two (2) acres to five (5) acres, so this section of 1 (a) shall read as follows:

"... and provided that as to a private stable or barn, no animals shall be housed therein unless the stable is located on a lot at least five (5) acres in area and the stable or barn is located at least one hundred (100) feet from any boundary line and at least one hundred fifty (150) feet from any dwelling."

2. Paragraph 4 shall be deleted in its entirety.

3. Paragraph 5, which shall be re-numbered to paragraph 4, shall be amended by the deletion of the phrase "or in a building accessory thereto" and this paragraph shall now read as follows:

"The renting of rooms within the dwelling in which the Lessor resides for not more than two (2) nontransient persons, with or without the provisions of table board for such persons."

4. Paragraph 5 shall be deleted in its entirety and the following substituted therefor:

"5. The following when authorized as a Special Exception;

- (a) Living quarters for household employees, caretakers or watchmen, and members of the immediate family.
- (b) The renting of Accessory quarters on the property for other than the immediate family.

- (c) A professional office to include the office or studio of a doctor, dentist, masseur, teacher, artist, architect, musician, lawyer, magistrate or practitioner of a similar nature. Provided that the office or studio room is located in a dwelling or in a building accessory thereto, of the professional and no sign or advertisement is shown other than a sign not larger than six (6) inches by eighteen (18) inches bearing only the name and occupation (words only) of the practitioner, and provided further that the profession is conducted by the occupants with not more than two (2) persons from outside the residence to assist in such use. Parking must be provided off street and must have two (2) spaces for the dwelling unit and a minimum of three (3) spaces or one (1) space for each 200 square feet of gross office space. (A parking space is ten feet by 20 feet (10' X 10')
- (d) A home occupation, to include dressmaking, millinery, laundry or similar handicrafts. Provided that the occupational room is located in a dwelling or in a building accessory thereto, and provided further, that no goods are publicly displayed on the premises and no sign or advertisement is shown. Provided further that the occupation is conducted by the occupants only without employment of a person or persons to assist in such use. Customers of such home occupation shall not come to the resident for services."

SECTION 2: Article 4, Section 4.15, Access to Public Street, shall be amended by the deletion of the words "as a special exception" in the third sentence and the following be substituted therefor: "as a Conditional Use by the Board of Commissioners in accordance with the provisions of Article 22", so this section shall read as follows:

"No zoning permit shall be issued to construct a structure on any lot unless the lot abuts on a public street maintained by the State, County or Township, provided, however, a Permit may be issued as a Conditional Use by the Board of Commissioners in accordance with the provisions of Article 22, upon the following conditions:"

SECTION 3: Article 4, Section 4.16, Fencing, shall be amended by the deletion of the last sentence which reads: "Corner property shall be limited to four (4) feet in height on each street front." and the following sentence substituted therefor:

Corner property and property with a street front in the rear yard shall be limited to four (4) feet above the sidewalk grade. All street fronts shall be limited to four (4) feet above sidewalk grade.

so Section 4.16, Fencing, shall read as follows:

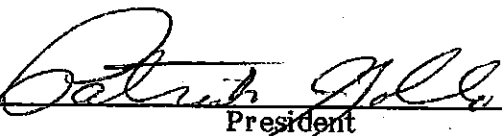
Sec. 4.16 Fencing

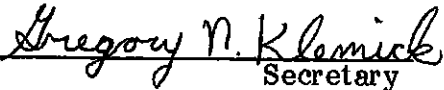
No fence or wall (except a retaining wall or a wall of a building permitted under this ordinance) over four (4) feet in height shall be erected in any front yard nor over six (6) feet in height in any rear or side yard. Corner property and property with a street front in the rear yard shall be limited to four (4) feet above a sidewalk grade. All street fronts shall be limited to four (4) feet above sidewalk grade.

ENACTED AND ORDAINED this day of , A.D., 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By:


President

Attest: 
Secretary

ORDINANCE NO. 694

AN ORDINANCE PROVIDING FOR THE LAYING OUT, CONSTRUCTION AND INSTALLATION OF SANITARY WASTE WATER SEWER FACILITIES AND THE CONDEMNATION OF RIGHTS OF WAY AND PERMANENT AND TEMPORARY EASEMENTS ACROSS PRIVATE PROPERTY AND THE INSTALLATION OF GRADES AND SPECIFICATIONS IN DUBLIN ROAD, SLAYTON DRIVE, GLENN DRIVE, CABOT ROAD, THE DEDICATED PORTION OF ARTHUR AVENUE, GRISSOM PLACE, PEMBROOK ROAD AND WHITEHOUSE ROAD, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AND PROVIDING FOR THE PAYMENT OF COSTS OF CONSTRUCTION AND INSTALLATION BY THE BENEFIT METHOD FOR THE SANITARY SEWER FACILITIES AND THE PAYMENT OF AMOUNTS ASSESSED IN INSTALLMENTS AND THE COLLECTION THEREOF, 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 waste water sewerage; and

WHEREAS, it is deemed to be in the best interests of the residents of the Township and the health and welfare of the community to arrange for such facilities to be 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 waste water sewer facilities; and

WHEREAS, in accordance with Article XXV of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to collect by installment the cost of sewer improvements;

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, does hereby ENACT AND ORDAIN that:

SECTION I SANITARY WASTE WATER SEWER FACILITIES

(a) A system of sanitary waste water sewer facilities shall be constructed and installed in Dublin Road, Slayton Drive, Glenn Drive, Cabot Road, the dedicated portion of Arthur Avenue, Grissom Place, Pembroke Road and Whitehouse 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, and shall be interconnected to the existing sanitary waste water sewer system in place in the Township and under construction in land adjoining the land to be sewered.

(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 properties benefited, improved and accommodated by the said sewer system to the extent of the benefit conferred upon such properties. 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.

(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) Upon confirmation of the report of the viewers, the Township Manager shall make out bills for the amounts assessed against each property 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.

(d) If any assessment shall remain unpaid at the expiration of thirty (30) days following the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from the thirtieth (30th) day after the service of the notice, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five per cent (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 III INSTALLMENT PAYMENT PRIVILEGES

Any owner of property assessed shall have the option of paying the assessment over a term of five (5) years from the due date of the assessment in twenty (20) equal quarterly installments plus interest at the rate of six per cent (6%) per annum on the unpaid balance, provided that:

(a) the property owner shall, within thirty (30) days following the date of service of the notice of assessment and the bill therefor, deliver to the Township the owner's written notice of election to pay in installments in form required by the Township and to be prepared by the Township Manager, and

(b) pay the first installment due on the assessment together with a one-time charge of Fifty Dollars (\$50.00) additional for preparation and filing of lien documents and satisfaction costs, concurrently with the delivery of the notice of election to pay in installments, aforesaid; and

(c) thereafter pay each quarterly installment together with interest as aforesaid not later than the expiration of each quarterly period succeeding the due date of the assessment; and

(d) a lien for municipal claim shall be duly filed by the Township Solicitor for the unpaid balance of the assessment plus a penalty of five per cent (5%) of the unpaid balance and interest, as aforesaid; provided further, however, that such lien shall not be prosecuted so long as the installments are timely paid. Upon default in the payment of any installment the entire unpaid balance, plus penalty and interest and costs shall become immediately due and payable and shall be collected as provided by law.

ENACTED AND ORDAINED this 10th day of September, 1985.

ATTEST:

BOARD OF COMMISSIONERS

BY: Gregory N. Klemick
Secretary

BY: Patricia J. Galla
President

TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania

ORDINANCE NO. 695

AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE TOWNSHIP BY THE ISSUANCE OF \$2,200,000 AGGREGATE PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS, SERIES OF 1985 FOR THE PURPOSE OF REFUNDING THE TOWNSHIP'S OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS, SERIES OF 1982, AND PAYING THE COSTS OF THE FINANCING; AUTHORIZING THE PREPARATION OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE PROMPT AND FULL PAYMENT OF THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS, PRINCIPAL MATURITY DATES AND AMOUNTS, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS, PROVISIONS FOR REDEMPTION AND OTHER DETAILS OF THE BONDS; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; AUTHORIZING THE PROPER TOWNSHIP OFFICERS TO CONTRACT FOR THE SERVICES OF A PAYING AGENT AND SINKING FUND DEPOSITARY AND APPOINTING SAME; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township of Upper Dublin has heretofore issued \$2,000,000 principal amount of its General Obligation Refunding Bonds, Series of 1982 (the "1982 Bonds") for the purpose of refinancing bonds issued to finance various capital improvement projects identified in Section 1 of Township Ordinance No. 608 (the "Projects") and is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, approved July 12, 1972, Act No. 185 as reenacted and amended by Act 52 of 1978 approved April 28, 1978 (the "Act") to incur indebtedness and to issue bonds for the purpose of refunding its outstanding indebtedness; and

WHEREAS, the Township proposes to issue its General Obligation Bonds, Series of 1985 (the "Bonds") for the purpose of refunding the 1982 Bonds to reduce the total debt service over the life of the issues and has received a proposal for the purchase of the Bonds.

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. Approval of Refunding Program. This Township shall incur indebtedness, pursuant to the Act, in the amount of \$2,200,000 for the purpose of refunding the 1982 Bonds and paying the costs and expenses of the issuance of the Bonds and the payment and redemption of the 1982 Bonds. It is hereby determined and stated that the purpose and result of refunding the 1982 Bonds is to reduce the total debt service over the life of the issues as shown in the Schedule of Annual Debt Service Savings attached hereto and made a part hereof.

Section 2. Authorization of Indebtedness and Issuance of Bonds. The Township shall issue, pursuant to this Ordinance, \$2,200,000 aggregate principal amount of its General Obligation Bonds, Series of 1985 for the purposes authorized in Section 1 of this Ordinance and to finance the indebtedness authorized hereunder.

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, the Township Secretary or Treasurer and their successors are hereby authorized and directed to prepare, verify and file the Debt Statement required by Section 410 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in connection with the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community Affairs 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. The said officers 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 Article II of the Act in order to qualify all or any portion of the existing indebtedness of the Township and of the above authorized indebtedness as subsidized debt or as self-liquidating 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: (a) that the Township has or will include in its budget for each year, commencing with the fiscal year ending December 31, 1986, the amount of the debt service on the Bonds which will be payable in each such fiscal year so long as the Bonds shall remain outstanding; (b) that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; and (c) that the Township shall duly and punctually pay or cause to be paid from the sinking fund hereinafter created or any other of its revenues or funds the principal of the Bonds and the interest thereon on the dates and at the place and in the manner stated in the Bonds according to the true intent and meaning thereof. For such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable. The covenant contained herein shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenant are those set forth in Exhibit A 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 BOND)

(BOND TEXT - FACE OF BOND)

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

GENERAL OBLIGATION BOND, SERIES OF 1985

No. R-

\$ _____

Interest Rate

Maturity Date

Dated Date

CUSIP

October 15, 1985

REGISTERED OWNER

PRINCIPAL SUM

Dollars

The Township of Upper Dublin, Montgomery County, Pennsylvania (the Township), a municipal corporation of the Commonwealth of Pennsylvania, for value received, hereby promises to pay to the registered owner hereof on the maturity date set forth above the principal sum set forth above, unless this Bond shall have been called for redemption and payment of the redemption price shall have been duly made or provided for, and to pay interest thereon initially on May 1, 1986 and thereafter semiannually on May 1 and November 1 of each year (each, an Interest Payment Date), at the annual rate specified above, calculated on the basis of a 360-day year of twelve 30-day months until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or duly provided for or, if no interest has been paid,

from October 15, 1985. The principal of this Bond is payable upon presentation and surrender hereof at the principal corporate trust office of Continental Bank, Norristown, Pennsylvania (the Paying Agent). Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the fifteenth day of the calendar month (whether or not a business day) 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; the Regular Record Date, and the Special Record Date, collectively the Record Date) for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever money becomes available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the Bonds not less than fifteen (15) days prior thereto. The principal of and interest on this Bond are payable in lawful money of the United States of America.

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

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

TOWNSHIP OF UPPER DUBLIN

BY: (facsimile signature)
President of Board
of Commissioners

Attest: (facsimile signature)
Secretary

(SEAL)

(FORM OF AUTHENTICATION CERTIFICATE)

DATE OF AUTHENTICATION

Authentication Certificate

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series of 1985, described in the within mentioned Ordinance.

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

CONTINENTAL BANK
Paying Agent

By: _____
Authorized Officer

(BOND TEXT - BACK OF BOND)

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 1985, of the Township in the aggregate principal amount of \$2,200,000 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, Act 52 of 1978 approved April 28, 1978, as amended (the Act), and pursuant to an Ordinance of the Board of Commissioners of the Township duly adopted on October 1, 1985 (the Ordinance). The Township will issue the Bonds for the purpose of refunding the Township's outstanding General Obligation Refunding Bonds, Series of 1982.

The Act provides that this Bond, its transfer and the income therefrom, including any profits made on the sale thereof, shall at all times be free from taxation for state and local purposes within the Commonwealth of Pennsylvania, but this exemption shall not extend to gift, estate, succession or inheritance taxes or to any other taxes not levied directly on this Bond, the transfer thereof, the income therefrom or the realization of profit on the sale thereof.

The Bonds maturing on and after November 1, 1990 shall be subject to redemption prior to maturity, at the option of the Township, as a whole on May 1, 1990 or on any date thereafter, or in part from time to time by lot on May 1, 1990 or on any interest payment date thereafter, in either case upon payment of a redemption price of 100% of principal amount, together with accrued interest to the date fixed for redemption.

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

The Paying Agent shall give notice of any redemption by first-class mail, postage prepaid, mailed not less than thirty (30) days nor more than sixty (60) days prior to the redemption date to each registered owner of Bonds to be redeemed at his registered address as it appears in the bond register. Such notice shall also be mailed to the Bond Buyer, or if no longer published, to such substitute financial journal as shall be acceptable to the Paying Agent. Such Notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the principal corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent may 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 or defect in the mailed notice or in the mailing thereof in respect of any Bond shall not affect the validity of the redemption of any other Bond.

With respect to any optional redemption of the Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent money 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 money with the Paying Agent not later than the opening of business on the redemption date, and such notice shall be of no effect unless such money is 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 at the principal corporate trust office of the Paying Agent, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue or transfer any Bond during a period beginning with the close of business on the Record Date next preceding any interest payment date and ending at the close of business on the interest payment date; (ii) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifteenth (15th) 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 (iii) to transfer or exchange any Bond selected for redemption in whole or in part.

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

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any member, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or 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.

It is hereby certified that the approval of the Department of Community Affairs of the Commonwealth of Pennsylvania for the Township to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution

and the statutes of the Commonwealth of Pennsylvania; that the Township has established a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the Township are hereby irrevocably pledged.

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

ASSIGNMENT AND TRANSFER

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

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF ASSIGNEE

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

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

Dated:

Signature Guaranteed by:

(Bank, Trust Company or Member
Firm of The New York Stock
Exchange)

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)

Section 8. Terms of Bonds. The Bonds shall be issued in fully registered form, in denominations of \$5,000 or integral multiples thereof, shall be dated October 15, 1985, shall bear interest from such date payable semiannually on May 1 and November 1 of each year, beginning May 1, 1986 (six and one-half months), until maturity or the date fixed for redemption, at the annual rates and shall mature on November 1 of the years as set forth in Exhibit A attached hereto.

The principal of the Bonds shall be payable upon presentation and surrender thereof in lawful money of the United States of America at the principal corporate trust office of Continental Bank, Norristown, Pennsylvania which is hereby appointed paying agent and sinking fund depository (the "Paying Agent") for the Bonds. Interest on the Bonds will be paid on each Interest Payment Date by check or draft mailed to the persons in whose names the Bonds are registered at the address appearing thereon at the close of business on the fifteenth day of the calendar month (whether or not a business day) next preceding such Interest Payment Date.

Section 9. Redemption of Bonds. The Bonds maturing on and after November 1, 1990 shall be subject to redemption prior to maturity, at the option of the Township, as a whole on May 1, 1990 or on any date thereafter, or in part from time to time by lot on May 1, 1990 or on any interest payment date thereafter, in either case upon payment of a redemption price of 100% of principal amount, together with accrued interest to the date fixed for redemption.

Any such redemption shall be after written notice by first-class mail, postage prepaid, mailed not less than thirty (30) days nor more than sixty (60) days prior to the redemption date to the registered owners of the Bonds to be redeemed at their registered addresses as they appear in the bond register. 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. On the date designated for redemption, notice having been sent as aforesaid, and money for payment of the principal and accrued interest being held by the Paying Agent and Sinking Fund Depository, as paying agent, interest on the Bonds so called for redemption shall cease to accrue, the bonds so called for redemption shall cease to be entitled to any benefit or security under the Ordinance authorizing issuance of the Bonds, and the registered owners of the Bonds so called for redemption shall have no rights with respect to such Bonds, except to receive payment of the principal of and accrued interest on such Bonds to the date fixed for redemption. Failure to mail any notice or defect in the mailed notice or in the mailing thereof in respect of any Bond shall not affect the validity of the redemption of any other Bond.

Section 10. Private Negotiated Sale of Bonds. After due consideration, the Board of Commissioners hereby finds and determines on the basis of all available information, including the recommendation of its financial advisors and investment bankers, Dolphin & Bradbury of Philadelphia, Pennsylvania, that a private negotiated sale of the Bonds is in the best financial interest of the Township. The Bonds shall be sold as hereinafter set forth in Section 13.

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

The Township covenants and agrees to deposit in the Sinking Fund not later than the semiannual dates listed on Exhibit A such amounts as at the time shall be sufficient to pay the principal of and interest on the Bonds as they become due.

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

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

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

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 Bonds are hereby awarded and sold at private sale by negotiation to Dolphin & Bradbury and Butcher & Singer Inc. (the "Bond Purchasers") at a price of \$2,162,600 plus accrued interest from October 15, 1985 to the date of delivery and in accordance with the other terms and conditions set forth on the Bond Purchase Proposal of said firms which proposal is hereby approved and accepted. Copies of said proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting. The proper officers of this Township are hereby authorized and directed to endorse the acceptance of this Township on said proposal and to deliver executed copies thereof to Dolphin & Bradbury and Butcher & Singer Inc.

Section 14. Bond Insurance. Upon request of the Bond Purchasers, the proper 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 party. If any such policy is obtained, 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 insurance policy is on file with the Paying Agent.

Section 15. Contract with Paying Agent. The proper officers of the Township are authorized to contract with the Paying Agent in connection with the performance of duties as paying agent and sinking fund depository on usual and customary terms, including an agreement on the part of the Paying Agent to observe and comply with the provisions of this Ordinance and of the Act.

Section 16. No Arbitrage Covenant. The Township covenants with the owners of the Bonds that no part of the proceeds of the Bonds shall at any time be used directly or indirectly to acquire securities or obligations the acquisition of which would cause any of the Bonds to be "arbitrage bonds" as defined in Section 103(c) of the Internal Revenue Code of 1954, as amended and supplemented, or under any similar statutory provision or any rule or regulation promulgated thereunder to or with the effect that interest on the Bonds is no longer exempt from federal income taxes.

Section 17. Execution and Authentication of Bonds. As provided in Section 4, the Bonds shall be executed by the President or the Vice President of the Board of Commissioners of the Township and the Secretary or Treasurer of the Township and each such execution shall be by manual or facsimile signature. The Bonds shall be authenticated by the manual signature of an authorized officer of the Paying Agent, which shall also certify that the approving opinion of Bond Counsel, which shall be printed on each Bond, is an accurate reproduction of the approving opinion delivered at the closing for the Bonds.

Section 18. Application of Proceeds of the Bonds-Fees and Expenses. Upon delivery of the Bonds, the amount required to pay and redeem the 1982 Bonds and to pay all expenses of the redemption and retirement of the 1982 Bonds shall be paid over to the 1982 Paying Agent to be held and invested in accordance with the terms of the Pledge Agreement. The balance of the proceeds of the Bonds shall be applied to pay the costs and expenses of issuing the Bonds and carrying out the refunding program, including the fees and expenses of the Solicitor, Bond Counsel, Paying Agent, and Accountants of the Township, printing costs, bond rating fees and miscellaneous expenses, and the proper officers of the Township are hereby authorized to pay such costs and expenses from the proceeds of the Bonds upon presentation of proper invoices therefor. Any proceeds of the Bonds which are not required for the foregoing purposes shall be applied toward the costs of the Projects originally financed by bonds refinanced by the 1982 Bonds and described in Ordinance No. 608 of the Township.

Section 19. Redemption of 1982 Bonds-Pledge and Escrow Agreement. The Township hereby calls for redemption on October 29, 1987 all of the 1982 Bonds which will then remain outstanding. In order to provide for the redemption of such 1982 Bonds and for the payment of the principal of and interest on the 1982 Bonds on each payment date from November 1, 1985 to and including October 29, 1987, the Township shall enter into a Pledge and Escrow Agreement to be dated as of October 15, 1985 (the "Pledge Agreement") with Continental Bank in its capacity as paying agent for the 1982 Bonds (the "1982 Paying Agent"). The Pledge Agreement shall provide for (a) the Township to deposit in escrow with the 1982 Paying Agent the amount necessary, together with interest earned on the investment thereof, to pay all principal and interest due on the 1982 Bonds on each May 1 and November 1 to and including October 29, 1987 and to redeem on October 29, 1987 all 1982 Bonds which mature after that date, (b) the investment of the amount so deposited in accordance with the applicable regulations under Section 103(c) of the Internal Revenue Code, (c) the irrevocable pledge of all funds held by the 1982 Paying Agent under the Pledge Agreement to the payment of the 1982 Bonds, and (d) the publication of notice of redemption of the 1982 Bonds in accordance with the terms thereof.

Section 20. Officers Authorized to Act. For the purpose of expediting the closing and the issuance and delivery of the Bonds, or in the event that the President of the Board of Commissioners or the Secretary of the Township shall be absent or otherwise unavailable for the purpose of executing documents, or for the purpose of taking any other action which they or either of them may be authorized to take pursuant to this Ordinance, the Vice President of the Board of Commissioners or the Assistant Secretary 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 21. Approval of Official Statement. The Bond Purchasers are hereby authorized to prepare an Official Statement with respect to the Bonds which is hereby approved and authorized and the Township consents to the use by the Bond Purchasers of the Official Statement in the public offering and the sale of the Bonds. A copy of the Official Statement shall be attached to this Ordinance and lodged with the official minutes of this meeting.

Section 22. Authorization of 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 insofar as the same shall relate to the Bonds, in the name and on behalf of the Township.

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

Section 24. Contract with Bond Owners. 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 25. Severability; Titles. In case any one or more of the provisions contained in this Ordinance or in any Bond shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds, and this Ordinance or said Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

The titles of the sections of this Ordinance are included for convenience only and shall not affect the meaning or construction of any provision hereof.

Section 26. Repealer. All ordinances and parts of ordinances in any manner heretofore adopted to the extent that the same are inconsistent in any manner herewith are hereby repealed.

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

CERTIFICATE OF TOWNSHIP SECRETARY

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

1. The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series of 1985, of the Township was duly moved and seconded and adopted by a majority vote of the entire Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on October 1, 1985; that public notice of said meeting was given as required by law; and 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> | <u>Name</u> | <u>Vote</u> |
|--------------------|-------------|-------------------|-------------|
| Patrick J. Zollo | Aye | Judy Herold | Aye |
| Harry E. Lenz | Aye | Harold Leneweaver | Aye |
| Norton A. Freedman | Absent | Richard R. Rulon | Aye |
| W. Richard Webster | Aye | | |

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

I further certify that such Ordinance has not been altered, amended, modified, suspended or repealed and is still in full force and effect as of the date of the delivery of this Certificate.

WITNESS my hand and the seal of the Township this 1st day of October, 1985.

(SEAL)

Bregan N. Klamick
Secretary

CLOSING CERTIFICATE

I further certify that the foregoing Ordinance has not been altered, amended, modified, suspended or repealed and is still in full force and effect on October 30, 1985.

Gregory N. Klennick
Secretary

Schedule of Annual Debt
Service Savings

| DELIVERY DATE 10/29/85 | | DISCOUNT RATE 7.00000000 % | | |
|------------------------|--------------|----------------------------|-------------|-------------|
| YEAR END | REFUNDING | REFUNDED | DIFFERENCE | PRES VALUE |
| 10/29/85 | 137,725.00 | | 137,725.00 | 137,725.00 |
| 12/30/85 | | 137,725.00 | -137,725.00 | -137,672.37 |
| 12/30/86 | 222,415.39 | 233,175.00 | -10,759.61 | -10,082.37 |
| 12/30/87 | 267,652.50 | 276,075.00 | -8,422.50 | -7,617.76 |
| 12/30/88 | 262,765.00 | 270,637.50 | -7,872.50 | -6,656.18 |
| 12/30/89 | 267,452.50 | 290,012.50 | -12,560.00 | -9,767.84 |
| 12/30/90 | 256,040.00 | 268,037.50 | -11,997.50 | -8,712.79 |
| 12/30/91 | 259,515.00 | 271,237.50 | -11,722.50 | -7,948.36 |
| 12/30/92 | 262,015.00 | 273,162.50 | -11,147.50 | -7,058.60 |
| 12/30/93 | 263,490.00 | 273,975.00 | -10,485.00 | -6,200.67 |
| 12/30/94 | 268,770.00 | 278,625.00 | -9,855.00 | -5,443.42 |
| 12/30/95 | 267,430.00 | 276,600.00 | -9,170.00 | -4,731.34 |
| 12/30/96 | 259,960.00 | 268,300.00 | -8,340.00 | -4,020.70 |
| 12/30/97 | 271,760.00 | 284,162.50 | -12,402.50 | -5,524.71 |
| 12/30/98 | 271,010.00 | 291,225.00 | -10,215.00 | -4,247.74 |
| 12/30/99 | 273,720.00 | 281,750.00 | -8,030.00 | -3,117.12 |
| 12/30/00 | 274,400.00 | 285,225.00 | -10,825.00 | -3,091.54 |
| 12/30/01 | 273,125.00 | 281,137.50 | -8,012.50 | -2,681.38 |
| TOTAL | 4,359,245.39 | 4,521,062.50 | -161,817.11 | -97,649.92 |

EXHIBIT A

TOWNSHIP OF UPPER DUBLIN
GENERAL OBLIGATION BONDS, SERIES OF 1985

BOND AMORTIZATION SCHEDULE

| Fiscal Year Ending December 31 | Principal Maturity (November 1) | Rate of Interest | Interest Payable | | Annual Debt Service |
|---|---------------------------------------|---------------------|------------------|-------------|------------------------|
| | | | May 1 | November 1 | |
| 1986 | \$30,000 | 5.25% | \$100,301.64 | \$92,113.75 | \$222,415.81 |
| 1987 | 85,000 | 5.75 | 91,326.25 | 91,326.25 | 267,652.50 |
| 1988 | 85,000 | 6.25 | 88,882.50 | 88,882.50 | 262,765.00 |
| 1989 | 95,000 | 6.75 | 86,226.25 | 86,226.25 | 267,452.50 |
| 1990 | 90,000 | 7.25 | 83,020.00 | 83,020.00 | 256,040.00 |
| 1991 | 100,000 | 7.50 | 79,757.50 | 79,757.50 | 259,515.00 |
| 1992 | 110,000 | 7.75 | 76,007.50 | 76,007.50 | 262,015.00 |
| 1992 | 120,000 | 8.10 | 71,745.00 | 71,745.00 | 263,490.00 |
| 1994 | 135,000 | 8.40 | 66,885.00 | 66,885.00 | 268,770.00 |
| 1995 | 145,000 | 8.60 | 61,215.00 | 61,215.00 | 267,430.00 |
| 1996 | 150,000 | 8.80 | 54,980.00 | 54,980.00 | 259,960.00 |
| 1997 | 175,000 | 9.00 | 48,380.00 | 48,380.00 | 271,760.00 |
| 1998 | 190,000 | 9.10 | 40,505.00 | 40,505.00 | 271,010.00 |
| 1999 | 210,000 | 9.20 | 31,860.00 | 31,860.00 | 273,720.00 |
| 2000 | 230,000 | 9.25 | 22,200.00 | 22,200.00 | 274,400.00 |
| 2001 | 250,000 | 9.25 | 11,562.50 | 11,562.50 | 273,125.00 |
| TOTALS | \$2,200,000 | | | | \$4,221,520.81 |

9/17/85

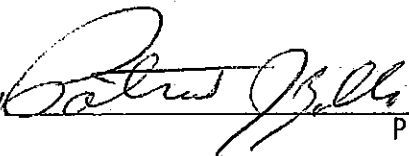
ORDINANCE No. 696

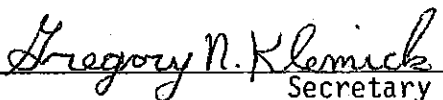
AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN APPROVING INTER-GOVERNMENTAL COOPERATION WITH UPPER MORELAND TOWNSHIP FOR CERTAIN VEHICULAR PURCHASES.

The Board of Commissioners of the Township of Upper Dublin, in accordance with Section 485 of Article 2 of Act No. 180, adopted July 12, 1972, the Inter-Governmental Cooperation Act, does hereby ENACT AND ORDAIN that the Agreement entered into between Upper Dublin Township and Upper Moreland Township, dated September 10, 1985, for the purpose of making joint purchases of two "One Ton Pick-up Trucks" and two "Fifth Wheel Re-cycle Trailers" be and it is hereby approved and adopted.

ENACTED AND ORDAINED this 8th day of October A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By  President

Attest 
Secretary

ORDINANCE No. 697

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 9, ARTICLE 10, SUBDIVISION AND LAND DEVELOPMENT, AND TITLE 2, CHAPTER 1, FEES, RATES AND PERMITS, BY REQUIRING A CONTRIBUTION FOR ROAD IMPROVEMENTS.

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

SECTION 1: That Title 9, Article 10, shall be amended by the addition of a new paragraph, paragraph 6 -- Road Improvement Contribution, as follows:

There shall also be paid to the Township a sum to be used as a contribution toward the cost of the road improvements throughout said Township. The purpose of said contribution is to defray the increased cost to the Township of road construction, repair and maintenance necessitated by the impact of the development or subdivision on roads within the Township. Said contribution shall be calculated on the basis of the total floor area of all floors, including storage areas, for any new commercial and industrial building or any existing building for which additions or renovations are to be completed. A flat fee contribution will be paid for the construction of all new residential dwelling units. The fee shall be in accordance with Title 2, Chapter 1, Fees, Rates and Permits.

There is hereby established a Highway Improvement Fund under the exclusive control of the Township Commissioners into which said contributions shall be deposited and, thereafter, from which disbursements shall be made to satisfy the cost of necessary improvements.

All contributions due under this Ordinance shall be paid prior to the issuance of any building permit for the premises.

SECTION 2: That Title 2, Chapter 1, Fees, Rates and Permits, Article 9, Land Development and Subdivision, shall be amended by the addition of a new Section 9.05 Road Improvement Contribution, as follows:

(a) For the construction of all new residential dwelling units, Three Hundred Fifty Dollars (\$350.00) per dwelling unit.

(b) For commercial and industrial construction, including additions and renovations, Fifty Cents (50¢) per square foot of total floor area.

ENACTED AND ORDAINED this 8th day of October, A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By Patricia Boll
President

Attest Gregory N. Klemick
Secretary

ORDINANCE No. 698

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE, TITLE 10, BY AMENDING THE ZONING MAP DESIGNATING THE HEREIN DESCRIBED TRACT, 520 LIMEKILN PIKE, FROM PARTIALLY SC-SHOPPING CENTER, PARTIALLY A-RESIDENTIAL TO CR-L COMMERCIAL RETAIL DISTRICT.

The Board of Commissioners of the Township of Upper Dublin does hereby enact and ordain that Title 10 of the Upper Dublin Township Code entitled "The Upper Dublin Zoning Ordinance" shall be amended as follows:

SECTION 1: The Zoning Map of the Upper Dublin Zoning Ordinance, as amended, is further amended by designating the following described tract from partially SC-Shopping Center, Partially A-Residential to CR-L Commercial Retail District:

PREMISES "A". ALL THAT CERTAIN tract or piece of land, with improvements thereon, Situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, described in accordance with a subdivision plan of property of J. Brooks Diver, prepared by C. Raymond Weir, Registered Engineers, dated June 14, 1952, as follows, to wit:

BEGINNING at an iron pin in the bed of Limekiln Pike (fifty feet wide) measured on a course South two degrees thirty minutes West along the bed of said Limekiln Pike the distance of four hundred thirty-nine and thirty-six one-hundredths feet from the Southeasterly side of Norristown Road (thirty-three feet wide) thence extending from said beginning point North forty-eight degrees eight minutes twenty seconds East crossing the Southeasterly side of said Limekiln Pike, and along land now or late of Andrew Wedman and wife one hundred forty-nine and seventeen one-hundredths feet to an iron pin; thence extending South two degrees, thirty-five minutes fifty-three seconds West two hundred twenty-one and thirty-nine one-hundredths feet to a stake in line of land now or late of Marguerite E. Jones, thence extending along said land South forty-three degrees, four minutes West and recrossing the Southeasterly side of said Limekiln Pike one hundred sixty-three and forty-one one-hundredths feet to a stake in the bed of said Pike; thence extending along the bed of said Limekiln Pike North two degrees thirty minutes East two hundred forty-one and twenty-three one-hundredths feet to the first mentioned point and place of beginning. CONTAINING in area five hundred sixty-five one-thousandths acres.

PREMISES "B". ALL THAT CERTAIN lot or piece of land, with the buildings and improvements thereon erected, Situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described according to a survey made thereof by Albright and Mebus, Civil Engineer, as follows, to wit:

BEGINNING at a point in the Easterly side of Hatboro and Upper Dublin Turnpike at the distance of one hundred seventy-two and eighty-nine one-hundredths feet Southwardly from the Southerly side of the road from Lewisville to Horsham Meeting House; thence South eighty-seven degrees forty minutes East one hundred six and ninety-seven one-hundredths feet to a point; thence South two degrees thirty-five minutes fifty-three seconds West one hundred sixty-two and fifty one-hundredths feet to a stone; thence South forty-eight degrees eight minutes twenty seconds West one hundred

forty-nine and seventeen one-hundredths feet to a point in the aforesaid Easterly side of the Hatboro and Upper Dublin Turnpike; thence along same North two degrees thirty minutes East two hundred sixty-six and forty-seven one-hundredths feet to the place of beginning.

EXCEPTING THEREOUT AND THEREFROM, ALL THAT CERTAIN lot or piece of ground with buildings and improvements thereon erected, Situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, and described according to a Plan thereof made by C. Raymond Weir, Registered Engineer, on March 18, 1949, as follows, to wit:

BEGINNING at an iron pin in the bed of Limekiln Pike (fifty feet wide) (said iron pin being set the distance of twenty-four feet Eastwardly from the physical center line of Limekiln Pike) at the distance of one hundred seventy-two and eighty-nine one-hundredths feet Southwestwardly from the Southwesterly side of Norristown Road thirty-three feet wide, thence crossing the Southeasterly side of Limekiln Pike and extending along land now or late of John C. Yowell South eighty-seven degrees forty minutes East one hundred six and ninety-seven one-hundredths feet to an iron pin; thence extending South two degrees thirty-five minutes and fifty-three seconds West one hundred feet to an iron pin; thence extending North eighty-seven degrees forty minutes West and crossing the Southeasterly side of Limekiln Pike one hundred six and eighty one-hundredths feet to an iron pin in the bed of Limekiln Pike and; thence extending through the bed of Limekiln Pike North two degrees thirty minutes East one hundred feet to an iron pin the first mentioned point and place of beginning.

ENACTED AND ORDAINED this 10th day of November A.D. 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By Richard J. Bell
President

Attest Gregory N. Klemick
Secretary

10/20/85

ORDINANCE NO. 699

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP CODE,
TITLE 2, CHAPTER 1, FEES, RATES AND PERMITS.

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

SECTION 1: That Article 2, Section 2.01 Sewer Connection Fees, Sub-paragraph (b), (c), (d) and (e) shall be amended by increasing the connection charge from \$300.00 to \$500.00, and subparagraph (b) (5) from \$200.00 to \$500.00, and read as follows:

(b) Dwelling unit within a multiple dwelling structure.

- (1) Duplex: Five Hundred Dollars (\$500.00) per dwelling.
- (2) Semi-detached: Five Hundred Dollars (\$500.00) per dwelling.
- (3) Three bedroom townhouse, apartment unit, or condominium: Five Hundred Dollars (\$500.00) per dwelling unit.
- (4) Two bedroom townhouse, apartment unit, or condominium: Five Hundred Dollars (\$500.00) per dwelling unit.
- (5) One bedroom townhouse, apartment unit, or condominium: Five Hundred Dollars (\$500.00) per dwelling unit.

(c) Dwelling unit within a motel, hotel, or similar structure, Forty Dollars (\$40.00) per unit (with a minimum of Five Hundred Dollars (\$500.00) for any such structure).

(d) A charge of Five Hundred Dollars (\$500.00) shall be imposed for any public restroom, laundry, or similar facility within a multiple dwelling, motel, hotel, or similar structure. (A connection charge shall be imposed on any restaurant-kitchen within such structure under the formula given in (e) below.)

(e) Each nonresidential building, commercial, industrial building or institutional building or a residential building used for commercial purpose, a charge shall be imposed in accordance with the following formula.

$$\frac{\text{Estimated Annual Flow}}{109,500 \text{ gals}} = \text{EDU} \times \$500.00 = \text{Connection Fee}$$

Any fractional EDU shall be rounded off to the next higher whole EDU.

SECTION 2: That Article 2, Section 2.01 Sewer Connection Fees, Sub-paragraph (f) shall be amended by increasing the connection charge from \$200.00 to \$250.00, and read as follows:

(f) For any non-residential building or separate commercial use for which the estimated annual flow shall not be more than 50,000 gallons per year: Two Hundred Fifty Dollars (\$250.00).

ENACTED AND ORDAINED this 12th day of November, A.D., 1985.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

By: Patricia J. Bolle
President

Attest: Gregory N. Klemick
Secretary